

Buckinghamshire County Council Annual Parking Report: 2017/18

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Glossary

This glossary explains common acronyms and definitions of technical terms used through the document.

Annual Report	This is the abbreviated name for this document, the <i>Annual Parking and Enforcement Report</i> .
CC	Charge certificate.
CEO	Civil Enforcement Officer. Following the enactment of Part 6 of the <i>Traffic Management Act 2004</i> on 31 March 2008 with respect to civil parking enforcement, 'Parking Attendants' are now referred to as CEOs.
CPZ	Controlled Parking Zone.
Contravention	This refers to a breach of parking regulations. This was formerly referred to as an 'offence' when regulations were enforced by the police.
Enforcement	In this document 'enforcement' activity by the Council covers that of parking controls.
KPI	Key performance indicator.
NtO	Notice to owner.
PCN	Penalty charge notice.
PPA	Permit parking area
Recovery rate	The percentage of PCNs issued that have been paid. Non-payment of PCNs may be due to those receiving the PCN or as a consequence of the Council not being able to obtain the keeper details from the DVLA (Driver and Vehicle Licensing Agency).
RPZ	Restricted parking zone
TEC	Traffic Enforcement Centre
TfB	Transport for Buckinghamshire, a strategic partnership between Buckinghamshire County Council and Ringway Jacobs
TMA	Traffic Management Act 2004
TPT	Traffic Penalty Tribunal (formally NPAS)
TRO	Traffic Regulation Order. TRO is used as a generic term in this report to cover any traffic regulation orders that are used to designate parking and traffic controls.

Introduction and context

Overview

The legislative framework for local authorities to carry out parking enforcement changed on 31 March 2008 when Part Six of the Traffic Management Act 2004 (TMA), replaced parts of the Road Traffic Act 1991. The Department for Transport (DfT) introduced the TMA to improve public perceptions of parking enforcement by providing greater consistency of nationwide parking regulations and providing a fairer and more transparent system.

The TMA required a number of changes to parking enforcement practice, which covered the terminology and documentation used, and the processing of PCNs. It also placed additional responsibilities on authorities to publish information regarding parking enforcement, including an Annual Report.

Buckinghamshire is a two-tier non-metropolitan county. In such an arrangement, the district councils (Aylesbury Vale district, Chiltern district, South Bucks district and Wycombe district) are responsible for most off-street parking provision and will produce their own Annual Report on their parking activities. Buckinghamshire County Council is responsible for all on-street parking enforcement and a small number of County Council owned car parks.

This is Buckinghamshire County Council's Annual Parking and Enforcement Report for the 2017/18 financial year. The report covers primarily on-street parking activity. Three broad areas are covered in the report:

- Introduction and context
- What's new
- In the future
- Reviews and monitoring

More information on parking in Buckinghamshire is available on our website here:

<https://www.buckscc.gov.uk/services/transport-and-roads/parking/>

The purpose of parking regulations and why they are enforced

This annual report sets out the important facts and figures of the County Council's parking and enforcement activity but it is important also to bear in mind why the County Council needs to manage parking in the first place. Parking controls play an important part in our transport strategy by regulating the amount of traffic within the County, maintaining a safe highway network, and encouraging the use of public transport.

Our parking policy principles are summarised in our 'Vision for Parking' which was formally adopted by the County Council in October 2016:

- 1) Provide parking where possible;
- 2) Control parking where necessary;
- 3) Enforce parking fairly;
- 4) Operate parking efficiently and cost effectively.

We believe that parking issues affect everyone who uses our streets, not only car users. There are more vehicles on the highway network. Demand for parking is increasing and we seek to maintain a balance between the different demands – from residents, businesses and visitors, whilst ensuring there is good access for pedestrians, cyclists, buses and other vehicles. Our general policy is to provide the maximum number of car parking spaces while allowing the satisfactory and safe movement of traffic and the maintenance of a good quality environment.

The purpose of this document

This document focuses on parking and enforcement issues and the new schemes and processes that we believe will offer a better service to our customers. We will be publishing our parking and enforcement report each year to keep the local community and other interested parties abreast of any changes that we have made, and any we are considering for the future.

Parking in Buckinghamshire

Parking enforcement

The County Council decriminalised parking enforcement in partnership with the district councils in a phased approach starting with Wycombe district in 1997, Aylesbury Vale district in 2003, Chiltern district in 2005, South Bucks district (highway) 2003 (off-street) 2017.

In 2011 the County Council centralised the operation of parking enforcement and engaged a specialised enforcement contractor (NSL Ltd) to provide contracted Civil Enforcement Officers (CEOs), to enforce all waiting, loading and parking restrictions throughout the county highway network. The district councils retained the management and enforcement of their off-street car parks.

We expect CEOs to act in a consistent and professional manner and to treat all motorists equally, without showing favour, bias or prejudice.

When finding a vehicle is parked in contravention of a parking restriction, it is the duty of a CEO to issue a PCN to that vehicle. CEOs have no powers to subsequently cancel or withdraw a PCN.

In addition to parking enforcement, CEOs provide advice and guidance to the public, inform the police of suspected criminal activity and report suspected abandoned vehicles, untaxed vehicles, faults with parking equipment and missing/faded road markings and missing/damaged signs. They act as our 'eyes and ears' on the street and their high profile, uniformed patrols help to deter antisocial behaviour.

Suspensions and Dispensations

We appreciate that suspending parking can be inconvenient to motorists, particularly in areas where parking demand is high but we have to suspend parking spaces for a variety of reasons including building works, furniture removals, utility and highways works and special events. We operate a fee structure that charges for a suspension to encourage greater thought to the amount of time and space they need.

The PCN appeals process

When a PCN is issued the owner/keeper of the vehicle is legally obliged to pay the penalty charge. They are encouraged to do so by the offer of a 50% discount if they pay within the first 14 days. Vehicle owners may dispute the issuing of a PCN at three stages:

- They can make an **informal 'challenge'** or **'representation'** before the Council issues a Notice to Owner (NtO).
- Once an NtO has been served, they can make a **formal representation** against the NtO (this can still be done if an informal challenge has previously been made and rejected). Legislation sets out specific grounds for formal representations against the NtO. Whether or not those grounds apply, formal representations may also be made on the basis that, in the particular circumstances of the case, there are mitigating reasons for the cancellation of the PCN.
- We will issue a Notice of Rejection if the formal representation is rejected. The vehicle owner then has the right to appeal within 28 days to an **independent adjudicator** of the Traffic Penalty Tribunal. The adjudicators have a judicial status: they are appointed with the agreement of the Lord Chancellor and they are wholly independent. Their decisions are legally binding and final on both parties and they have the power to award costs against either party.

After this, no further challenges can be made, other than on a point of law through an application to the High Court for Judicial Review.

Full details of the adjudication service and of the appeals process can be found on their website here:- <https://www.trafficpenaltytribunal.gov.uk/>

What's new?

Vision for Parking

This document set out our aims and objectives for the next 3 year period in line with our Vision for Parking that was adopted in October 2016 and feeds into the Local Transport Plan. Our Parking Delivery Plan sets out practical steps and key actions to achieve these objectives.

Parking Guide for LAFs

This is the revised and simplified guide for Councillors and Local Area Forums on local parking schemes, possible options and the process from design to implementation. The Guide replaces the old Members Parking Toolkit. It was adopted in March 2017.

During 2017/18, we have:

- introduced new parking measures in Cressex Business Park;
- introduced new restrictions in Haddenham;
- introduced Restrictions in Little Chalfont;
- introduced changes to Resident Permits;
- introduced Resident Parking Scheme in Chesham
- Introduced evening enforcement.
- Progressed a number of LAF funded parking schemes;
- Repainted/refreshed a large portion of lines in High Wycombe.

Parking appeals

The 2017/18 statistics from the Traffic Penalty Tribunal show 33% of appeals were not upheld. This independent score is a key indicator for the Parking Service and is an improvement from the previous year of 28%. We will continue working with our enforcement contractor to improve this performance further.

In the future

Parking Operations

During 2018 we will complete the upgrade to the current parking IT system which will allow us to introduce more online services for obtaining permits including a move to virtual permits based on the vehicle registration number.

- We have introduced the inspection of Blue Badges as part of the CEO duties. Following a trial in 2017/18, this will be implemented formally in June 2018. With BBFI carrying out the fraud investigation on behalf of TfB
- We will introduce a cashless parking alternative to pay and display transactions.
- We will take part in the Government backed pilot 'Verify' to simplify applications for parking permits.
- We will implement enhanced on-line applications for permits and suspensions/dispensations
- We will introduce virtual permits

Parking policy

- We will review the types of permit and permit pricing structure.
- We will review the on-street tariff charges.

Statistics, financial information, reviews and monitoring

Financial statistics

The Council is required to operate a ring-fenced parking account. It is necessary to set up the parking account in this way since any surplus generated can be spent only on certain allowable transport, parking, and highways related activities, as specified by law, and accounted for separately to show transparency.

Parking income and expenditure

Income from the on-street operation in 2017/18 totalled £1,809,900, and the expenditure to provide the on-street service was £2,304,300. The deficit in respect of the on-street service of £494,400 was made up from the Council's general fund.

Although the Council sets the level of permit and pay and display charges, the level of penalty charge notices are set nationally. The highest proportion of income is from motorists parking in contravention and from visitor parking reflecting the demand for these facilities.

Penalty charges

The amount a council may charge for a PCN outside London is set by The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007.

The Band 2 penalty charges were set at:

- Higher rate - £70 reduced to £35 if paid within 14 days
- Lower rate - £50 reduced to £25 if paid within 14 days

These charges have not increased since then.

Payment of PCNs

If a vehicle owner pays a PCN within 14 days of the date of issue, a 50 per cent discount applies. Representations that we receive within the initial 14-day period can result in us cancelling a PCN, but if we decide not to cancel the PCN, we reoffer the discount for a further 14 days from the decision date for payment to be made at the reduced rate.

PCN recovery rate

Recovery rate is calculated as the number of PCNs paid (in part or in full) as a percentage of PCNs issued. Our recovery rates were: 68.4 per cent in 2017/18 up from 67.7 per cent in 2016/17.

PCNs Issued

PCNs issued on-street		
	2016/17	2017/18
No. Higher level issued	25,579	29,852
No. Lower level issued	9,247	10,363
Total number of PCNs paid	23,590	27,507
No. of PCNs paid at discount	19,389	23,094
No. of PCNs paid at face value	4,201	4,413
No. of PCNs paid at Charge Certificate	597	590
No. of PCNs where a representation was made	3,582	6,192
No. of PCNs cancelled as a result of representation (mitigation)	664	674
No. of PCNs cancelled for other reasons	3,339	3,888
No. of representations that are rejected	2,918	5,518

PCNs issued off-street		
	2016/17	2017/18
No. Higher level issued	26	442
No. Lower level issued	2,000	2176
Total number of PCNs paid	1,108	1340
No. of PCNs paid at discount	895	1082
No. of PCNs paid at face value	213	258
No. of PCNs paid at Charge Certificate	26	36
No. of PCNs where a representation was made	474	833
No. of PCNs cancelled as a result of representation (mitigation)	27	41
No. of PCNs cancelled for other reasons	738	622
No. of representations that are rejected	447	211

Appeals and Adjudication statistics

Appeals and Adjudication		
	2016/17	2017/18
No. of appeals received	105	114
Ratio of appeals to PCNs issued	0.28%	0.27%
Appeals not contested	24	12
Appeals allowed by Adjudicator	32	39
Appeals refused by Adjudicator	43	52

Performance statistics

We use a number of key performance indicators (KPIs) to monitor the performance of our enforcement contractor.

	2016/17	2017/18
CEO errors	0.62%	0.44%
Complaints against CEOs	0	0
Staff retention	-	-
Machine maintenance	100%	100%

Parking on-street account

On-street Account		
	£'000	£'000
Income	2016/17	2017/18
Pay And Display	(393.4)	(514.1)
Resident permit income	(133.4)	(141.5)
Dispensations / Suspensions	(49.6)	(52.3)
PCN income	(1,200.0)	(1,102.0)
Total income	(1,776.4)	(1,809.9)
Expenditure	2016/17	2017/18
Parking Team direct costs	182.5	228.3
TfB contract overhead	177.1	273.9
Transport related costs	2.7	0
Signing and lining	157.5	71.6
Capital investment in car parking	229.2	169.2
Adjudication and Court registration	24.3	17.5
Parking enforcement contracted services	1,654.0	1,543.8
Total expenditure	2,427.3	2,304.3
(-) Surplus (+) deficit	650.9	494.4

Parking off-street account

Income from Civil Parking Enforcement must be spent on Transport related activities. Income from other parking activities, such as off-street car park income, is not restricted in this way. As a result only income and expenditure from enforcement activities is required to be included within the Parking Account for off-street parking.

Off-street Account		
	£'000	£'000
<i>Income & Expenditure related to enforcement</i>	2016/17	2017/18
PCN income	(35.9)	(43.0)
Parking enforcement contracted services	49.2	49.2
Net (surplus) / deficit on enforcement activities	13.3	6.2

Parking account deficit

The parking account shows an overall deficit which requires a transfer from general funds to cover the deficit