



# Annual Parking Report 2018/19

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## 2. Executive Member Foreword

Welcome to our Annual Parking Report for 2018/19.

I am pleased to be able to introduce this report, which explains in detail how and why parking services in Bolton are managed as they are.

Pressures on road space continue to rise in Bolton, with traditional vehicle usage increasingly competing with events like Horwich Festival of Racing, the Food and Drink Festival and IronMan UK. Bolton is also a popular location for film companies, who are regularly seen around the borough and particularly in Bolton town centre. All of these demands have to be managed somehow to provide the greatest overall benefit to the town and people of Bolton.

Historically, parking services have had a bad press and a degree of hostility from the general public. Of course, for the efficient functioning of any town centre and for the paramount concern of road and pedestrian safety, some parking regulations are essential, but they need to be exercised in a fair manner. Fortunately, public perception is gradually changing as people realise that traffic enforcement and parking strategy plays an important role in getting people from A to B. I hope that this report will continue to change perceptions, by giving a comprehensive explanation of how Bolton Council's Parking Services team works and highlighting the challenges that the service faces.

Bolton's Parking Services team receive regular freedom of information requests on parking related matters, as information has not always been available in the public domain. This report will hopefully help with that - it contains comprehensive sections on traffic and parking strategy, the reader will find substantial amounts of data about penalty charge notices and town centre parking usage.

I hope you will enjoy this report and find it informative and relevant.



**Councillor Stuart Haslam**  
Executive Cabinet Member  
Bolton Council

### 3. Introduction

Bolton is 10 miles (16km) north west of Manchester. The borough of Bolton has a population of 262,400. It has a number of district towns including Farnworth, Horwich, Little Lever and Westhoughton, each of which has its own unique identity.

The borough is well served by the local road network and national routes. The A6, a major north-south route, passes to the west through Hunger Hill and Westhoughton. The M61 to the west has three dedicated junctions serving the borough. The A666 (St Peters Way) dual carriageway is a spur from the M61/M60 motorway interchange through to the town centre and on to Astley Bridge, Egerton, Darwen and Blackburn. The east and west of the borough are principally linked by the A58.

Bolton has a network of local buses, coordinated by Transport for Greater Manchester. Buses operate out of the interchange which recently opened next to the railway station in the town centre. The railway part of the interchange is located on the Manchester loop of the West Coast mainline and the station has services to Manchester, Preston, Wigan, Southport and Blackburn including intermediate stations. Some of these intermediate stations, most notably Blackrod, Horwich Parkway, Lostock and Hall l'th Wood have park and ride facilities.

Bolton Council has an ambitious £1.5bn town centre masterplan to totally regenerate Bolton town centre. This will radically change the demand for town centre parking and how it is provided. Regeneration schemes are also being planned for Farnworth, Horwich, Little Lever and Westhoughton. In all these cases, how vehicle movement is managed, how parking is provided and the effectiveness of parking enforcement will all contribute to how successful these new developments will be.

The Council contracts out elements of the parking service to a number of specialist companies. For example, the Council owns a number of car parks in Bolton town centre, but these are run on its behalf by NCP Ltd (see [www.ncp.co.uk/parking-solutions/cities/bolton/](http://www.ncp.co.uk/parking-solutions/cities/bolton/) for further information). In addition, the Council has on-street pay and display parking in the town centre and NCP Ltd are also contracted to manage and maintain these machines. Other car parks outside of the town centre, in district centres and elsewhere, are directly managed by the Council and are free to use. A list of these car parks is provided at the back of this report.

Parking enforcement is contracted out to NSL Ltd - they employ the civil enforcement officers who can be seen out and about around the borough. However, the appeals process for penalty charge notices is managed internally by the Parking Services team. Debt recovery is contracted out to Jacobs Enforcement Ltd, Phoenix Commercial Collections Ltd and Equita Ltd.

## 4. Parking Services Aims and Objectives

Parking Services have the following aims and objectives:

- To have a fair, reasonable and consistent approach to parking enforcement
- To help move people around the borough of Bolton in a safe and efficient manner by:
  - 1) keeping traffic flowing by enforcing against vehicles that park or stop in places that could obstruct the flow of other vehicles or create a danger to others
  - 2) protecting vulnerable highway users by enforcing against vehicles that block cycle lanes, footways or dropped crossings
- To contribute to the Bolton economy by:
  - 1) attempting to maximise the available parking spaces in the town centre by enforcing against vehicles that park inconsiderately by overlapping across more than one parking bay
  - 2) developing future parking policies and strategies in co-ordination with transport planners and town planners
  - 3) striking a sensible balance between all highway users and their demands on road space, by focussing on local priorities
- To provide a service that delivers the highest standards of customer service in its dealings with both members of the public and other Council teams
- To embrace change by adopting progressive ideas and new technologies
- To enforce strategies that contribute to improvements in air quality or contribute to other environmental benefits to Bolton



## 5. The Legal Framework – The Traffic Management Act 2004

Parking enforcement is principally governed by the Traffic Management Act 2004, which was introduced on 31<sup>st</sup> March 2008. The main changes brought about by this legislation were:

- Parking Attendant re-named to Civil Enforcement Officer (CEO)
- The introduction of parking penalties based on differential charging, so that the penalty charge is appropriate to the seriousness of the contravention (more information about contravention codes and their associated fine levels are given later in this report)
- The power to serve a Penalty Charge Notice (PCN) by post if the CEO has started to issue the PCN but the driver either drives away before it can be served, or the CEO is prevented from serving it due to aggressive or threatening behaviour
- The power to issue a PCN for parking within a restricted crossing
- The power to enforce double parking and parking across dropped footways subject to signage
- The Parking Adjudicator will have the power to decide cases where procedural irregularity has taken place and to refer appeals back to the local authority if he or she considers that suitable discretion with regard to mitigating circumstances has not been exercised when considering an appeal
- An obligation on the council to publish its policies on enforcement and cancellation of PCNs
- A statutory timeframe for responding to representations

For more information about the Traffic Management Act 2004 and other parking legislation, there is an independent government body called PATROL (Parking and Traffic Regulations Outside London) Joint Committee. Their website has a great deal of useful information, including a full explanation of how the PCN appeal process works. Please refer to [www.patrol-uk.info](http://www.patrol-uk.info).

## 6. Penalty Charge Notices (PCN) Standard Contravention Codes

Penalty Charge notices are issued to vehicles that appear to be parked in contravention of parking regulations. The table below describes the various contravention codes most commonly used within Bolton.

Contravention Code	Contravention Description – On Street	Penalty Charge
01	Parked in a restricted street during prescribed hours	£70
02	Parked or loading/unloading in a restricted street where waiting and loading./unloading restrictions are in force	£70
05	Parked after the expiry of paid for time at a Pay and Display bay	£50
06	Parked without clearly displaying a valid Pay and Display ticket	£50
07	Parked with payment made to extend the stay beyond initial time (meter feeding)	£50
11	Parked without payment of the parking charge	£50
12	Parked in a residents or shared use parking place or zone without clearly displaying either a permit or voucher or Pay and Display ticket issued for that place	£70
14	Parked in an electric vehicles' charging place during restricted hours without charging	£70
16	Parked in a permit space without displaying a permit	£70
18	Using a vehicle in a parking place in connection with the sale or offering for sale of goods when prohibited	£70
19	Parked in a residents or shared use parking place or zone displaying either an invalid permit, an invalid or voucher or an invalid Pay and Display ticket	£50
21	Parked in a suspended bay/space or part of bay/space	£70
22	Re-parked in the same parking place or zone within one hour after leaving	£50
23	Parked in a parking place or area not designated for that class of vehicle	£70
24	Not parked correctly within the markings of the bay or space	£50
25	Parked in a loading bay within restricted hours without loading	£70
26	Parked in a special enforcement area more than 50 centimetres from the edge of carriageway and not within a designated parking place	£70
27	Parked adjacent to a dropped footway	£70
30	Parking for longer than permitted	£50
42	Parked in a parking place designated for police vehicles	£70
45	Stopped on a taxi rank	£70
47	Stopped on a restricted bus stop or stand	£70
48	Stopped in a restricted area outside a school	£70

## 7. A Day In the Life Of A Civil Enforcement Officer

We spent some time out on the streets of Bolton with one of NSL’s civil enforcement officers. These are her thoughts.

**Why did the idea of becoming a civil enforcement officer appeal to you? Plenty of people wouldn’t fancy it!**

*I used to work for an agency in the prison service, but that work eventually dried up. I realised as I looked for new jobs that being a civil enforcement officer would be a good fit with the skills I had from my previous job. They both involve customer service and occasionally having to deal with difficult people.*



**Do you actually get a lot of grief or are most people ok?**

*Most people are ok. The grief tends to come in batches – you’ll get loads at once, then none for a while. We get training on how to communicate with people to avoid conflict. Most people are reasonable if you’re calm and they can see that you’re just a normal person with a job to do, but we still get people driving past with the window open shouting “get a proper job!”*

**Do you think being young and female works for you or against you in your role?**

*I think that it sometimes makes a difference with men. They probably tone it down a bit with me, because I’ve been out on*

*patrol with male officers who seem to get more grief. Female drivers are generally less likely to be aggressive. They tend to either accept the PCN, or get upset.*



**What do you like most and least about what you do?**

*I like being out and about and meeting people. On patrol, you also discover interesting things and places that you might not have found out about otherwise. I don't live in Bolton and haven't been doing the job long, so I'm still finding stuff out. The worst thing is bad weather. I do get cold occasionally, but the rain is worse than the cold.*



**Being out on the streets all day, you probably see all kinds of things. What's the weirdest or funniest thing that you've ever had to deal with?**

*I had someone the other week who was nice as pie until it became clear that I couldn't cancel their PCN. Then they snapped and ripped the PCN in half in front of me, threw it on the ground and drove off. That ticket is still valid though. You do see some odd sights. I've seen someone walk by with a Primark bag on their head. I've also seen an old man riding a kid's scooter through town.*

**It certainly seems to be a job that has its moments**

## 8. Bolton Council and Managed NCP Car Parks

Name	Postcode	Ward	No of standard car spaces	No of Disabled spaces	Season Ticket & Contract Parking	Type
Topp Way MSCP	BL1 2DJ	Bolton Centre (Halliwell)	746	48	385	M/S
Blackhorse Street	BL3 6DS	Bolton Centre (Great Lever)	42	0	6	P&D
Brightmet Street	BL2 1BR	Bolton Centre (Great Lever)	271	2	209	P&D
Clive Street	BL1 1PZ	Bolton Centre (Great Lever)	50	0	45	P&D
Deane Rd MSCP	BL3 5DX	Bolton Centre (Great Lever)	785	30	431	M/S
King Street	BL1 2JR	Bolton Centre (Halliwell)	29	2	6	P&D
All Saints St East	BL1 2EQ	Bolton Centre (Crompton)	81	8	42	P&D
All Saints St West	BL1 2EQ	Bolton Centre (Crompton)	44	0	0	P&D
Ashburner Street	BL3 6DT	Bolton Centre (Halliwell)	103	5	0	P&D
Octagon Surface	BL3 6DS	Bolton Centre (Halliwell)	55	12	7	P&D
Octagon MSCP	BL1 1TN	Bolton Centre (Halliwell)	500	4	188	M/S
Back Cheapside 2	BL1 1NE	Bolton Centre (Great Lever)	19	1	0	P&D
Central Street	BL1 2AF	Bolton Centre (Halliwell)	139	11	35	P&D
Back Cheapside 1	BL1 1LT	Bolton Centre (Great Lever)	0	12	0	Free
Back Fletcher Street	BL3 6NA	Great Lever	20	0	0	Free
Beaumont Road	BL6 7BG	Horwich North East	43	3	0	Free
Warwick Street	BL1 8NP	Astley Bridge	25	0	0	Free
Bolton One Visitors	BL3 5BN	Great Lever	13	6	0	Free
Brunel Street	BL6 5NX	Horwich and Blackrod	14	0	0	Free
Bury New Road	BL2 2BU	Tonge with the Haulgh	43	0	0	Free
Bury Old Road	BL2 2BZ	Tonge with the Haulgh	5	0	0	Free
Cannon Street	BL3 5AP	Rumworth	19	0	0	Free
Captain Street	BL6 7HU	Horwich and Blackrod	34	4	0	Free
Darley Street	BL4 8AA	Farnworth	19	1	0	Free
Derby Street	BL3 6JR	Rumworth	9	0	0	Free
Draycott Street	BL1 3UU	Halliwell	30	0	0	Free
Egerton Street	BL4 7LE	Farnworth	29	2	0	Free
Lever Street	BL3 6NG	Great Lever	19	0	0	Free
Higher Market St	BL4 8AL	Farnworth	67	5	0	Free
Hulton Lane	BL3 4JB	Hulton	16	2	0	Free
Latham Street	BL1 8JE	Crompton	24	0	0	Free
Lawson Street	BL1 7AE	Astley Bridge	12	2	0	Free
Lord Street	BL6 7AL	Horwich North East	20	1	0	Free
Mule Street	BL2 2AR	Tonge with the Haulgh	9	0	0	Free

Continued:

Name	Postcode	Ward	No of standard car spaces	No of Disabled spaces	Season Ticket & Contract Parking	Type
Penrose Street	BL2 6BB	Tonge with the Haulgh	31	4	0	Free
Queens Park Visitors	BL1 4SJ	Halliwell	35	8	0	Free
Rumworth Street	BL3 6LW	Rumworth	15	2	0	Free
Back Blackburn Rd	BL1 8NP	Astley Bridge	11	0	0	Free
St John's Street	BL6 7NY	Horwich and Blackrod	53	3	0	Free
Starkie Road	BL2 2LP	Tonge with the Haulgh	18	1	0	Free
Swan Lane	BL3 6TL	Rumworth	10	0	0	Free
Victory Street	BL1 3BE	Halliwell	50	2	0	Free
Weymouth Street	BL1 8AD	Crompton	12	0	0	Free
Willows Lane	BL3 3NF	Rumworth	9	0	0	Free
Wright Street	BL6 7HX	Horwich and Blackrod	21	1	0	Free

The car parks highlighted in light orange in the table are managed by NCP through a contract with the council. Enforcement on these car parks is carried out by NCP staff working independently from the council.

The remaining car parks in the table are directly managed by the council's Parking Services team. These car parks are free to use and form part of the adopted highway - enforcement is carried out by NSL Ltd and the PCN notices processed by council staff.

In addition, there are a further 424 on-street parking spaces around Bolton Town Centre, which are also enforced by NSL Ltd and the PCN notices processed by council staff. Pay and display parking should be paid for at the nearest appropriate parking meter. Payment can be made by cash, or by using the RingGo mobile phone and card payment system. If you choose to pay by RingGo, no ticket is needed. Civil enforcement officers look up your number plate on their handheld and check that you are parked with RingGo.



## 9. Other car parks in Bolton town centre

The information provided below is for general information only and is not exhaustive, but has been provided to give an indication of what is available. These car parks are not managed by the council and therefore the data is subject to change without our knowledge. The number of available spaces has been estimated in some cases, particularly on the larger car parks.

Name	Postcode	Ward	No of spaces	Terms
St Edmunds Street	BL1 2JR	Halliwell	80	Bolton Council has no control over the management of these car parks. They are privately operated and the terms and conditions, tariffs and enforcement processes are managed by the private operators
St Helena	BL1 2JS	Halliwell	163	
Upper Bark Street	BL1 2AX	Halliwell	50	
Market Place	BL1 2AL	Halliwell	520	
Crompton Place	BL1 1DF	Great Lever	340	
Mecca Bingo	BL3 5DJ	Great Lever	317	
Kay Street	BL1 2RZ	Crompton	204	
Crown Street	BL1 1TU	Crompton	70	
Brightmet Street 2	BL2 1BR	Great Lever	40	
Deansgate	BL1 1EZ	Halliwell	69	
Blundell Street	BL1 2JR	Halliwell	30	
Higher Bridge Street	BL1 2HA	Crompton	45	
Gas Street	BL1 4TR	Halliwell	150	
University	BL3 5BG	Great Lever	140	
St Georges Road	BL1 2BZ	Halliwell	20	
Bow Street	BL1 2RU	Crompton	120	
Morrisons	BL1 1PQ	Great Lever	350	
Sainsburys	BL3 6DH	Great Lever	700	
Central Retail Park	BL2 1HQ	Great Lever	200	
Trinity Retail Park	BL2 1HY	Great Lever	500	
Bolton Gate Retail Park	BL1 2EZ	Crompton	500	



## 10. Innovations in Parking

The following are just a few examples of innovative parking ideas. Some have already been introduced at either a national level or local level, whilst others are being considered by government and would require new legislation putting in place.

### **Bus Lane Enforcement**

Bolton Council already has a number of bus lanes around the town centre and is proposing to erect automatic number plate recognition (ANPR) CCTV cameras to enforce these lanes. The existing bus lanes in Bolton are at:

- Black Horse Street
- Deane Road
- Bridge Street
- St Georges Road
- Deansgate
- Derby Street

This type of enforcement for traffic regulations by CCTV cameras is one of a wide-ranging programme of measures to improve the reliability and punctuality of public transport, reduce congestion and pollution. The aim of most traffic management measures, such as bus lanes and parking regulations is to give priority to certain groups of road users by excluding others during prescribed hours. The introduction of CCTV monitoring of traffic regulations is intended to reduce the level of contraventions and so reduce delays on the highway network.

### **Red Route Enforcement**

Red routes are a common sight in London, with double red lines marking roads where no stopping is allowed. This applies to all vehicles, barring a few common sense exemptions for emergency vehicles and the like. Enforcement is through the use of fixed ANPR CCTV cameras. Bolton Council is in discussion with Transport for Greater Manchester on whether such a scheme would be beneficial to traffic flows on any routes in Bolton. Any proposals would be subject to a public consultation.

### **Active Parking Charging**

Data collection systems collate detailed information on parking usage and feed this into a software control system. Using this information, the software automatically changes parking charges slowly over time, with prices increasing for the bays in most demand and prices reducing where demand is lower and bays are under-utilised. This results in slow changes to driver parking behaviour so that, in the long run, the maximum usage of all parking spaces is obtained. This technology is likely to be tied in with automated systems being developed by car manufacturers that will direct drivers to parking spaces. At present, there are no plans to apply this technology in Bolton.

### **Workplace Parking Levy**

This has been used so far within Nottingham and London and is being considered elsewhere. Those town centre employers that have private car parks for staff are charged for each parking bay. The employers can choose to absorb this cost themselves, or pass it on to their employees. The idea is to discourage people from driving into urban centres, with the income received from the levy being used to promote public transport schemes and regeneration projects. Where it has been used it has been very successful in improving air quality and reducing congestion. However, at present there are no plans to adopt this policy in Bolton.

### **Anti-idling**

Drivers that leave their engines running while parked could face tougher penalties under new proposals announced recently. A public consultation has been launched, looking at increasing fines for idling drivers. Vehicle idling is a major factor in poor air quality, particularly in areas with large numbers of waiting vehicles - such as outside schools, at taxi ranks and bus stations. Councils already have the power to fine drivers, but the Department for Transport is looking at toughening up those powers to try and put a stop to unnecessary air pollution.

Putting a stop to idling is an easy way to drive down dangerously high levels of pollution, reducing its impact on the environment and our health. Poor air quality is the biggest environmental risk to public health in the UK. Every minute, an idling car produces enough exhaust emissions to fill 150 balloons with harmful chemicals, including cyanide, NOx and PM2.5. The microscopic pollutants can result in a range of health problems - from heart and lung disease to strokes and cancer and have been shown to be particularly damaging to children.

These plans – which would represent the biggest change to the rules since 2002 - will also provide guidance to local authorities on their anti-idling powers, enabling them to enforce the law more effectively. Bolton Council will keep a watching brief on how the legislation develops in this area and react appropriately.

### **School Safety Zone Fixed Camera Enforcement**

School safety zones are a stretch of road immediately outside a primary school where the speed limit is 20mph and no motor vehicle is allowed to stop or park during school operating times. Different schools have different operating hours, so these times can vary. If the speed limit is 30mph then advisory 20mph signs are installed (the limits in this case are not mandatory), although it can be gently enforced using traffic calming measures. The reduced speed in school safety zones mean that pedestrian injuries are less likely, and are less severe in the case of an accident.



The zones can be implemented with minimal disruption: no major road works are required, just signage and road painting. Features suggested for a school safety zone are:

- Road signs
- Advisory 20mph speed limit
- Text road markings
- Traffic calming features such as sleeping policemen, speed tables, speed cushions, chicanes and narrowings
- Waiting and parking restrictions – double yellow lines or no stopping zig-zags; on-street parking should be retained outside the zone on the same side of the road as the school to reduce the need for children to cross the road
- Flashing wigwags
- Pedestrian crossings
- Yellow backing boards (used in moderation)
- Cycle facilities (cycle lanes, for example)

They have other benefits: children must walk the last short distance to school, giving them some exercise. However, while it seems obvious to people that schools are a danger zone and speeds should be regulated, the majority of accidents with children occur en route to school, but not near the school. Therefore implementation of school safety zones needs to be assessed on a case-by-case basis.

At the moment, Bolton Council enforces parking restrictions at schools using either civil enforcement officers on foot, or the CCTV surveillance car. Using one or more fixed CCTV cameras with automatic number plate recognition to monitor the school zones would free up the CEOs and car to be used elsewhere. However, at present Bolton Council have no plans to look at fixed camera enforcement of school zones, but may consider it if requested by a particular school and if funding was made available.

## **Pavement Parking Ban**

A pavement parking ban has been in place in London since 1974, with exemptions to park on the kerb where this is sensible.

The Commons' Transport Committee has called for a new law and an awareness campaign on the impact it has, especially for those with mobility or visual impairments. The proposals have the support of charities including Guide Dogs and Living Streets.

A Department for Transport spokeswoman recently said: "We are committed to ensuring that our roads work for everyone, but are aware that pavement parking can cause real problems for a variety of road users. This is why the department recently concluded a review to better understand the case for changing the law, and will be announcing our next steps over the coming months."

Bolton Council will keep a watching brief on how the legislation develops in this area and react appropriately.

## **Yellow Box Junction Enforcement**

Under the Traffic Management Act 2004 local authorities in England and Wales could be allowed to enforce 'moving traffic' contraventions such as disregarding yellow box junction markings. This is already the case in London.

Despite a recommendation from the House of Commons Transport Committee eight years ago for other councils outside of London to be given these powers by 2013, the Government said in 2015 it had no plans to activate them.

The Local Government Association, however, has called for them to be put into place nationally, arguing the police have largely ceased to enforce moving traffic offences since the act was introduced.

Bolton Council recognises that there could be resistance from the public to yellow box junction enforcement, with the perception of it being just another 'cash cow'. Therefore, if this proposal is eventually approved, Bolton would look at applying it only at those sites where there is evidence that it would provide genuine improvements to traffic flows.



## 11. Frequently Asked Questions About On-Street Parking

### 1) What hours do civil enforcement officers work?

Civil enforcement officers work on rota and are contracted to work 24 hours per day and 365 days per year. Therefore, you should not assume that because it is Sunday, or late at night, that you won't receive a PCN if you park illegally.

### 2) How many civil enforcement officers does the parking service employ?

Bolton Council does not directly employ any civil enforcement officers, as this part of the service is contracted out to NSL Limited. NSL Limited currently employ 21 civil enforcement officers. They operate on a rota basis and at any time there will typically be 12 working around the borough.

### 3) Do Civil Enforcement Officers work on commission and have targets?

Civil enforcement officers (CEOs) are fully salaried and do not earn any commission for PCNs issued. The setting of targets is not desirable because it could encourage CEOs to issue PCNs in inappropriate or borderline cases. These cases would end up having to be cancelled, causing unnecessary upset to the public and irrecoverable costs to the Council.

### 4) Where can I get impartial advice on parking matters?

There is an independent government body called PATROL (Parking and Traffic Regulations Outside London) Joint Committee. Their website has a great deal of useful information, including a full explanation of how the PCN appeal process works. Please refer to [www.patrol-uk.info](http://www.patrol-uk.info).

### 5) Why does Bolton Council not put staff names on the bottom of parking correspondence?

Whilst Bolton Council staff are trained to deal with parking cases in a fair and polite manner, receiving a PCN can be an emotive issue for some people. Office staff have received threats in the past, a situation that the Council regards as totally unacceptable. For this reason, to protect staff, a generic signature is used at the bottom of letters and emails. However, the Council does know who has sent out letters as this is logged for internal management purposes, so we can address individual staff issues if necessary.

### 6) If I put in a complaint through the Council's formal complaints system, am I more likely to have my PCN cancelled?

If you are unhappy about receiving a PCN and wish to challenge it, you should do this by using the parking appeal process described on the back of your PCN. This is a nationally agreed legal process which will allow for fair and independent arbitration of your case at the Traffic Penalty Tribunal. The Council's formal complaints system operates independently of the parking appeal process. The Council's complaints system will generally only take a view on whether staff have behaved unprofessionally, or your case has not been dealt with in an appropriate manner. Most

likely, this decision will have no bearing on the legal validity of the PCN. Therefore, using the Council's formal complaints system is very unlikely to result in a PCN being cancelled that would not have been cancelled anyway through the parking appeal process.

**7) If I escalate my complaint/appeal to a manager, councillor or MP, am I more likely to have my PCN cancelled?**

Parking enforcement must be carried out in accordance with the Traffic Management Act 2004. This puts a legal obligation on Bolton Council to enforce parking in a fair and consistent manner. To ensure consistency, the Council's customer services officers assess all PCNs based on a set of strict criteria. Even if a case is escalated to a manager, councillor or MP, the case will still have to have the same assessment criteria applied and therefore the decision is still likely to be exactly the same as that made originally by the customer services officer. If you genuinely believe that you have been wrongly issued with a PCN, the Council recommends that you challenge the fine through the formal appeals process and the Traffic Penalty Tribunal.

**8) What happens if I simply ignore a PCN? Will it go away?**

No, the PCN definitely will not go away. The Council will take measures to recover the money owing on the PCN. By being forced to do this, the Council will build up administration costs that it will be legally entitled to recover by increasing the amount that you owe. The legal process by which the Council does this can take a while, but the worst case is that bailiffs could eventually appear at your house seeking payment. For this reason, it is a bad idea to ignore your PCN. We recommend that you either pay it early at a discounted rate or, if you think the PCN was wrongly issued, challenge it through the formal parking appeals process that is described on the back of your PCN.



**9) After you issued me with a PCN, I sent you proof that I have a blue badge. Why will you not cancel my PCN?**

If a vehicle is seen parked inappropriately without a properly displayed blue badge, then a civil enforcement officer will assume that the vehicle should not be there and will issue a penalty charge notice (PCN). The CEO has no discretion in this matter because it is a legal requirement that parking enforcement is applied fairly and consistently. Once the PCN has been correctly issued, the Council begins to accumulate administration costs associated with processing the PCN. Irrespective of whether you subsequently demonstrate that you are a valid blue badge holder, it is not reasonable to expect the Council to absorb these administration costs when it was your error that generated these costs in the first place. Therefore, the government, who ultimately manage the blue badge scheme, have set the legislation so that the costs in this situation remain with the party responsible for generating them ie. the driver. This is why it is explained clearly within the paperwork that comes with your blue badge that the badge must be displayed properly.

**10) If I was parked on street, but not on double yellow lines, why have I received a PCN?**

There are many reasons why you may have received a PCN. To give a few examples, you may have parked in a loading bay without proving that you were loading. You may have parked in a pay and display bay, but with the wheels of your vehicle overlapping and therefore obstructing the next bay. You may have parked across a dropped crossing. Your PCN will show a contravention code and will also describe the offence that you have committed. Often PCNs are issued to drivers who were not fully aware of the requirements of the Highway Code, so make yourself as familiar as possible with the Highway Code.

**11) Why am I not allowed to park outside my own house?**

This will depend on whether there are any traffic restrictions in place outside your house and the status of the road (adopted, unadopted or private). In the case of adopted or unadopted highway, if there are traffic restrictions in place, these will apply to you and you cannot use the defence that you are parked outside your own house. This is likely to be the case even if you own the freehold to the land. Even if there are no restrictions in place, you do not have any more right to park outside your house than any other road user does. The situation for private roads can be more complex. As highway law can be complicated, you may need to seek legal advice.

**12) Does the parking enforcement policy for Bolton Town Centre differ from Horwich, Little Lever, Farnworth, Westhoughton and other outlying areas?**

The parking enforcement policy for Bolton town centre does differ slightly from elsewhere, because the town centre is the only area where on-street parking is charged. For this reason, more civil enforcement officers (CEOs) are needed within the town centre to enforce this. However, all areas of the borough are patrolled by CEOs and apart from those PCNs issued in relation to the charged parking, all other PCNs are issued on exactly the same criteria, irrespective of areas. You should not assume that it will be ok to park illegally because you think you are off the beaten track. CEOs will patrol residential and industrial areas, often at the request of local members of the public who get irritated by inconsiderate parking.

**13) Is it ok to drop my child off in the car at the school gate?**

It may be ok in some circumstances. However, many of Bolton's schools have serious traffic problems at drop off times. The chaos that routinely occurs creates problems for everybody, by slowing up regular traffic flows, blocking people's drives and endangering the children themselves. The Council routinely deploys a camera car to carry out enforcement at schools, often at the request of the school themselves, or by frustrated local residents. The Council believes that children should walk or cycle to school wherever possible, because this is healthier and greatly reduces traffic problems around schools.

**14) Why do many of the letters that Parking Services send out in relation to PCN appeals seem blunt and/or cold?**

We'd accept that some of the letters sent out may seem this way, but there are reasons for this. Firstly, the letters being sent out are legal evidence should the appeal case ever be heard by the Traffic Penalty Tribunal or the courts. Therefore, they are deliberately matter of fact and are kept short and to the point wherever possible.

Secondly, to speed up letter generation, the Council has a software package that automatically generates standard letters when the customer services officers enter standard key words into the software search engine. The Parking Services team deal with thousands of letters per year and this software package ensures that the letters going out are consistently worded and legally compliant.

**15) What happens to all the surplus money that parking enforcement generates?**

The Council's parking services team is entirely funded by the income received from enforcement. Even so, there is still a surplus of income generated when all the costs of the service have been deducted from the total enforcement income received. It is a legal requirement that any surplus from parking enforcement has to be set aside to be used for highway maintenance or improvements. In Bolton, the surplus is used to help fund the maintenance costs of the Council's free car parks.

**16) Can you park anywhere for 10 minutes before you get a PCN?**

There is a common and mistakenly held belief that there is a 10 minute grace period that covers all parking. That's because a grace period exists which gives drivers a 10-minute window to get back to their car after their ticket's expired. However, the grace period only applies in certain circumstances. The 10-minute grace period was introduced by the government on 6 April 2015. Since then, drivers have avoided a fine if they overstay by up to 10 minutes (as long as they parked in regulated street spaces or car parks run by councils).



The Department of Transport advises that any penalty charge notice issued within the 10-minute grace period is illegal. The law says "No penalty charge is payable for the contravention where the vehicle has been left beyond the permitted parking period for a period not exceeding 10 minutes." That's unless the vehicle is parked unlawfully e.g. if the driver hasn't paid the parking fee, or displayed a parking ticket where required, or is parked somewhere he shouldn't have been in the first place.

The grace period applies in England in regulated on-street parking bays or in a car park run by the council. It only applies if you've parked properly and have the correct ticket in place, which expired less than 10 minutes ago.

It doesn't apply in these situations:

- In council car parks in Scotland, Wales and Northern Ireland.
- In private car parks (these have their own enforcement).
- If you've parked incorrectly, for example over 2 parking bays or on a double yellow line.
- If you never bought a ticket in the first place.



**17) Is it illegal to park in an electric vehicle charging bay?**

These parking bays have traffic regulation orders in place for them that state that they must only be used for electric vehicles and they must be charging. Therefore, the Council would be within its rights to issue a PCN (Penalty Charge notice) to someone who parks a non-electric vehicle in the bay. You could also pick up a PCN if you do have an electric vehicle, but aren't charging it. This legislation is to make sure that the charging bays are kept available for those people who need to use them. Unless you're charging your vehicle, you should find a space elsewhere.

**18) How can you issue a PCN if the sign is twisted or the road marking is faded?**

The purpose of traffic signs and road markings is to 'adequately inform' drivers of parking restrictions that may be in place. This means that, provided drivers are not misled, the sign or road marking is valid. As an example, you could not claim that a double yellow line is invalid because a small part of it has broken away, because it would still be clear from the lining each side of it that it was meant to be there. Of course, if nearly all the line has disappeared, then it may not be at all clear and you could therefore argue that you have been misled. For this reason, we regularly survey our road signs and road markings to ensure they are properly maintained. We will always allow drivers time to check the signs and lines but their priority must be to do so as soon as they have stopped.

**19) I saw the double yellow line, so parked up on the footway/verge behind it. Why have I got a PCN if I'm not actually on the double yellows?**

You have wrongly assumed that double yellow lines only apply to the road. In fact, the enforceable area comprises the whole width of public highway, from building line to building line, which in most cases includes footpaths and verges (whether grass or hard landscape). Whilst you may have avoided obstructing the road by how you have parked, you will still have caused other problems, including obstructing the passage of pedestrians and applying vehicle loads to footway surfacing or landscaping not designed for the purpose. Therefore, the law applies a blanket coverage across the whole area and it is no defence to try to claim that you have not caused an obstruction.

**20) And finally: Why don't you just give it a rest and leave us all alone?**

We're not out to make anyone's life a misery. We'd rather that we lived in a world where everybody obeyed all the rules without us needing to enforce them, because then we'd have safe streets free from obstruction, with traffic flowing smoothly and all the parking spaces used properly. We'd all be happier. In reality, we don't live in that perfect fantasy world. For the sake of their own convenience, there are inconsiderate people out there who will deliberately cause problems for the rest of us. Others don't even realise that they have caused a problem until they are issued with a PCN. If you're not a responsible highway user, then you'll pick up fines. On the other hand, if you are a responsible highway user, then parking enforcement will work for you, because you'll reap the benefits of better streets and you'll see parking surplus income used on the highway. So overall, parking enforcement benefits the law abiding majority.

## 12. Bolton Parking Statistics

The following data has been compiled in accordance with the standard reporting proforma issued by the organisation PATROL (Parking And Traffic Regulation Outside London).

PARKING STATISTIC		2018/19	2017/18	2016/17
<b>1</b>	<b>Volume of on-Street car parking spaces</b>	424	424	394
<b>2</b>	<b>Volume of off-Street car parking spaces</b>	794	794	794
3	Total volume of car parking spaces	1,218	1,218	1,188
4	Total volume of PCNs issued	28,714	27,740	26,130
<b>5</b>	<b>Volume of high-level PCNs issued</b>	22,431	21,831	20,231
<b>6</b>	<b>Volume of lower level PCNs issued</b>	6,283	5,909	5,899
7	Volume of Regulation 9 PCNs issued	27,594	25,967	24,137
8	Volume of Regulation 10 PCNs issued	1,120	1,773	1,993
9	Volume of PCNs issued on-street	28,355	26,628	24,584
10	Volume of PCNs issued off-street	359	1,112	1,546
11	Volume of warning notices issued on-street	0	0	0
12	Volume of warning notices issued off-street	0	0	0
<b>13</b>	<b>Volume of PCNs paid</b>	21,051	20,550	19,433
<b>14</b>	<b>Volume of PCNs paid at the discounted rate</b>	17,925	17,531	16,734
15	Volume of PCNs paid before Charge Certificate served (within 56 days)	2,344	2,219	1,988
16	Volume of PCNs paid after Charge Certificate served	782	800	711
17	Volume of Charge Certificates registered	2,164	1,782	1,535
18	Volume of Warrants of Execution issued	3,149	2,101	550
19	Volume of PCNs cancelled	2,242	3,323	4,308
<b>REASONS FOR CANCELLING PCNS</b>				
20a	Avoidance of accident or medical emergency	7	1	10
20b	Vehicle was stolen at time of contravention	4	0	1
20c	Vehicle had broken down	18	58	34
20d	Signs and lines changed at time of vehicle being parked	0	0	0
20e	Ticket machine broken	14	36	44
20f	Motorist paid but ticket/badge/permit was not displayed properly	621	756	919
20g	Loading/unloading in an area where loading exemption applied	366	319	302
20h	Other	1,212	2,153	2,998
<b>21</b>	<b>Volume of PCNs written off</b>	1,376	1,377	1,209
<b>22</b>	<b>Volume of PCNs resulting in informal challenge</b>	12,210	12,187	11,070
<b>23</b>	<b>Volume of informal challenges, which resulted in cancellation of the PCN</b>	1,740	1,774	1,797

PARKING STATISTIC (continued)		2018/19	2017/18	2016/17
24	Volume of informal challenges, which resulted in rejection of the challenge	10,470	10,413	9,273
<b>25</b>	<b>Volume of PCNs resulting in a formal representation</b>	1,043	1,375	1,127
<b>26</b>	<b>Volume of formal representations, which resulted in cancellation of the PCN</b>	413	433	441
27	Volume of formal representations, which result in a Notice of Rejection	630	942	686
<b>28</b>	<b>Volume of vehicles removed</b>			
<b>29</b>	<b>Volume of vehicles immobilised</b>			
30	Volume of appeals at the Traffic Penalty Tribunal	76	61	47
31	Of which were allowed	22	16	18
32	Of which were dismissed	23	21	12
33	Of which a consent order was applied	2	0	3
34	Of which were not contested	16	14	9
35	Of which are awaiting decision/other split of reasons for not contesting	13	10	5
SPLIT OF REASONS FOR NOT CONTESTING				
36a	Accepting additional evidence submitted to tribunal	2	5	2
36b	Exercise of discretion	10	9	6
36c	Compelling reason now given	1	0	0
36d	Multiple PCNs	1	0	2
36e	Other	4	2	4

PARKING FINANCE		2018/19 £	2017/18 £	2016/17 £
ON-STREET PARKING INCOME				
<b>37a</b>	<b>On-street parking income</b>	346,154	300,731	285,245.00
<b>37b</b>	<b>Permit income</b>	3,362	3,291	3709.00
<b>37c</b>	<b>On-street PCN income</b>	922,901	859,604	757,582.00
<b>37d</b>	<b>Blue Badge application fees</b>	-	-	-
<b>37e</b>	<b>Other</b>	55,418	39,712	63,935
<b>38</b>	<b>Total on-street parking income</b>	<b>1,327,835</b>	<b>1,203,338</b>	<b>1,110,471</b>
On-street parking direct costs				
<b>38a</b>	<b>Civil enforcement</b>	531,585	582,420	505,873
<b>38b</b>	<b>Admin, appeals, debt recovery and maintenance</b>	350,521	359,151	306,632
<b>38c</b>	<b>Scheme review/new schemes</b>	-	-	-

PARKING FINANCE (continued)		2018/19 £	2017/18 £	2016/17 £
38d	Capital charges	-	-	56,640
38e	Other direct costs of on-street parking	394,644	230,261	237,485
39	Total on street direct costs	1,276,750	1,171,832	1,106,630
40	On-street parking surplus/deficit	51,085	31,506	3,571
	If a surplus has been generated, how it has been applied:			
41a	Off-street parking provision	51,085	31,506	3,571
41b	Park and ride	-	-	-
41c	Supported bus service	-	-	-
41d	Concessionary fares and passes	-	-	-
41e	Community transport	-	-	-
41f	Shopmobility	-	-	-
41g	School crossing patrols	-	-	-
41h	Highway maintenance and traffic improvement	-	-	-
41i	Transport planning costs	-	-	-
41j	Other	-	-	-
OFF-STREET PARKING INCOME				
42a	Off-street parking income	-	-	-
42b	Off-street PCN income	10,120	20,876	26,177
42c	Other off-street parking income	-	-	20,002
43	Total off-street parking income	10,120	20,876	46,179
44	Off-street parking direct costs	100,480	168,310	167,163
45	Off-street parking surplus/deficit	-90,360	-147,434	-120,985

#### BUS LANE STATISTICS

46-58 Not Applicable: No enforcement has been carried out within Bolton's bus lanes