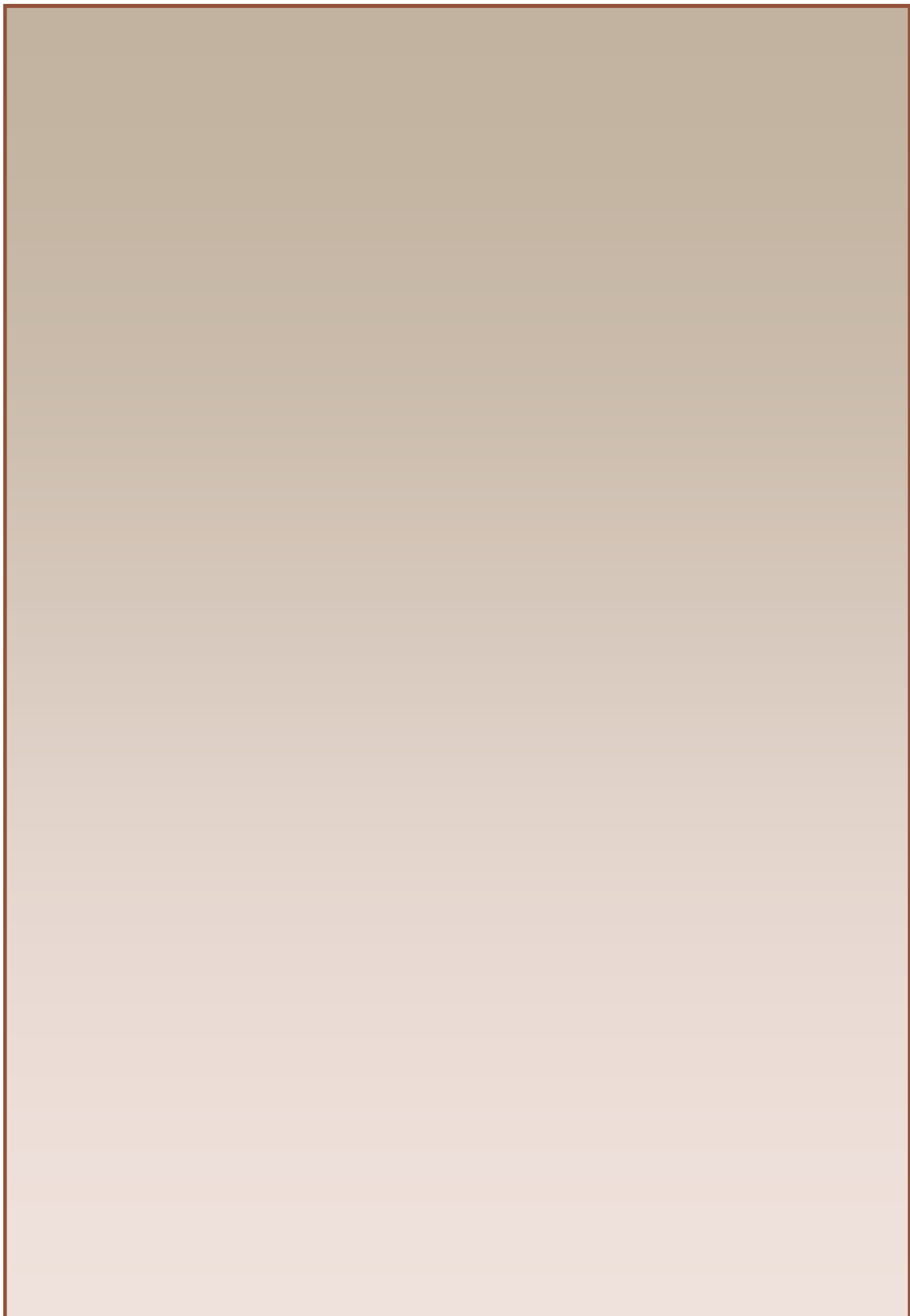


CIVIL PARKING ENFORCEMENT



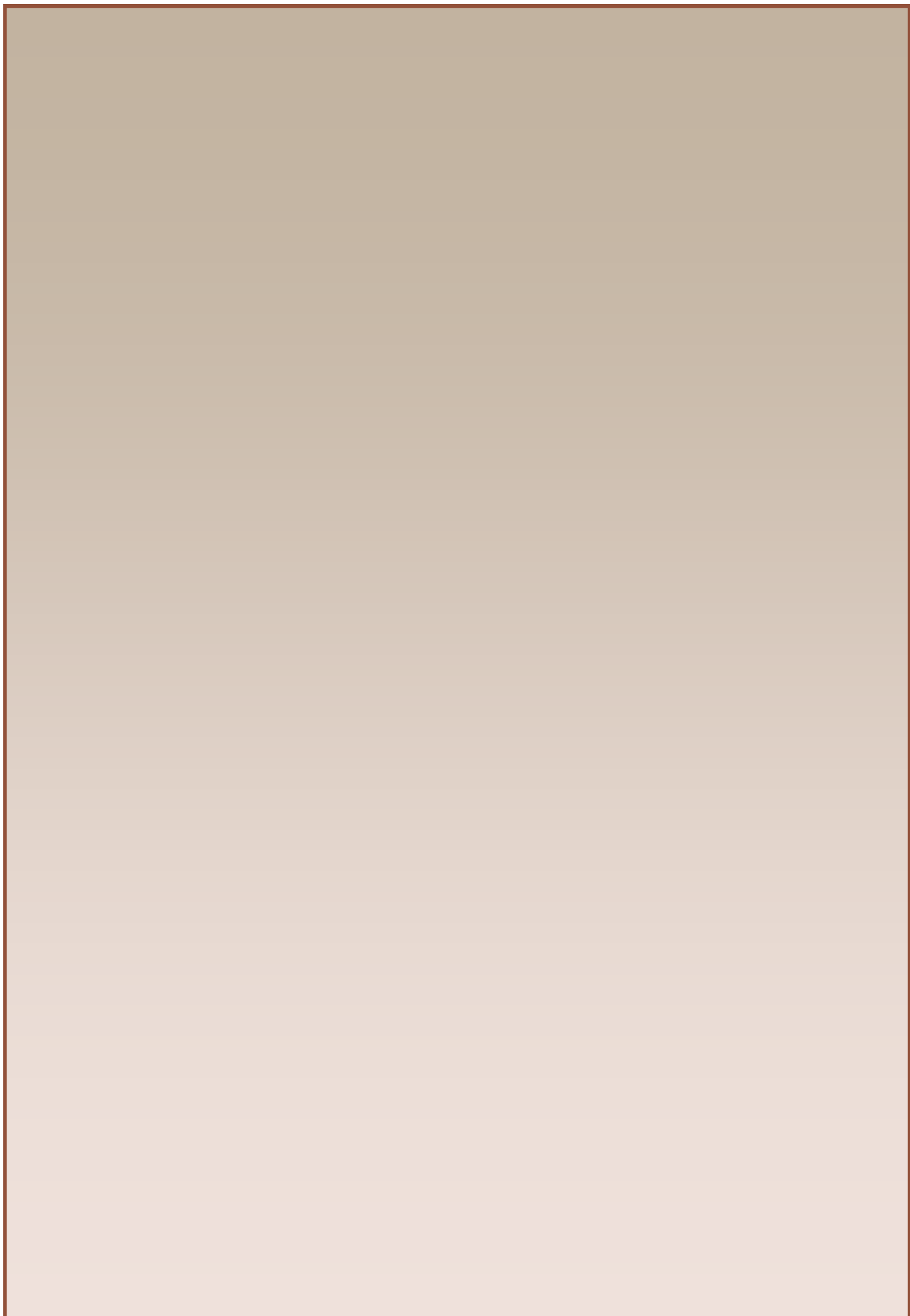
Annual Report 2011/2012





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INTRODUCTION

SECTION 1

Welcome to Carlisle City Council's fourth annual parking enforcement report for the year 2011/2012 which has been produced in line with Part 6 to the Traffic Management Act 2004.

The provision of parking places, the use of parking restrictions and the enforcement of those restrictions can be a contentious issue. I understand that different groups across the city will have different parking needs. My aim is to balance these needs and ensure the system is fair for all.

I hope that this report will provide an insight into why parking controls are necessary and why and how Carlisle City Council enforces them. An efficient parking enforcement operation supports the local economy, allows residents to park within their designated parking zone and plays a significant part in improving road safety and reducing journey times and delays for all road users.

The report includes useful information concerning the parking of vehicles, both on the highway (on street parking) and in car parks (off street parking). It details the Council's parking policies and it sets out the guidelines which Carlisle City Council sets for those of its staff who issue penalty charge notices (parking tickets) and for its staff who deal with motorists' appeals against those charges.

The report also outlines some of the less well known work Parking Services undertakes jointly with other agencies such as Cumbria Constabulary, Community Engagement for abandoned and untaxed vehicles and Licensing

to target problem enforcement areas within the city.

The enforcement of the central bus lanes within Carlisle city centre to improve the reliability of the bus timetables also falls within the remit of the parking service.

In addition, the latter part of the report details Carlisle City Council's performance with regard to its parking enforcement operations over the past 12 months.

I hope that you will find the contents of this report both interesting and informative. If you would like to make any comments regarding the contents of this report or any of the parking operations carried out by Carlisle City Council, please write to **Parking Services, Carlisle City Council, Civic Centre, Carlisle, CA3 8QG** or email parkingservices@carlisle.gov.uk.

Cllr Elsie Martlew
Portfolio Holder for Local Environment



KEY FACTS & FIGURES

Parking operations in Carlisle cover the city centre, urban and rural areas within the whole of the Carlisle District.

Parking Services is responsible for:

- 14 Pay & Display car parks
- 2 free time limited car parks (disc zone)
- 8 free car parks
- 9 permit holder only car parks
- 9 Residents Parking Zones

Overall there are over 2,500 off street parking spaces and over 5,000 on street parking spaces which have to be managed within the city.

We also carry out the civil enforcement parking operations on behalf of Eden District Council.

To meet the operational demands of the service Carlisle City Council employs 13 staff as Civil Enforcement Officers (CEOs), this includes 2 Senior Civil Enforcement Officers.

Specified enforcement patrols are carried out on a daily basis and a mobile patrol is also available to respond to reports of vehicles

parking in contravention of the parking regulations throughout the city.

A further 5.5 staff are employed to work in the back office to process the Penalty Charge Notices (PCNs) issued and respond to the informal and formal representations received.

The back office staff are also responsible for issuing Residents Parking Permits, Waivers & Dispensations, Contractor's Permits and Saver Parking Permits for use within the City Council's car parks.

British Parking Association



Carlisle City Council is a member of the British Parking Association.

The British Parking Association is the UK's professional body for the parking industry, setting standards and developing high levels of

skills for staff training and service delivery for our customers.

The British Parking Association represents over 700 organisational members from the entire parking and traffic management sector, including local authorities, manufacturers, car park operators, health authorities, universities, airports, railways, shopping centres, bailiffs, construction companies, learning providers and consultants.

The BPA also manages the Approved Operator Scheme for parking on private land, the Safer Parking Scheme and the Institute for Parking Professionals.

Key facts for Carlisle City Council's parking operation 2011/2012	Total
Disc Zone spaces (on street spaces)	5,460
Pay & Display spaces	2,478
Designated Disabled Bays (on street)	26
Other On Street Bays which include Taxi Bays, Loading Bays and Motorcycle Bays	16
On Street Penalty Charge Notices issued	7,653
Off Street Penalty Charge Notices issued	2,052
Residents Permits issued	1,700
Visitor Permits issued (issued in sets of 60)	2,129



SECTION 3

TRAFFIC MANAGEMENT ACT 2004 (Part 6)

Since March 2008, Carlisle City Council has been enforcing parking regulations under the requirements of Part 6 to the Traffic Management Act 2004.

In the Carlisle District, Cumbria County Council is the enforcement authority responsible for all on street parking restrictions, however Carlisle City Council carries out the on street enforcement on behalf of Cumbria County Council under the terms of an Agency Agreement.

With regard to off street parking Carlisle City Council is the enforcement authority. We manage a total of 33 car parks, most on behalf of the City Council but some on behalf of private car park owners.

With the introduction of the parking related sections of Part 6 to the Traffic Management Act 2004 (TMA2004) which came into effect on 31st March 2008 the legal framework of parking changed.

The scope of local authority parking enforcement has widened, it has introduced a greater openness and professionalism

within our parking operation and it has in the main harmonised the regulations applicable to authorities inside London with those pertaining to authorities outside of the capital.

Under TMA 2004 Decriminalised Parking Enforcement has become Civil Parking Enforcement, Permitted Parking Areas and Special Parking areas have become Civil Parking Areas and Special Enforcement Areas and Parking Attendants were re-named Civil Enforcement officers (CEOs).

The regulations accompanying TMA 2004 have encouraged greater communication by local authorities of their parking policies, guidelines and performance and recommended that this could partly be achieved through the publication of an annual report, such as this one.

Other changes brought about by the introduction of the Traffic Management Act 2004 are:

- Penalty Charge Notices are no longer a single charge, there is now a two tiered charging system:
 - £70 (£35 if paid within 14 days) for more serious offences like parking in a bus stop, disabled bay or on yellow lines.
 - £50 (£25 if paid within 14 days) for less serious offences like overstaying permitted time in a disc zone or for not displaying a valid pay & display ticket in a car park.
- Informal challenges **should be** responded to within 14 days.
- Formal representations **must be** responded to within 56 days.
- PCNs can now be issued on pedestrian crossings (before only the Police could do this).
- PCNs can be issued by post if the vehicle has driven away prior to the CEO being able to fix the ticket to the vehicle windscreen or hand it to the driver.
- PCNs can be issued for double parking and parking on dropped kerbs. The government has now waived the requirement for an amended Traffic Regulation Order (TRO) and signage on street advising of the restriction, which greatly reduces the costs of

enforcing such regulations.

- PCNs can be issued by camera enforcement. At present we do not enforce using these powers and there are no plans to adopt this power in the future. PCNs will continue to be issued by CEOs only.

The changes from working under the 1991 Road Traffic Act were significant and required a completely new computer system and handheld computers so they could cope with the new requirements of the Traffic Management Act such as the ability to issue and process PCNs for different amounts dependent on the contravention they were issued for. All the legal Notices used have been redesigned and we have reviewed our letter library, this is an ongoing process.

Staff training prior to implementation of the Traffic Management Act 2004 was vital to the success of the project and both Civil Enforcement Officers and administrative staff dealing with appeals had the relevant training. We have continued with refresher training throughout 2011/2012 to ensure all our staff continue to be fully conversant with the new legislation, policies and procedures.

The Traffic Management Act 2004 requires us to publish an annual report in the interest of transparency and to inform the public of the aims of the service.

We understand that making progress on the day to day issues dealt with by the parking section will only be achieved through engaging with the public and other stakeholders and listening to their views.

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This report aims to show some of these issues and the work of the parking service in balancing the needs of residents, visitors, businesses, public transport users and the wider community.

SECTION 4



PARKING POLICIES

Parking policies are an integral part of both Carlisle City Council and Cumbria County Council's local authority transport strategy.

In accordance with the Department for Transport's "**Full Guidance on Local Transport Plans**" the Council's policies are aimed at tackling congestion and changing travel behaviour.

In setting these policies both Councils have taken into account :

- Existing and projected level of demand for parking by all classes of vehicle.
- The availability and pricing of on street and off street parking places.
- The justification for and accuracy of existing Traffic Regulation Orders.
- The adequacy, accuracy and quality of signing and lining which either restricts or permits parking.

With regards to enforcement operations, Carlisle City Council has set and continues to review:

- The optimum level of compliance with parking controls.
- The level of enforcement necessary to secure that compliance.
- The levels of penalty charges.
- The need to effectively resource the operation and to ensure that all parking staff are appropriately trained.

When formulating and reviewing policies, Carlisle City Council and Cumbria County Council consults locally with individuals and businesses that have a range of parking needs. It takes into account the views of the Police and, where possible, works with neighbouring authorities to achieve a consistent approach.

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The Council's parking control policies are to:

- Regulate the use of vehicles in the busiest and most congested areas.
- Improve traffic flow.
- Improve road safety (for both vehicle users and pedestrians).
- Encourage public transport usage.
- Safeguard the needs and requirements of residents, businesses, organisations and visitors.
- Regulate and control parking, both on street and off street.
- Encourage the use of car parks (particularly for longer visits).
- Provide sufficient short stay parking facilities to support shops, commercial organisations and leisure activities.
- Preserve and improve the current infrastructure and general environment.

Work is under way to review our existing Transport and Parking Policies. Details of any proposals agreed, following public consultation, will be detailed in future Annual Reports.

SECTION 5



PARKING RESTRICTIONS

Parking restrictions play an important part in helping to achieve our parking policy aims. Wherever parking restrictions are located, whether they are prohibitions on parking or are limitations as to who may use particular parking spaces, or limitations as to when they may be used, there will have been sound reasons for those restrictions having been introduced.

Reasons for introducing parking restrictions include the following:

1. To prevent congestion and thereby improve traffic flow.
2. To improve road safety (for both vehicles and pedestrians).
3. To improve the quality and accessibility of public transport.
4. To improve the local environment.
5. To provide a fair distribution of parking spaces to meet the competing demands of:

- Residents
- Shops
- Businesses

- Pedestrians
- People with disabilities
- Visitors
- Car drivers
- Delivery drivers
- Public transport users
- Cyclists
- Motorcyclists

There are many types of restrictions which may be used to achieve these aims, such as:

- Stopping or waiting restrictions (bus stop clearways, yellow lines, 'school' restrictions, etc.)
- Pedestrian zones
- Resident parking schemes
- Restricted parking zones
- Pay and display parking
- Bays for time limited parking
- Parking bays for specified users or for specified purposes (blue badge holders, taxi ranks, motorcycles, loading/unloading, etc.)
- Disc Parking Zones

Most of these parking restrictions are introduced by way of a Traffic Regulation Order and are indicated to motorists by way of road markings and/or signage, which have been

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specifically approved for this purpose by the Department for Transport.

The Department for Transport has produced the **Traffic Signs Regulations and General Directions (TSRGD) 2002** which details the prescribed signage which can be lawfully placed on or near roads in England, Scotland and Wales.

Traffic signs are essential for the implementation of traffic management schemes and for the enforcement of road traffic law. The **TSRGD 2002 can be viewed at www.dft.gov.uk**.

The need to introduce a new restriction or scheme, or for an existing restriction to be removed or amended, may have been identified by officers of the Council, or it may have been suggested by local residents, ward members representing those residents, or by other interested parties (such as local business groups, transport service operators, the Police or fire service).

The merits of each proposal and their potential impact are considered and the priority for their introduction is assessed under a scheme which takes into account factors such as the type of road and local accident records.

Cumbria County Council has limited funds available with which to introduce new on street parking restrictions and some schemes (particularly those which require lighting and signage) can be far more expensive to implement than others.

Proposals therefore usually proceed in order of priority, as and when the necessary resources are available.

If a decision to proceed is made, the proposal is consulted upon and a new or amended Traffic Regulation Order is drawn up and advertised for public comment or objection.

When a proposal for a new restriction is advertised, it is not a guaranteed to be implemented. Consideration must be given to any responses to the advertisement (whether in support of the proposal or against it) before a final decision is made on whether or not to go ahead and implement the restriction.

Whilst there are many different types of parking restriction which may be introduced, they can be split into two distinct categories:

1. **Prohibition of all vehicles**, or all but certain classes of vehicle, from stopping. These include bus stop clearways, taxi ranks, school restrictions, etc.
2. **Restrictions on waiting** (parking) by vehicles. These range from 'no waiting' (yellow lines), to 'limited waiting' (time restricted parking), or to waiting by specified users only (disabled badge holders, permit holders, pay and display parking, etc.) or to waiting for specified purposes only (loading bays).

Where these 'waiting' restrictions apply (as opposed to 'stopping' restrictions), vehicles are usually permitted to wait:

1. For the purpose of actively picking up or setting down passengers (but not to park to await the arrival of those passengers),

or

2. For as long as may be necessary for the vehicle to be actively/continuously loaded or unloaded. Such loading is allowed provided that it is necessary for the vehicle to be parked there for that purpose and that, in doing so, the vehicle does not create an obstruction to other road users (including pedestrians).

If the vehicle could be parked nearby, without breaching parking restrictions and the goods needing to be loaded or unloaded are of such a nature that the driver could carry them to or from there to the premises without difficulty, then it would not be considered 'necessary' for the vehicle to be parked in breach of a waiting restriction nearer to the premises for the purpose of loading or unloading.

Additionally:

- Whilst parking to make a purchase from a shop would not be considered as 'loading', stopping to actively load bulky items which had previously been purchased into the vehicle would be.
- With regards to deliveries, the process of loading/unloading includes taking goods into nearby premises, getting delivery documents signed and returning to the vehicle. Activities such as installing the delivered items or preparing them for display are not counted as loading/unloading.
- Similarly, the unloading to, or collection from, a premises of bulky tools would be considered as loading and unloading. However, using those tools to conduct a repair within the building

would not. In some cases however, it is not possible to affect repairs or other works to premises without the vehicle being present.

The main utility companies (water, gas, electricity) are usually exempted from waiting restrictions, where it is necessary for them to park in breach of those restrictions to conduct repairs either on the highway, or in adjacent premises, to pipes, sewers, telegraph lines, etc.

Other non 'utility' companies can face similar problems and the council's parking section will, wherever possible, seek to assist them by either providing them with a parking dispensation or a contractors permit enabling their vehicle to be temporarily parked in breach of parking restrictions (provided that the vehicle would not obstruct the flow of traffic), or by seeking to identify nearby sites where the vehicle could be parked without breaching parking regulations.

Whilst the activity of loading is usually permitted on yellow lines, it is not if there is also a loading ban in force. A loading ban is indicated by yellow marks on the kerb and the times at which the ban applies will be shown on nearby signage.

Wherever parking restrictions are in force, these will be indicated to motorists by the use of road markings and/or signage. Double yellow lines usually mean 'no waiting at any time' and they therefore do not require any accompanying signage. However, if the yellow lines represent a seasonal restriction (one which only applies during certain months of the

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year only) or for only part of the day, there will be signage present to indicate this.

The times at which other restrictions apply are shown on nearby plates and signs. If no days are shown on the signs, then the restrictions are in force every day of the year, including Sundays, Bank Holidays and Public Holidays. If no times are shown, then the restriction applies 24 hours a day.

In the case of parking bays, these may be reserved for use by certain users only or for use for certain purposes only (either at all times, or between certain hours). Some bays are reserved for use by different users or for use for different purposes, at different times of the day. Whatever the restrictions, they will be specified on the nearby plates.

Whenever parking, it is essential that motorists always read the nearby signage plates to ensure that they are aware of the restrictions which are in force and the times that those restrictions apply.

Where parking bays are provided, vehicles should always be parked wholly within the markings of those bays.

Information about parking and examples of road markings and signage can be found in the '**Highway Code**' and in the Department for Transport's '**Know your Traffic Signs**' booklet. These publications and other useful information related to parking can be found at www.dft.gov.uk

Carlisle City Council also provides many off street car parks for use by motorists. Each car park has at least one information board and, in the case of those in which pay and display

charges apply, there will be a board situated next to each of the ticket machines to indicate the car park rules and regulations and the tariffs that apply. Again, it is necessary for motorists to take the time to read these, as failure to park in accordance with the car park rules may result in a penalty charge notice being incurred.

Whenever using pay and display parking do not forget that you need to leave the ticket which you have purchased prominently displayed in your vehicle in the designated place, so that the side which shows the ticket details (time, date, amount paid, expiry time, etc.) can be easily read from the outside of the vehicle. As tickets can be dislodged by gusts of wind when doors are opened or closed, it is always advisable to check that your ticket is correctly displayed before you leave your vehicle.

The locations of Carlisle City Council's car parks and the charges for their use (where applicable), along with other useful parking related information, can be found at www.carlisle.gov.uk

Please remember, that whenever you park, whether or not there are parking restrictions in force, you must not leave your vehicle in a dangerous position, or in a position whereby it would cause an obstruction to other road users or pedestrians. The offences of 'dangerous parking' and of 'obstruction' are not subject to Civil Enforcement. These remain criminal matters which are enforceable by the Police.

SECTION 6



CIVIL ENFORCEMENT OFFICERS

Regrettably, experience has shown that where motorists perceive that there is either no active enforcement of a restriction or that enforcement levels are limited, it is far more likely that they will 'take a chance' and ignore the restriction. For restrictions to have their desired effect, it is therefore necessary for them to be enforced.

Within the district of Carlisle, Carlisle City Council have decided that parking enforcement will be undertaken by Civil Enforcement Officers (CEOs) who are directly employed by Carlisle City Council. By keeping this function 'in house' we are able to ensure that all aspects of our parking enforcement operations are undertaken by well trained, professional staff, whose performance can be effectively monitored against the standards and guidelines which we have set for them to follow.

Whilst Carlisle City Council monitors the performance of its CEOs it does not set any targets with regards to the numbers of PCNs which they will issue. They are salaried employees of Carlisle City Council who receive no performance related bonuses, or other performance related incentives.

All our CEO's are fully trained and have the relevant NVQ Level 2 qualification in Parking Control. They have also gained NVQ Level 2 in Conflict Management which is important as they are often the target of verbal and occasionally physical abuse.

This year we have also ensured that all our CEO's are now First Aid qualified as we recognised that that this is a useful qualification to have in light of their front line duties and public focused role.

Carlisle City Council deploys its CEOs in such a manner as to provide coverage of all parking restrictions throughout the district, although it is of course also necessary to prioritise those areas where the most parking problems are experienced, such as in and around Carlisle city centre.

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Zero tolerance policy to verbal and physical abuse.

Unfortunately from time to time during the course of their duties CEOs encounter people who use abusive, threatening or intimidating behaviour. Carlisle City Council fully supports its staff in carrying out their day to day operations and will not tolerate this kind of behaviour.

All CEOs are trained to record all details of any such incidents, the information is then passed to the Police who take the appropriate legal action.

During 2011/2012 there were 6 reported incidents of verbal abuse or threatening behaviour towards the CEOs.

Civil Enforcement Officer Code of Practice

Carlisle City Council has set the following **Code of Practice** for the standards and guidelines which its Civil Enforcement Officers must follow:

- As required by law, whenever conducting their enforcement duties Civil Enforcement Officer's (CEOs) must wear the uniform which is issued to them by Carlisle City Council. The uniform will clearly show the name of the Council, the personal identity number of the CEO and that the CEO is engaged in parking enforcement.
- In order to check that vehicles within their patrol area are parked in accordance with the parking regulations and where they are not, CEOs will enforce the parking regulations by issuing a Penalty Charge Notice (PCN) as appropriate.
- In order to protect them from allegations of inconsistency, favouritism or suspicion of bribery, once a CEO has issued a PCN they do not have the discretion to either cancel or withdraw it (although it may be re-issued if necessary). If a motorist wishes to dispute or challenge a PCN which has been issued, they must follow the appeals procedure which is detailed on the back of the Notice.
- Motorists are expected to park correctly, with due regard to any parking restrictions which are in force.
- If a CEO finds a vehicle which has been parked in contravention of such restrictions, they will enforce the restriction. It is not their job to attempt to track down motorists to ask them to park their vehicles properly.
- Leaving a note on a vehicle (such as "working at number 17") does not exempt that vehicle from a parking restriction. Similarly, whilst a note may claim that a vehicle has "broken down", unless there is obvious damage to the vehicle which would prevent it from being moved, a CEO cannot be sure of the validity of such a claim. Whilst they are expected to record the presence of such notes, they are instructed to issue a PCN as appropriate. It will be for the motorist to subsequently appeal against the PCN if they wish to do so. With regards to a broken down vehicle, a motorist will usually be able to provide some form of documentary evidence of the nature of the problem to accompany their appeal and this will of course be taken into account in deciding whether or not payment of the PCN will be required.
- CEOs must conduct their enforcement duties in a thorough, fair, consistent and professional manner and to treat all motorists equally, without showing favour, bias, or prejudice.
- In addition to parking enforcement, it is an essential part of Carlisle City Council's CEOs duties to assist the public by providing them with advice

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and guidance on parking, general information or tourism related matters.

- CEOs will inform the Police of suspected criminal activity and their high profile, uniformed patrols will hopefully help to dissuade such activity. In cases of accident or emergency, they are to assist the Police when required, but must not put their own safety at risk to do so. They may only attempt to direct moving traffic when working under the direct instruction of the Police.
- Whilst on patrol, they will look out for and report:
 - i. Potential dangers to the public (to Cumbria County Council, Carlisle City Council or the emergency services as appropriate).
 - ii. Suspected abandoned vehicles (to Carlisle City Council).
 - iii. Untaxed vehicles (to Carlisle City Council).
 - iv. Faults with parking equipment (pay and display ticket machines, signage, or road markings) which they cannot rectify themselves. Replenishing ticket stocks, checking and setting clocks and clearing (where possible) jammed tickets or coins is part of their daily duties.
 - v. Changes in parking patterns and/or possible changes to parking restrictions which may be appropriate.

As stated, when finding a vehicle which appears to be parked in contravention of a parking restriction, it is the duty of the Civil Enforcement Officer to issue a Penalty Charge Notice to the vehicle. They have no powers to subsequently cancel or withdraw any notices issued.

However, there will be certain circumstances under which, even though a parking contravention appears to have occurred, it would not be appropriate for them to issue a Penalty Charge Notice. Carlisle City Council has therefore set the following policy;

Civil Enforcement Officers have the discretion not to issue Penalty Charge Notices under the following circumstances:

- When a motorist's vehicle has been parked with the permission of, or at the direction of, either a police officer in uniform, or with the knowledge of the Parking Services Team.
- When a vehicle has been prevented from proceeding by circumstances beyond the driver's control, or has been stopped in order to avoid injury or damage to persons or property.
- When the driver is still with the vehicle and, upon request by the CEO, they immediately remove the vehicle, or take steps to ensure that the parking regulations are complied with.
- When the driver returns to the vehicle either during the CEOs observation period, or whilst the PCN is being prepared, but before it can be issued,

then the CEO may issue a verbal warning instead (provided that in response to the warning, the motorist then removes the vehicle or takes steps to comply with the parking regulations).

- When a CEO believes that their personal safety would be threatened if they were to do so. Under the TMA 2004 legislation, if a CEO is prevented from issuing a PCN either indirectly through abusive behaviour or intimidation, or directly through threats or actual physical force, then the PCN may instead be issued by post.

Carlisle City Council will not tolerate threats, intimidation, or assaults on its staff and will therefore not hesitate to initiate criminal prosecutions in respect of such behaviour.

Parking restrictions are there for good reasons and Carlisle City Council aims to ensure that its Civil Enforcement Officers deliver enforcement of those restrictions fairly and in accordance with the law. Carlisle City Council's CEO's conduct duties which are intended to benefit the public and Carlisle City Council expects that they will perform their enforcement duties efficiently and with proper regard to the rights of the motorists.

CEO's work throughout the year, in all weathers and often in difficult circumstances. As most of the Districts parking restrictions apply 24 hours a day, 7 days a week, CEO's are required to work on a shift basis to give the widest possible enforcement coverage. Whilst their efforts may not be appreciated by those motorists whose vehicles have been issued

with PCNs, it should be emphasised that those who park correctly, in accordance with the parking regulations, will not be liable to such charges.

The purpose of issuing PCNs is to dissuade motorists from breaking parking regulations. It is hoped that, through the efforts of our CEOs Carlisle City Council will be able to improve levels of compliance in order to achieve the aims of our parking control policies specified earlier in this report.



BLUE BADGE HOLDERS

The Blue Badge scheme provides a national range of parking concessions for those disabled people with mobility problems who have difficulty using public transport. The scheme is designed to help disabled people to travel independently, either as a driver or passenger, by allowing them to park close to their destination.

Details of the scheme and the responsibilities of Blue Badge holders can be found in the Department for Transport's booklets:

- 'Can I get a Blue Badge?'
- 'The Blue Badge Scheme'
- 'Rights and responsibilities in England'
- 'The Blue Badge Scheme, Guidance for blue badge holders and their drivers on the power to inspect blue badges being displayed on motor vehicles'

The first booklet is aimed at potential applicants for a badge whilst the other two are issued to badge holders with their new or renewed badges. Copies can be found in 'The Blue Badge Scheme' section of the Department's website www.dft.gov.uk

Alternatively they can be obtained from your local badge issuing authority at Cumbria County Council, Social Services Department.

It is very important that Blue Badge holders carefully read these booklets before attempting to use their badge. Whilst certain concessions are offered, particularly with regards to where waiting restrictions (yellow lines) apply, **the scheme does not provide a blanket exemption from all on street parking restrictions.**

It should also be noted that **this national scheme applies to on street parking only. It does not apply to off street car parks.** Most car parks provide parking spaces for disabled people, but it is up to the car park owner to decide whether their charges will apply to blue badge holders.

When using a car park (whether council operated, or privately owned), blue badge holders should always check the car park information boards to see whether there are any concessions available to them. They should not assume that their badge entitles them to park free of charge or for an unlimited amount of time, as this may not be the case.

Blue Badge holders may park in a Carlisle City Council owned car park for up to a maximum period of 3 hours free of charge. To qualify for the 3 hours free parking a valid Blue Badge must be clearly displayed along with a clock disc set at the 'time of arrival'.

For stays over 3 hours, the normal hourly rate applies. In this instance, Blue Badge holders may use the 3 hours free parking by displaying a valid Blue Badge and clock disc set at the 'time of arrival' and also clearly displaying a valid pay & display ticket for the additional parking time.

Blue Badge holders may use any parking space within the car park including the designated disabled parking bays irrespective of the duration of their stay.

Shopmobility Scheme

Shopmobility is a registered charity and an independent scheme which offers the use of powered scooters and wheelchairs for people with mobility difficulties to help them shop and use the facilities during a visit to Carlisle city centre.

The Shopmobility office in Carlisle is located on Level 2 of the Lanes Shopping Centre car park.

Opening times:

Monday to Friday	10.00am to 4.00pm
Saturday	10.00am to 1.00pm

For further information on this service please call 01228 625950 or alternatively email shopmobility@carlisle-city.gov.uk.



SCHOOL ENFORCEMENT

The enforcement of parking restrictions outside schools has always been a priority for us. In 2011/2012 there were 27 urban schools and 13 rural schools in the Carlisle area. School patrols were carried out on a rota basis every morning and afternoon during term time.

It is estimated that each urban school receives on average 11 patrols per year and each rural school 7 patrols per year. Patrols are directed to particular schools at particular times if required by specific circumstances.

The main objective is to enforce the 'School Keep Clear' restrictions which can result in the instant issue of a Penalty Charge Notice. We also focus on bus stops and double yellow lines within the vicinity of the schools if there are problems at school times.

The vast majority of Penalty Charge Notices issued outside schools are issued to vehicles already parked on the 'School Keep Clear' restrictions or double yellow lines when our CEOs arrive.

In 2011/2012, 11 PCNs were issued for code 48 'Stopped in a restricted area outside a school'. The mere presence of the CEOs acts as a deterrent in the majority of cases and many vehicles are moved on as soon as they are present without the need to issue PCNs.

We receive positive feedback from parents and head teachers, unfortunately the CEOs have experienced some resistance to their presence from a small number of parents/guardians. We will continue to try to work closely with head teachers and Cumbria County Council Road Safety staff to continue to raise awareness of the importance parking enforcement plays in the safety of school children.

SECTION 9



RESIDENTS PARKING SCHEME

Carlisle City Council operates a Residents Parking Scheme on behalf of Cumbria County Council.

The scheme provides time limited parking (within the Disc Parking Zones) in which vehicles displaying a valid Residents or Visitors Parking Permit are exempt from the Disc Zone time restrictions.

The Residents Parking Scheme does not guarantee a parking place outside the premises/house but it does provide a parking place within the specified zone.

At present there are 9 Residents Parking Zones in operation within Carlisle. Residents Permits are issued to any resident living within one of the parking zones provided they reach the qualifying criteria. Vehicle permits are registration specific and are non transferable. Visitor permits are issued to a specific residence and are restricted to 60 per year. The permits allow the resident to park within the Disc Zone without time limit. Visitor permits are valid for one calendar day each.

Residents of new properties built after the scheme was implemented may not receive permits if officers consider that the specified zone is already congested.

Scheme Details

- For non permit holders, waiting is limited and a clock disc must be displayed in accordance with the waiting restrictions on the road signs.
- Permit holders and disabled badge holders are exempt from these time restrictions. The permit or blue badge must be on display at all times to qualify for this exemption.
- **Residents Permit**—on proof that the vehicle is registered to the occupier at the address, a permit will be issued. There is currently no limit on the number of permits issued, provided the relevant proof is provided.
- **Business Permit**—Businesses are issued with one vehicle permit if they

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have no off street parking.

NOTE: This is not applicable to Zone C (City Centre Disc Zone).

- **Visitor Permits**—60 days worth of visitor permits are issued to each household per year. Only in exceptional circumstances are written requests for extra visitor permits considered, i.e. medical grounds.
- **Carer Permits**—one carers permit may be issued for a professional carer or relative who cares for a resident living within a restricted zone providing the resident receives one of the following:
 - Disability Living Allowance
 - Attendance Allowance
 - Invalid Care Allowance
- Each permit is issued for use within one zone only and is not transferable for use in another zone.
- If a vehicle parks without a permit or valid parking disc the Civil Enforcement Officer will issue a Penalty Charge Notice.
- Vans and commercial vehicles up to the weight of 7.5tonnes are allowed to park within the Scheme.
- Cars up to 3.5tonnes and carrying up to 7 people are allowed to park within the Scheme.
- No caravans or trailers may be parked in the Disc Zone, even if they are attached to a vehicle.

- **Guest House Permits**—Guest House Visitor Permits are issued to Guest Houses and Bed & Breakfast Accommodation situated within the residents parking zone.

These permits are issued instead of the normal visitor permits which residents and other businesses within the zone receive.

- Daily and Weekly permits are issued.
- The permit is only valid for the specified zone.
- The 'Date' and 'Vehicle Registration Number' should be clearly entered in 'ink' and must not subsequently be changed.
- The permit must be clearly displayed in the front windscreen or side window of the vehicle nearest the kerb.
- The permit is valid until 10.00am the following morning, i.e. a Daily Guest House Visitor Permit dated 29/4/12 is valid until 10.00am on 30/4/12.

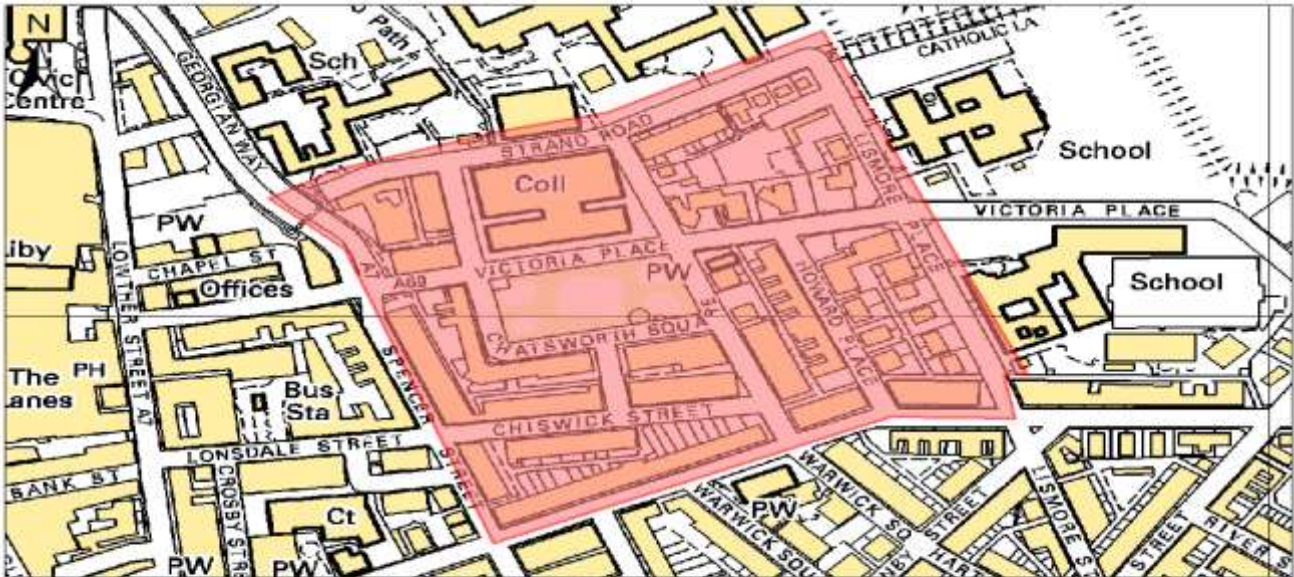
The Residents Parking Scheme is currently being reviewed and as part of this process Cumbria County Council will carry out a consultation with residents to ensure that any changes made to the scheme are relevant to the community.

Whilst this review is being carried out no annual renewals have been taking place. Please can all residents continue to display their parking permits in the usual manner even if they have expired. The Civil Enforcement Officers have been instructed to accept expired permits provided they are displayed correctly in all other ways.

Parking Annual Report 2011/2012

The following maps show the various zones included in the residents parking scheme in Carlisle.

1. ZONE A



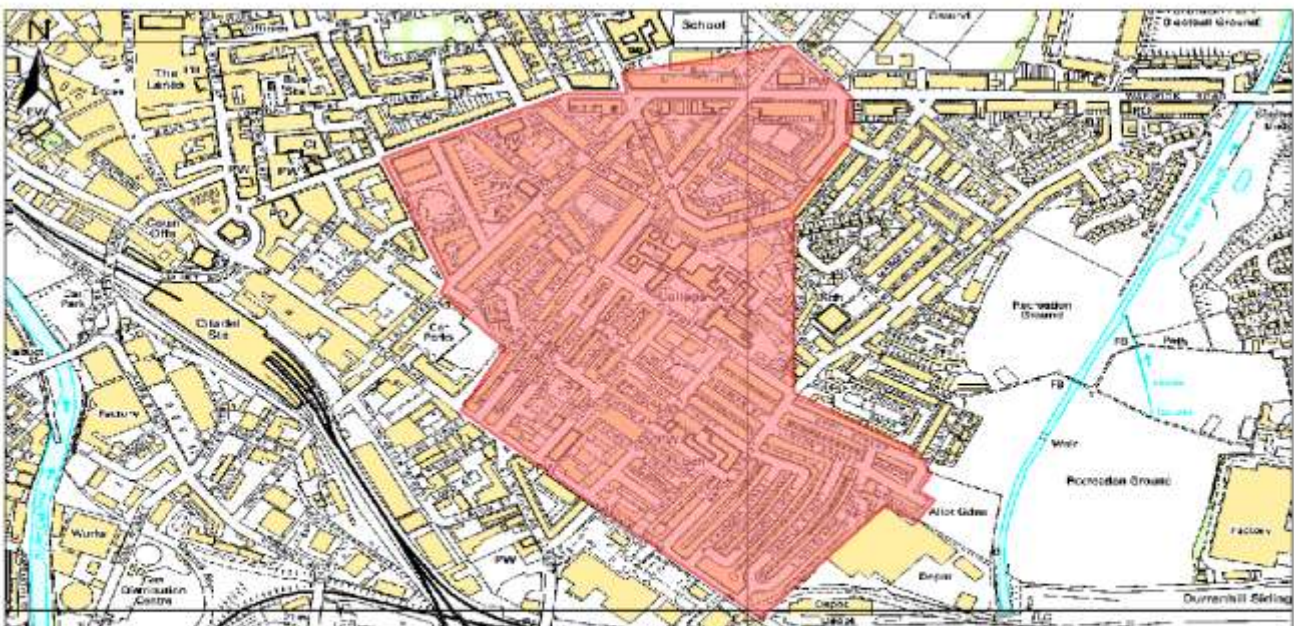
Scale: 1:3,102 Date: 6/06/2005
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Carlisle City Council LA 0100021459, 2005.

**CARLISLE CITY COUNCIL LIMITED WAITING
ZONE A
WAITING LIMITED TO 2HR
PERMIT HOLDERS EXEMPT**



Civic Centre
Rickergate
Carlisle
CA3 8QG

2. ZONE B



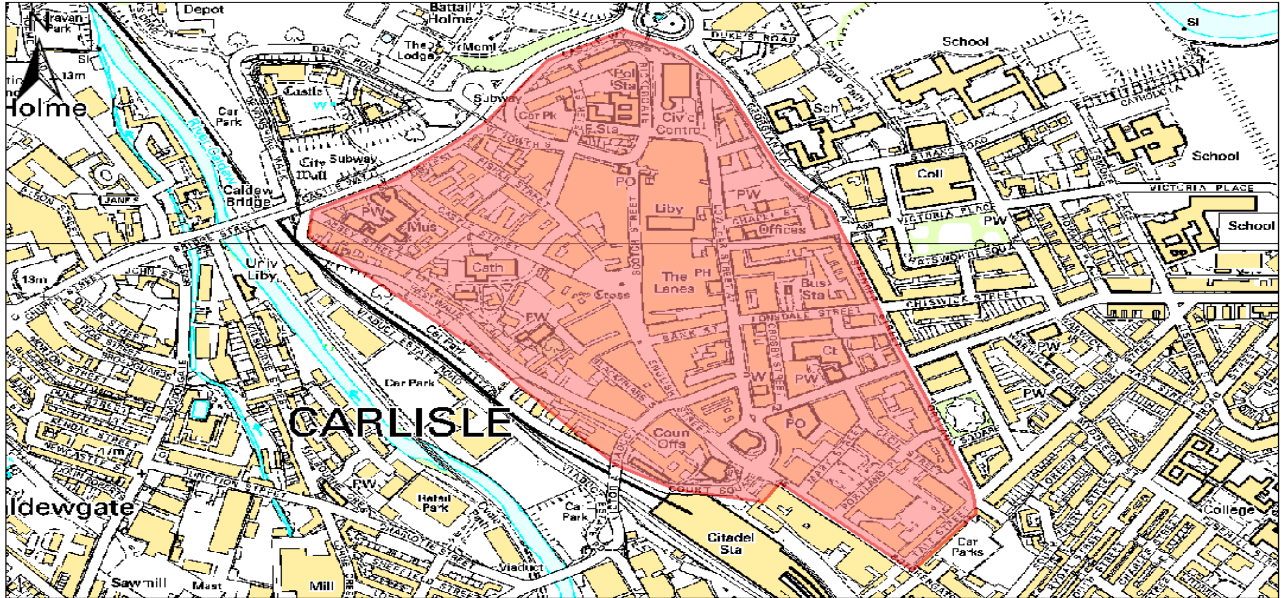
Scale: 1:6,591 Date: 6/06/2005
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Carlisle City Council LA 0100021459, 2005.

**CARLISLE CITY COUNCIL LIMITED WAITING
ZONE B
WAITING LIMITED TO 2HR
PERMIT HOLDERS EXEMPT**



Civic Centre
Rickergate
Carlisle
CA3 8QG

3. ZONE C



**CARLISLE CITY COUNCIL LIMITED WAITING
ZONE C
WAITING LIMITED
PERMIT HOLDERS EXEMPT**

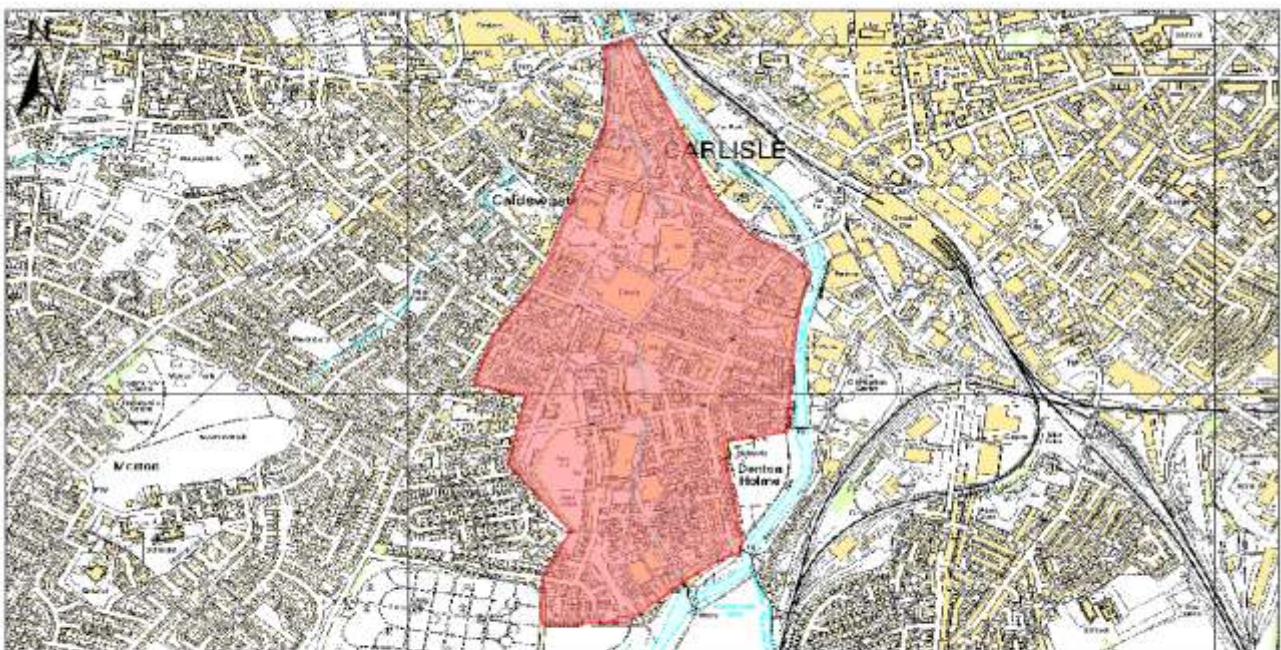


**Civic Centre
Rickergate
Carlisle
CA3 8QG**

Scale: 1:6,066 Date: 6/06/2005
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www.carlisle.gov.uk

4. ZONE D



**CARLISLE CITY COUNCIL LIMITED WAITING
ZONE D
WAITING LIMITED TO 2HR
PERMIT HOLDERS EXEMPT**



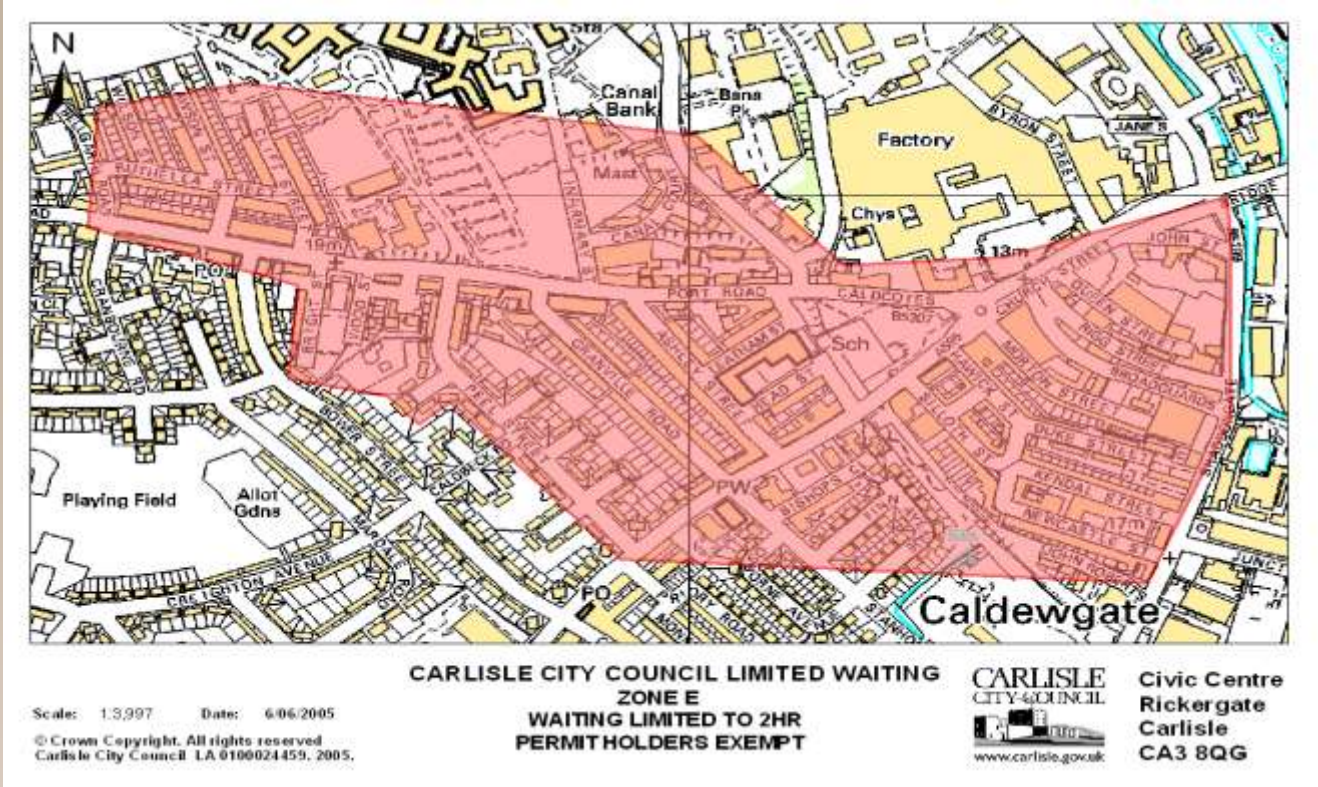
**Civic Centre
Rickergate
Carlisle
CA3 8QG**

Scale: 1:11,137 Date: 6/06/2005
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Carlisle City Council LA 0100024459. 2005.

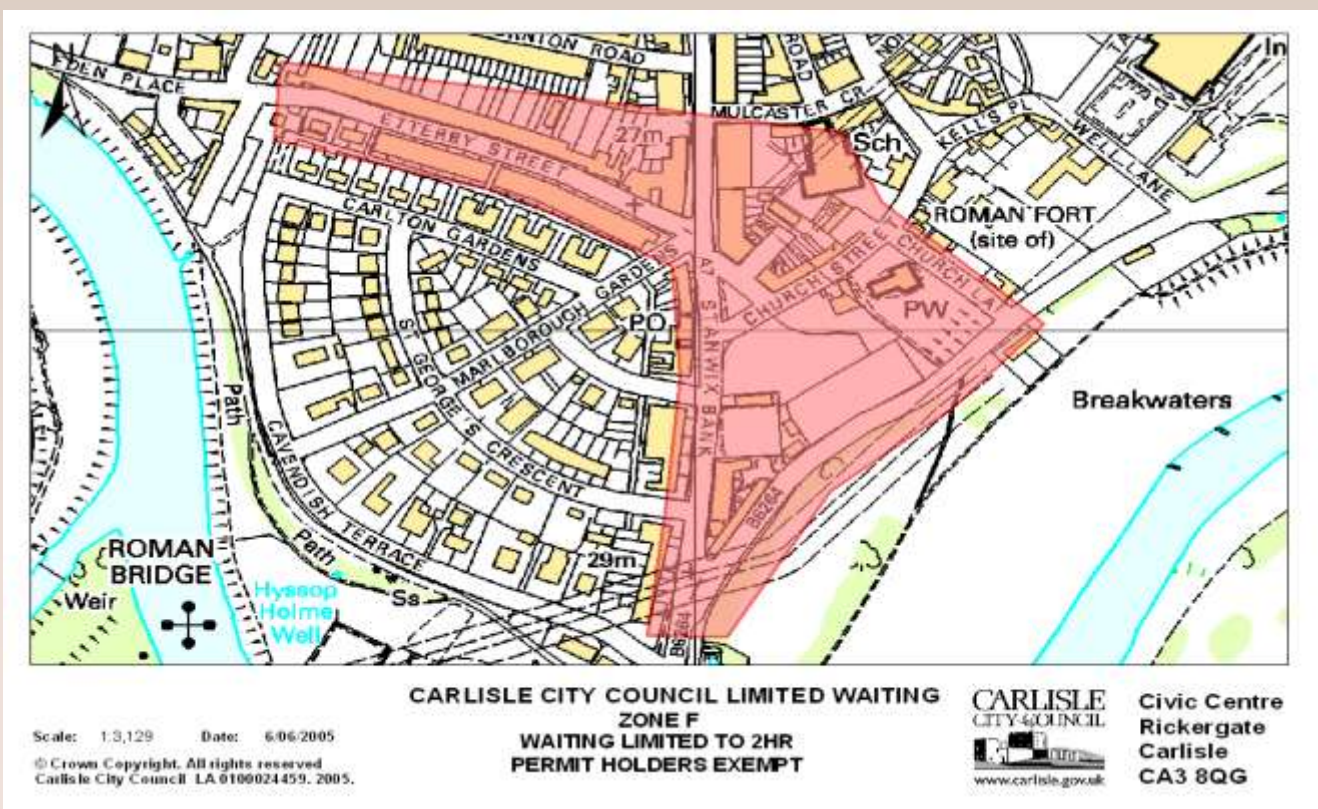
www.carlisle.gov.uk

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5. ZONE E

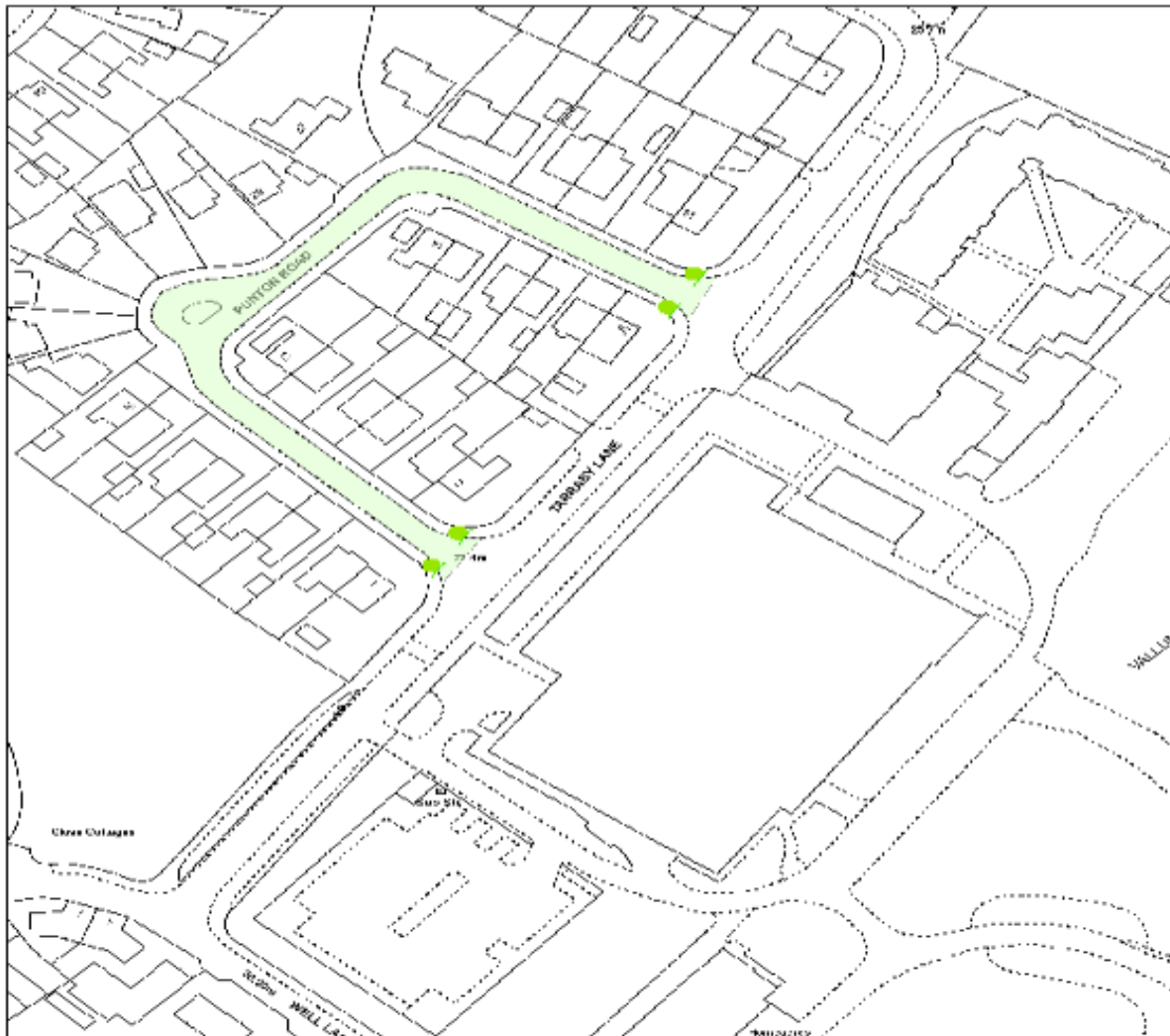


6. ZONE F



Parking Annual Report 2011/2012

9. ZONE PR



 Permit Holders Only Past This Point

**PERMIT HOLDERS ONLY
PAST THIS POINT**

Scale: 1:1,017 Date: 6/06/2005
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Carlisle City Council LA 0100024459. 2005.

PUNTON ROAD



**Civic Centre
Rickergate
Carlisle
CA3 8QG**

SECTION 10



CAR PARKS

On 2nd March 2012, Carlisle City Council took the radical step of re-categorising the car parks and parking charges. The message for drivers is now '**park longer, pay less**'.

A large proportion of the parking charges have been frozen and new payment incentives have been created for local businesses and commuters.

The car parks are now divided into 4 categories, each category is relevant to the location, tariff and condition of the car park.

CATEGORY 1 CAR PARKS

Civic Centre (Pay & Display)

- 51 parking spaces
- 4 priority spaces for parent and child parking
- 4 disabled parking spaces
- 2 motorcycle spaces
- 4 police only spaces
- 14 permit holder only spaces

This car park has been resurfaced and remarked to provide a high quality surface, the bays have been made up to 10% wider than the recommended width to make the car park more user friendly with easier access for wider vehicles. There are priority parking bays for parent and child parking and the dedicated

motorcycle parking bays are free of charge.

Town Dyke Orchard (Pay & Display)

- 253 parking spaces
- 3 disabled parking spaces
- Toilet facilities

PARKING TIME	CAT. 1 CHARGE
Up to 1 hour	£1.00
1 to 2 hours	£2.00
2 to 3 hours	£3.00
3 to 4 hours	£4.00
4 to 9.5 hours	£10.00

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CATEGORY 2 CAR PARKS

Bitts Park (Pay & Display)

49 parking spaces
 3 priority spaces for parent and child parking
 3 disabled parking spaces
 3 motorcycle spaces

This car park has been resurfaced and remarked to provide a high quality surface, the bays have been made up to 10% wider than the recommended width to make the car park more user friendly with easier access for wider vehicles. There are priority parking bays for parent and child parking and the dedicated motorcycle parking bays are free of charge.

Upper Viaduct (Pay & Display)

210 parking spaces
 1 disabled parking space
 7 coach bays for overnight parking only (18.00 to 09.00)

Lowther Street (Pay & Display)

58 parking spaces

This car park is owned by Cumbria County Council but managed by Carlisle City Council.

PARKING TIME	CAT. 2 CHARGE
Up to 1 hour	£1.00
1 to 2 hours	£2.00
2 to 3 hours	£3.00
3 to 4 hours	£4.00
4 to 9.5 hours	£6.00

CATEGORY 3 CAR PARKS

Paddys Market (Pay & Display)

24 parking spaces

The Sands (Pay & Display)

260 parking spaces
 16 disabled parking spaces
 5 free parking bays restricted to 15 minute parking only

Swifts Bank (Pay & Display)

201 parking spaces
 1 motorcycle space
 7 golfers only spaces

This car park is 'Permit Holders Only' Monday to Friday and operates as a Pay & Display car park for the public on Saturdays and Sundays.

The dedicated motorcycle parking bay is free of charge.

The golfers bays are free of charge when a valid permit is displayed which can be obtained from the golfers hut.

PARKING TIME	CAT. 3 CHARGE
Up to 1 hour	£1.00
1 to 2 hours	£1.80
2 to 3 hours	£2.70
3 to 4 hours	£3.30
4 to 6 hours	£4.00
6 to 9.5 hours	£4.70

CATEGORY 4 CAR PARKS

Cecil Street (Pay & Display)

205 parking spaces
 2 disabled parking spaces
 1 motorcycle parking space

The dedicated motorcycle parking bay is free of charge.

PARKING TIME	CAT. 4 CHARGE
Up to 1 hour	£1.00
1 to 2 hours	£1.80
2 to 3 hours	£2.70
3 to 4 hours	£3.00
4 to 6 hours	£3.50
6 to 9.5 hours	£4.00

Lower Viaduct (Pay & Display)

450 parking spaces

Devonshire walk (Pay & Display)

330 parking spaces
 6 disabled parking spaces
 10 motorcycle spaces
 16 coach spaces

The dedicated motorcycle parking bays are free of charge.

The dedicated coach bays are free of charge.

William Street (Pay & Display)

174 parking spaces

This car park is owned by Cumbria County Council but managed by Carlisle City Council.

One of the new payment facilities introduced this year is for drivers wishing to park their vehicles for longer than one day. In all of the above car parks drivers are able to purchase up to seven days parking in advance through the pay and display ticket machines.

For example, if you wish to park your vehicle for a period of five days, insert the total fee payable for all five days parking into the ticket machine, a pay and display ticket will be issued showing the total amount paid with an expiry date five days in advance of the date of purchase. The pay and display ticket must then be displayed in the vehicle in the correct manner.

We will also be introducing **Pay By Phone** into our car parks in 2012 which will offer further payment options for drivers and details of this will be in next years annual report.

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Carlisle City Council also manages many other car parks which include the following:

Marks & Spencer (Pay & Display)

19 parking spaces
2 disabled parking spaces

This car park has a **maximum stay of 2 hours** for all users including blue badge holders.

This car park is owned by Marks & Spencer but managed by Carlisle City Council.

PARKING TIME	CHARGE
Up to 1 hour	£1.00
1 to 2 hours	£2.00

Talkin Tarn (Pay & Display)

114 parking spaces
6 disabled parking spaces
1 coach space
1 motorcycle bay (parking for 6 to 8 vehicles)

PARKING TIME	CHARGE
Cars	£1.00
Minibuses	£4.00
Coaches	£5.00

Charging Hours in Pay & Display Car Parks

Monday to Sunday 8.30am to 6.00pm
(including Public Holidays & Bank Holidays)

Disabled Badge Holders may park free of charge for up to a maximum period of 3 hours when clearly displaying a valid Disabled Person's Badge along with a clock disc set at the 'time of arrival'.

For stays of over 3 hours the normal daily charges apply.

There is a 'no return to the car park within one hour' in operation.

Car Park Guidelines

- A valid pay and display ticket must be purchased and clearly displayed in the front windscreen of the vehicle, showing the expiry time and date.
- Parking shall be for no longer than the period for which payment has been made.
- No vehicle may stay longer than 24 hours (except in where up to 7 days parking has been purchased).
- The vehicle must be parked wholly within the markings of the bay or space.
- Pay and display tickets are non transferable between car parks or vehicles.
-

- The vehicle must not obstruct any entrance, exit or passageway within the car park.
- A caravan may not be used within the car park for domestic purposes or as a place of habitation.

Failure to comply with the parking guidelines may result in the issue of a Penalty Charge Notice to the vehicle.

Car Park Charges

The car park charges in the Pay & Display car parks are reviewed annually. Details of the current charges are available at www.carlisle.gov.uk

Free Car Parks

Stanwix (Disc Zone)

26 spaces

This car park is time restricted with a 3 hour disc zone. A clock disc must be clearly displayed set at the 'time of arrival'. Once the parking time allowed has expired the vehicle must be removed from the car park. There is a 'no return to the car park within one hour' in operation.

Blue badge holders and Zone F permit holders are exempt from the time restrictions.

Brampton Central (Disc Zone)

14 parking spaces

This car park is time restricted with a 2 hour disc zone. A clock disc must be clearly displayed set at the 'time of arrival'. Once the

parking time allowed has expired the vehicle must be removed from the car park. There is a 'no return to the car park within one hour' in operation.

Blue badge holders are exempt from the time restrictions.

Gilsland (Free Limited Waiting)

This is an unmarked car park which is free of charge with waiting limited to a maximum stay of 2 hours.

Car Parks (No time limit)

Rosehill, Lamplugh Street, Wigton Road and Brampton Union Lane.

In 2012/2013 there are plans to do improvement works to Union Lane Car Park in Brampton.

Car Parks (Permit Holders Only)

Barrock Street, Dixon Court, Isabella Street, Norfolk Court, Cumberland Court, Lewis Court, Sheffield Street, Randall Street and South Henry Street.

Parking Annual Report 2011/2012

Park Mark Scheme

The car parks listed below have all been awarded the Secure Parking Scheme's 'Park Mark' award which is administered by the Police and the British Parking Association.

1. Civic Centre
2. Town Dyke Orchard
3. Bitts Park
4. Lowther Street
5. Upper Viaduct
6. Paddys Market
7. The Sands
8. Swifts Bank
9. Cecil Street
10. William Street
11. Lower Vaiduct
12. Devonshire Walk
13. Stanwix
14. Talkin Tarn
15. Brampton Central
16. Brampton Union Lane
17. Rosehill
18. Gilsland



The Park Mark Award is a nationally recognised standard for the quality of the parking facilities. It measures the parking facilities against certain criteria and aims to reduce crime in car parks.

The achievement of this award on our car parks means that we have put in place measures that help to deter criminal activity and anti-social behaviour, thereby doing everything we can to prevent crime and reduce the fear of crime within our car parks.

CCTV

The following car parks have CCTV coverage.

1. Civic Centre
2. Town Dyke Orchard
3. The Sands
4. Swifts Bank
5. Lower Viaduct
6. Upper Viaduct
7. Devonshire walk
8. Cecil Street
9. William Street



SAVER PARKING PERMITS

Saver Parking Permits were introduced on 2nd March 2012 and replaced the existing Contract Parking Permits.

PERMIT	ANNUAL CHARGE	MONTHLY CHARGE
GOLD	£900	£75
SILVER	£720	£60
BRONZE	£600	£50

Saver Parking Permits provide a more flexible approach to parking and are available for a selection of car parks seven days per week.

The saver parking permits available are Bronze, Silver and Gold. They can be purchased on a monthly, three monthly, six monthly or annual basis and additional discounts are available for full payments made in advance.

The additional discount for advance payment is:

- 10% discount for payment in full of 12 months in advance
- 4% discount for payment in full of 6 months in advance
- 1.5% discount for payment in full of 3 months in advance

Note: The additional discount does not apply when paying by monthly direct debit.

- Cecil Street
- William Street
- Devonshire Walk
- Lower Viaduct

Bronze Saver Permits

These permits are valid for the following car parks:

- Cecil Street
- William Street
- Devonshire Walk
- Lower Viaduct

Gold Saver Permits

These permits are valid for the following car parks:

- Bitts Park
- Lowther Street
- Upper Viaduct
- Paddys Market
- The Sands
- Swifts Bank (Saturday/Sunday Only)
- Cecil Street
- William Street
- Devonshire Walk
- Lower Viaduct

Silver Saver Permits

These permits are valid for the following car parks:

- Paddys Market
- The Sands
- Swifts Bank (Saturday/Sunday Only)



PENALTY CHARGE NOTICES

Wherever the Council has introduced parking restrictions, whether on street or in its car parks, vehicles which appear to have been parked other than in accordance with those restrictions may be issued with a Penalty Charge Notice (PCN).

The Secretary for State for transport decided that with effect from 31st March 2008, local authorities are required to issue two different levels of penalty charges in their enforcement areas (differential charging).

Differential Charging

There is a **higher level charge** for parking in places where parking is prohibited. For example, on yellow lines or in a disabled bay without displaying a valid Disabled Persons Badge.

There is a **lower level charge** for contraventions relating to places where parking is permitted. For example, failing to display a pay and display ticket, overstaying the time permitted, etc. As these contraventions are mostly deemed to be less serious.

Previously, all contraventions received the same penalty charge, regardless of the offence and this was perceived by many as being unfair.

There is a single, nationwide standard list of parking contraventions for which CEOs may issue PCNs, but not all of the contraventions will be relevant in every local authority area. For example, some areas have on street parking meters, whilst others do not. The full list can be found in the 'Parking' section of the PATROL (Parking and Traffic Regulations outside London) website at www.patrol-uk.info. It is the Secretary of State for Transport who decides which of these parking contraventions will be subject to which of the two levels of charge.

A CEO will usually serve a PCN by either attaching it to a vehicle or by handing it to the person who appears to be in charge of the vehicle. Although there are certain circumstances under which, if the CEO has been unable to do this, the PCN may be served by post.

Where camera enforcement is in use (mainly used in respect of moving traffic

contraventions), the PCN will always be served by post.

The PCN will specify the contravention which is alleged to have occurred and the amount which is payable. It will also detail the available options and methods for payment or appeal.

Unless a successful appeal has been made, the penalty charge must be paid within 28 days of the date on which it was served. If payment is made within 14 days the amount of the penalty charge will be reduced by the statutory amount which is currently 50%.

If the penalty charge is not paid within 28 days, Carlisle City Council may then serve a Notice to Owner on the registered keeper of the vehicle.



SECTION 12

THE APPEALS PROCESS

Where a parking contravention occurs, it is the 'owner' of the vehicle involved who is legally obliged to pay the penalty charge.

The 'owner' means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c.22) is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered at the DVLA. It is therefore essential that any changes of vehicle ownership are immediately notified to the DVLA.

When allowing other people to use their vehicle, a vehicle owner should bear in mind that it is still they, the vehicle's owner and not the vehicle's driver who will be liable to pay any penalty charges incurred in respect of parking contraventions.

The only exception to this is where the vehicle was hired from a firm under a hiring agreement and the person hiring it had signed a statement of liability in respect of any penalty charge notice served in respect of the vehicle during the timeframe of the agreement.

All PCNs issued contain details of how to pay or challenge a penalty charge and the staff at Carlisle City Council deal with responding to correspondence at all stages of the appeals process.

At Carlisle City Council we aim to have clear information on our website about the appeals process and we want our letters to be informative about the processes, whilst conveying the necessary legal information.

Our back office team are committed to being fair, transparent and consistent in their approach to Penalty Charge Notice challenges, representations and appeals.

Carlisle City Council is legally obliged to consider and respond to correspondence at any stage in the process. The Traffic Management Act requires responses to be sent in a timely fashion.

We aim to respond to initial challenges within 14 days and **all formal representations must, by law, be responded to within 56 days.**

Vehicle owners may dispute the issuing of a PCN at three stages:

1. They can make an informal 'challenge' or 'representation' before Carlisle City Council issues a Notice to Owner (NtO) (This does not apply in the case of a PCN issued by post, as the PCN then also acts as the NtO). As a challenge at this stage will be made by the person who has received the PCN, it may be that the person submitting the challenge was the driver of the vehicle, rather than the vehicles owner.
2. 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). The legislation sets out specific grounds on which formal representations against the NtO may be made (these will be specified upon the NtO), however whether or not those grounds apply, representations may also be made on the basis that, in the particular circumstances of the case there are compelling reasons for the cancellation of the PCN.
3. If the formal representation is rejected, Carlisle City Council will issue a Notice of Rejection. The appellant then has the right to appeal within 28 days of the date of issue of the Notice of Rejection to an independent adjudicator of the Traffic Penalty Tribunal.

The adjudicators have a judicial position. They are appointed with the agreement of the Lord Chancellor and they are wholly independent. Their decisions are final (subject to their own power to review a decision) and they have the

power to award costs against either party. No further challenges can be made, other than on a point of law through an application to the High Court for Judicial Review.

Appellants may choose to appear before the adjudicator at a personal hearing, or they may elect for a postal hearing where the adjudicator will reach a decision based upon the written evidence supplied by the two parties.

Telephone and on-line hearings are also now available. Full details of the adjudication service and of the appeals process can be found at **www.trafficpenaltytribunal.gov.uk**

The adjudication service will consider other mitigating circumstances as to why the vehicle was parked in contravention, however they can only cancel a PCN should one of the statutory grounds apply.

An adjudicator can refer the case back to Carlisle City Council if they feel that discretion has not been exercised by the Council.

It should be noted that new evidence is often brought to light at this stage of the appeal process by the appellant that the Council has not previously been aware of. This can increase the chances that we will be unable to contest the case.

General information about parking and the associated rules and regulations which may assist motorists in deciding whether to pay or to challenge a PCN, can be found on the 'Parking and Traffic Regulations outside London' website at **www.patrol-uk.info**

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Below is a table showing statistics from the Traffic Penalty Tribunals annual report. Outcomes from the other local authorities in Cumbria have been included as a comparison to the performance of Carlisle City Council when dealing with cases that have been considered by the Independent Adjudicator.

Council	Year	Appeals received	PCNs issued	Rate of appeal per PCN issued (%)	Not contested by council (%)	Allowed by TPT (%)	Refused by TPT (%)
Carlisle	11/12	*					
	10/11	7	10,257	0.06%	0%	43%	43%
	09/10	20	13,800	0.14%	10%	25%	60%
Eden	11/12	*					
	10/11	19	4,463	0.43%	5%	53%	37%
	09/10	18	5,267	0.34%	17%	56%	22%
Barrow	11/12	*					
	10/11	20	6,096	0.33%	30%	30%	40%
	09/10	31	8,621	0.36%	13%	45%	42%
Allerdale	11/12	*					
	10/11	13	14,534	0.09%	31%	23%	38%
	09/10	21	15,744	0.13%	29%	19%	52%
Copeland	11/12	*					
	10/11	9	2,512	0.36%	0%	56%	44%
	09/10	15	3,120	0.48%	7%	67%	20%
South Lakes	11/12	*					
	10/11	25	8,146	0.31%	0%	40%	56%
	09/10	36	8,693	0.41%	3%	69%	17%

* The Traffic Penalty Tribunal have not released their figures for 2011/2012 to date so unfortunately they cannot be incorporated into the report at this time (5/11/12)

SECTION 13



POLICIES FOR THE HANDLING OF APPEALS

The process of considering challenges, representations and the defence of appeals is a legal process. It is necessary for Carlisle City Council to keep a full and accurate record of all challenges which have been made and of the responses given in respect of those challenges. This is why Carlisle City Council requires that all representations are made in writing by letter, email, or by completing one of our 'challenge forms' which are available at **Customer services, Civic Centre, Carlisle, CA3 8QG** or online at **www.carlisle.gov.uk**

Carlisle City Council has the discretion to cancel a PCN at any point in the appeals process and has set out the following policy with regards to the handling of appeals and to the exercise of that discretion:

- All challenges and representations will be considered and each case will be decided upon its own individual merits. Any extenuating or mitigating circumstances will be taken into account.
- Staff who issue PCNs will not handle representations which are made against a PCN.

- Representations will only be dealt with by staff who have been fully trained in the handling of such representations.
- Staff shall be authorised to exercise Carlisle City Councils discretion to cancel PCNs.
- Elected members and unauthorised staff will play no part in deciding the outcome of challenges or representations as per Part 6 to the Traffic Management Act 2004.
- Every case will be looked into individually and supporting evidence may be requested before a decision on the outcome of an appeal can be made.

Whilst every case will differ, it may be appropriate for Carlisle City Council's staff to use their discretionary power to cancel penalty charges in the following circumstances:

1. Where a vehicle could not have been moved due to an accident or breakdown.

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2. Where the vehicle had been stopped and left on the instructions of a police officer.

discretion to cancel a PCN, it may be less inclined to exercise that discretion again if the same vehicle owner incurs a subsequent PCN in similar circumstances.
3. Where Carlisle City Council is satisfied that the driver of the vehicle was prevented from returning to it by circumstances which were beyond their control and could not have been foreseen (such as due to an accident or injury).
 - All representations made against an NtO (within 28 days of the NtO having been served) will be considered. Representations received after the expiry of the 28 day time limit will not be disregarded if evidence (such as a postmark) indicates that they were made within that period. The law requires that Carlisle City Council must then serve notice of its decision on the person making the representation within 56 days. The Secretary of State considers that the decision notices should be served within 21 days of receipt. If for any reason there is likely to be a delay in providing the Council's response, the appellant will be advised accordingly.
4. In certain cases where the PCN was issued in respect of the non-display of a pay and display ticket if a ticket had in fact been purchased but was displayed incorrectly and it is subsequently produced. Provided that it is confirmed that the ticket would have been valid for use on that vehicle, in that parking place at the time of the alleged contravention.
5. In cases where the vehicle was being used by a disabled badge holder, but their blue badge had not properly been displayed, i.e. it was face down. If the badge is later produced, provided that the badge is confirmed as being valid and that had it been properly displayed at the time of the alleged contravention, the PCN would not have been issued. Only one cancellation will be permitted per badge holder under these grounds as the onus is on the badge holder or driver to ensure the badge is correctly and clearly displayed prior to leaving the vehicle.
 - Where an informal representation has been rejected, if a subsequent informal or formal appeal is received, this will be handled by a different officer. They will re-examine all of the facts, circumstances and evidence of the case and will then make a decision independent of the one which was previously given.
 - Where an informal representation is made within the 14 day discount period, if it is rejected, the discount period will be re-offered for a further period of 14 days.

Whilst each case will be considered on its own merits, if Carlisle City Council uses its

- Every representation will be handled in a timely and professional manner and in accordance with the requirements of the relevant legislation

If a duly authorised officer of Carlisle City Council considers that the evidence or circumstances in relation to either an informal appeal, or to a formal representation, provided sufficient grounds to warrant the cancellation of the PCN, then s/he will cancel the charge and will advise the appellant accordingly. If any monies have already been paid, these will be refunded.

For further information regarding the cancellation of PCNs, please refer to the document 'Countywide guidance policies for the enforcement and cancellation of Penalty Charge Notices' which can be found on the website at **www.carlisle.gov.uk**.



SECTION 14

RECOVERY OF UNPAID PENALTY CHARGES

Where a Notice to Owner has been served on a vehicle owner and either:

1. 28 days have passed since the NtO was served and no representation or appeal is under consideration, or
2. representations have been rejected, 28 days have passed since the Notice of Rejection was served and no appeal has been made to an adjudicator, or
3. an appeal was made to an adjudicator but was withdrawn before the hearing and 14 days have passed since the date on which it was withdrawn, or
4. an appeal which was made to an adjudicator was refused and 28 days have passed since the date on which the adjudicator's decision was served on the appellant,

and the penalty charge has still not been paid, then Carlisle City Council may issue a Charge Certificate.

The Charge Certificate tells the vehicle owner that the penalty charge has been increased by the statutory amount, currently 50% and that, if it is not paid within 14 days Carlisle City Council may apply to the Traffic Enforcement Centre (TEC) at Northampton County Court to register the Charge Certificate and recover the increased charge as if it were payable under a County Court Order.

Once registered, the TEC will send Carlisle City Council an authority to issue an order for the recovery of the amount outstanding (the unpaid penalty charge, any costs awarded against the motorist by an adjudicator, plus the registration fee, currently £7).

Carlisle City Council must then send an order informing the motorist that, within a further 21 days from receipt of the order, they must either pay the amount outstanding or send to the TEC a Witness Statement to refute the need to pay the penalty charge (the order will state the grounds on which a Witness Statement can be made).

If the motorist fails to either pay the outstanding amount or to submit a Witness Statement, Carlisle City Council can ask the TEC for the authority to prepare a Warrant of Execution.

A Warrant of Execution authorises a certified bailiff to seize and sell goods belonging to the motorist to the value of the outstanding amount, plus the cost of executing the Warrant.

Whilst this is the normal means of collecting unpaid debts, there are circumstances in which an authority can use other means, such as an attachment of earnings order, a garnishee order or a charging order.

Carlisle City Council would emphasise that it would prefer to see matters settled at as early a stage as possible, either through payment of the penalty charge, or by way of a successful appeal against it, rather than having to resort to the use of these powers.



PARTNERSHIP WORKING

Carlisle City Council is committed to cracking down on dangerous, illegal and untaxed vehicles, HGV vehicles parking overnight on the public highway and the fraudulent use of disabled badges.

Parking Services works in partnership with the Police, Licensing and other Council departments to target problem issues.

Industrial Estates

Within the urban area of Carlisle there is a 7.5 ton weight limit restriction in operation between the hours of 20.00hrs to 07.00hrs, Monday to Friday and at any time on Saturday and Sunday.

The problem areas for HGV vehicles parking overnight is mainly on the industrial estates. The industrial estates are owned by Carlisle City Council and the businesses on the estates pay rent for the sites they occupy. As tenants there are certain standards they expect.

Overnight parking of HGV vehicles on the industrial estates presents the tenants with unacceptable levels of litter which is left by the

drivers and local residents are subjected to varying degrees of noise pollution caused by the HGV vehicles and their associated trailers.

The number of HGV vehicles parking on a regular basis is causing a potential danger to other road users accessing the industrial estate roads.

Carlisle City Council carries out regular HGV patrols in an effort to help alleviate the problems experienced on the industrial estates.

In 2011/2012 there were 146 PCNs issued to HGV vehicles parking in contravention of the overnight waiting ban.

Our aim in 2012/2013 is to continue to enforce the overnight waiting ban and issue PCNs to HGV vehicles parking on the industrial estates.

We intend to get the message across to HGV drivers that the industrial estates in Carlisle are not free parking areas.

Carlisle City Council would like to create a cleaner, safer environment for local businesses, residents and motorists in these areas.

Licensing Patrols

We carry out joint patrols in conjunction with Carlisle City Council Licensing Officers and Cumbria Police on Friday and Saturday evenings.

The aim of these patrols is to deal with a range of joint problems relating to parking contraventions in Taxi Ranks.

Abandoned and Untaxed Vehicles

We work closely with Community Engagement to deal with abandoned and untaxed vehicles on the public highway.

Whilst on normal daily patrols the Civil Enforcement Officers report any untaxed and abandoned vehicles they observe directly to the relevant council officers, thus reducing the reaction time to deal with these vehicles.

The table below shows the total number of Abandoned and Untaxed vehicles reported on the public highway by Community Engagement in 2011/2012.

Abandoned and Untaxed Vehicles Removed in 2010/2011	Total
Abandoned Vehicles (reported)	82
Abandoned Vehicles (removed)	12
Untaxed Vehicles (reported)	21
Untaxed Vehicles (removed)	3



PERFORMANCE

2011/2012 was an exceptionally busy one for Carlisle City Councils parking section.

Two further contraventions were introduced with the onset of The Traffic Management Act 2004 which enable local authorities with CPE powers to enforce some bus lane and moving traffic contraventions (stopping in yellow box junctions, making prohibited turns, failing to comply with 'no entry' signs, etc.), Cumbria County Council have decided to continue not to take up these additional powers at the present time.

During 2011/2012, Cumbria County Council introduced a number of new Traffic Regulation Orders in the Carlisle district including:

- Loading Restrictions on West Walls .
- No Waiting At Any Time (double yellow lines) introduced on Beech Grove, Brampton Road Clift Street, Edward Street, Hether Drive, Ruthella Street, Strand Road, Tarraby Lane, Wilson Street, Victoria Place, Walkmill Crescent, Lismore Place and Warwick Bridge.
- Restricted Waiting (2 hour Disc Zone) introduced on Main Street and High Cross Street, Brampton
- Loading Only Bay introduced on Castle Street, Cheviot Road, Scotland Road and West Tower Street.
- School 'Keep Clear' Markings introduced on Victoria Place, Lismore Place and Upperby Road. Also outside Wreay School, Rockcliffe School, Scotby School and Shankhill School.
- Disabled Persons Parking Places with limited waiting of 3 hours introduced on Bank Street, Castle Street, English Street, Fisher Street, St Pauls Square and St Marys Gate.
- Limited Waiting (single yellow lines) introduced on Brampton Road, Beech Grove, Liddle Close and Hether Drive.
- Permit Holders Only introduced on Puntun Road.

These new restrictions are now in place and are being enforced by the Civil Enforcement Officers. Other Traffic Regulation Orders which

Despite the continuous amount of work involved in the execution of the Traffic Management Act 2004, the parking staff have continued to strive to provide a high quality service, professionally, fairly and in accordance with the law.



SECTION 17

FINANCIAL PERFORMANCE

As a local authority which operates Civil Parking Enforcement (Carlisle City Council is the 'Enforcement Authority' with regards to its own off street parking provision and acts as the agent for Cumbria County Council who are the 'Enforcement Authority' with regards to on street parking), Carlisle City Council is required to keep an account of all its income and expenditure in connection with its on street and off street enforcement activities.

These finances are governed by Section 55 (as amended) of the Road Traffic Regulation Act 1984.

The legislation sets out provisions for dealing with any deficits or surpluses in the account at the end of the financial year. Any deficit is to be made good out of the authority's general fund, whilst a surplus can either be carried forward in the account to the next financial year, or it can be appropriated to the carrying out of a specific project for one of the following purposes:

1. The making good to the general fund of any amount charged to it for the making good of a deficit in the parking account in the 4 years immediately

preceding the financial year in question.

2. Meeting all or any of the cost of the provision and maintenance by the local authority of off street parking accommodation.
3. If it appears to the local authority that the provision in their area of further off street parking accommodation is unnecessary or undesirable, the following purposes:
 - (i) Meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services, and
 - (ii) The purposes of a highway or road improvement project in the local authority's area.

The performance of the Council's parking account over the past twelve months (as at 30th June 2012) was as follows:

Report on Carlisle City Councils On Street Parking Account (Kept Under Section 55 of the Road Traffic Act 1984 – as amended) for the financial year ended 31st March 2011

ON STREET

	£	£
Balance Brought Forward		99,049.02
Income		
Cumbria County Council Contributions		
- Dedicated School Enforcement Patrols	(20,000.00)	
Lowther Street Car Park Income	(64,497.32)	
Residents Parking Excess Charges	(2,093.88)	
On Street Penalty Charges	(297,848.90)	
Total Income		(384,440.10)
Expenditure		
Road & Parking Bay Markings	0.00	
NNDR	7,395.24	
Transport Costs	141.74	
Stationary & Office Supplies	3,375.25	
General Equipment & Expenses	8,915.21	
PCN Adjudication Service & Legal Fees	6,635.88	
Patrol/CEO Contract Costs	159,200.00	
Bad Debt Provision	31,066.00	
Business Unit & Management Support Costs	260,605.11	
Total Expenditure		477,334.43
Net (Surplus)/Deficit		92,894.33
Net (Surplus)/Deficit retained in Parking Account		<u>191,943.35</u>

Parking Annual Report 2011/2012

Report on Carlisle City Councils Off Street Parking Account (Kept Under Section 55 of the Road Traffic Act 1984 – as amended) for the financial year ended 31st March 2012

OFF STREET

	£	£
Income		
Off Street Parking Penalty Charges	(55,669)	
Recharges	(200,441)	
Pay & Display Ticket Income	(1,100,042)	
Contract Parking Income	(109,997)	
Total Income		(1,466,149)
Expenditure		
Employee Related	206,582	
Premises	210,489	
Supplies & Services	24,813	
Third Party Payments	97,230	
Support Services	99,418	
Depreciation	20,000	
Total Expenditure		658,532
Net (Surplus)/Deficit		<u>(807,617)</u>

The substantial surplus funds raised through the provision of off street parking facilities are used to off set the costs to Carlisle City Council of providing services to the public. Without these surplus funds those costs would have to be met through the Council Tax.

SECTION 18



STATISTICAL PERFORMANCE

Penalty Charge Notices

As mentioned earlier in this report, there is a national list of the parking contraventions for which CEOs are allowed to issue PCNs.

On the following pages is a detailed breakdown of the numbers of PCNs which Carlisle City Councils CEOs have issued in respect of each type of contravention from 1st April 2011 to 31st March 2012. Figures from 1st April 2010 to 31st March 2011 have been included for comparison purposes.

Parking Annual Report 2011/2012

On Street Parking Contraventions

Code	Contravention Description	PCNs issued 2010/2011	PCNs issued 2011/2012
01	Parked in a restricted street during prescribed hours	1,676	1,066
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	238	141
12	Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place	0	0
16	Parked in a permit space without displaying a valid permit	4	8
21	Parked in a suspended bay/space or part of bay/space	0	0
22	Re-parked in the same parking place or zone within one hour (or other specified time) of leaving	4	11
23	Parked in a parking place or area not designated for that class of vehicle	0	1
24	Not parked correctly within the markings of the bay or space	51	38
25	Parked in a loading place during restricted hours without loading	380	271
30	Parked for longer than permitted	0	8
35	Parked in a disc parking place without clearly displaying a valid disc	5,274	5,506
36	Parked in a disc parking place for longer than permitted	55	88
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	139	182
42	Parked in a parking place designated for police vehicles	5	4
45	Parked on a taxi rank	156	144
47	Stopped on a restricted bus stop or stand	32	28
48	Stopped in a restricted area outside a school	31	11
49	Parked wholly or partly on a cycle track	0	0
55	A commercial vehicle parked in a restricted street in contravention of an Overnight Waiting Ban	105	146
62	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)	0	0
99	Stopped on a pedestrian crossing and/or crossing area marked by zigzags	3	0
	Total number of On Street PCNs issued	8,153	7,653

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Off Street Parking Contraventions

Code	Contravention Description	PCNs issued 2010/2011	PCNs issued 2011/2012
70	Parked in a loading area during restricted hours without reasonable excuse	0	42
80	Parked for longer than the maximum period permitted	22	13
81	Parked in a restricted area in a car park	0	4
82	Parked after the expiry of paid for time	660	789
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	1,114	1,060
84	Parked with additional payment made to extend the stay beyond time first purchased	0	0
85	Parked in a permit bay without clearly displaying a valid permit	34	37
86	Parked beyond the bay markings	51	37
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	213	69
89	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area	1	0
90	Re-parked within one hour (or other specified time) of leaving a bay or space in a car park	0	0
91	Parked in a car park or area not designated for that class of vehicle	7	1
92	Parked causing an obstruction	2	0
93	Parked in car park when closed	0	0
	Total number of Off Street PCNs issued	2,104	2,052

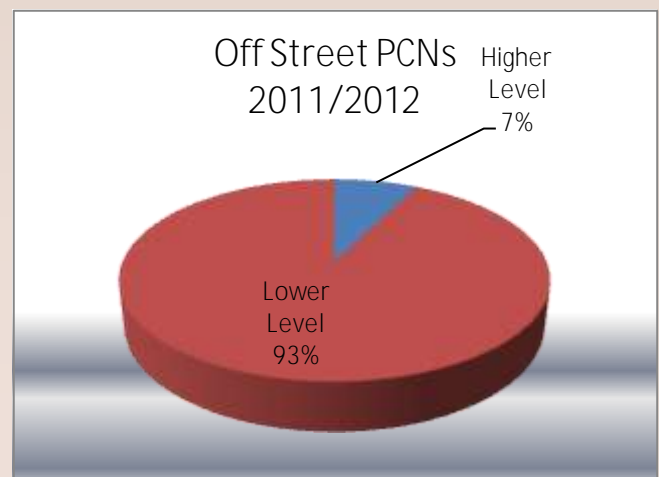
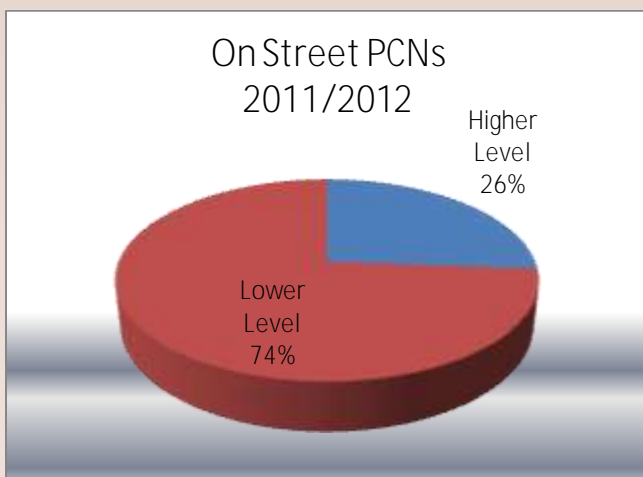
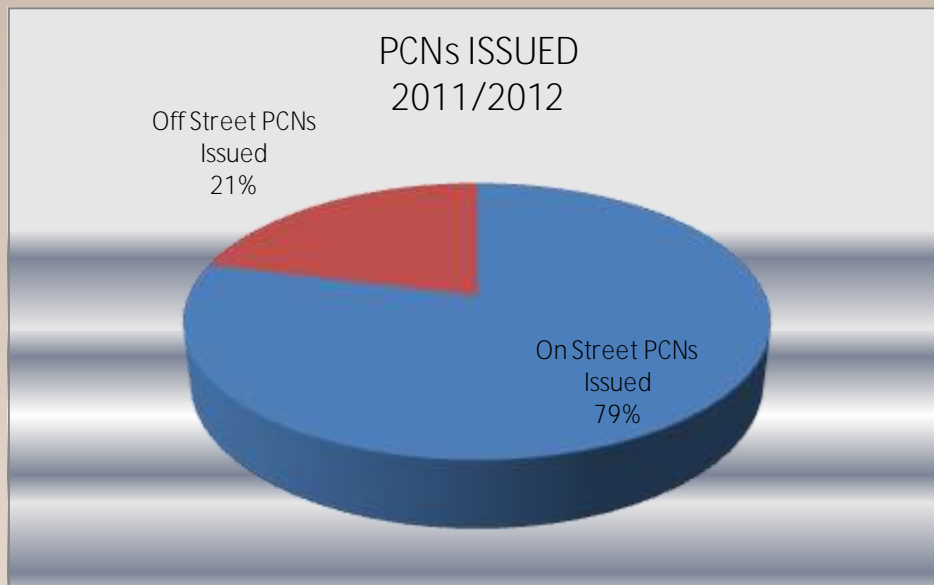
The total number of Regulation 9 PCNs issued in 2011/2012 by Carlisle City Council for both on street and off street parking enforcement was **9,705 PCNs.**

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The tables below show how the PCNs issued in 2011/2012 have progressed as at 30th June 2012.

PCNs Issued

	On Street	Off Street	Total
Number of higher level PCNs issued	2,002	153	2,155
Number of lower level PCNs issued	5,651	1,899	7,550
Total number of PCNs issued	7,653	2,052	9,705



PCN issue has reduced over the past 12 months indicating the Councils policy of effective enforcement is working and that, as a consequence, fewer motorists are contravening the parking restrictions. The table above shows that the majority of PCNs issued were for the lower rate contraventions

PCNs Challenged

	On Street	Off Street	Total
Number of informal representations received (Pre Notice to Owner)	1,014	450	1,464
Number of informal representations accepted (cancelled)	116	186	302
Number of formal representations received (Post Notice to Owner)	100	9	109
Number of formal representations accepted (cancelled)	65	5	70

On Street

11% of informal representations received have been cancelled
 34% of informal representations received have been responded to within 14 days
 65% of formal representations received have been cancelled
 77% of formal representations received have been responded to within 56 days

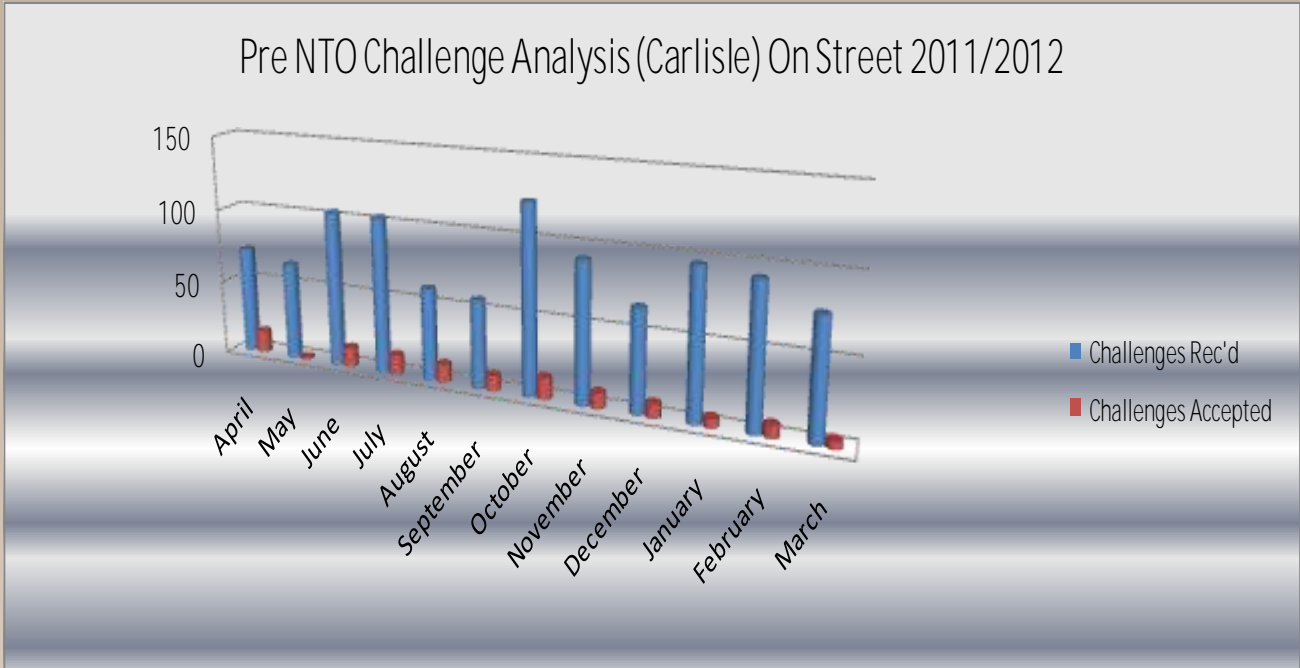
Off Street

41% of informal representations received have been cancelled
 40% of informal representations received have been responded to within 14 days
 56% of formal representations received have been cancelled
 67% of formal representations received have been responded to within 56 days

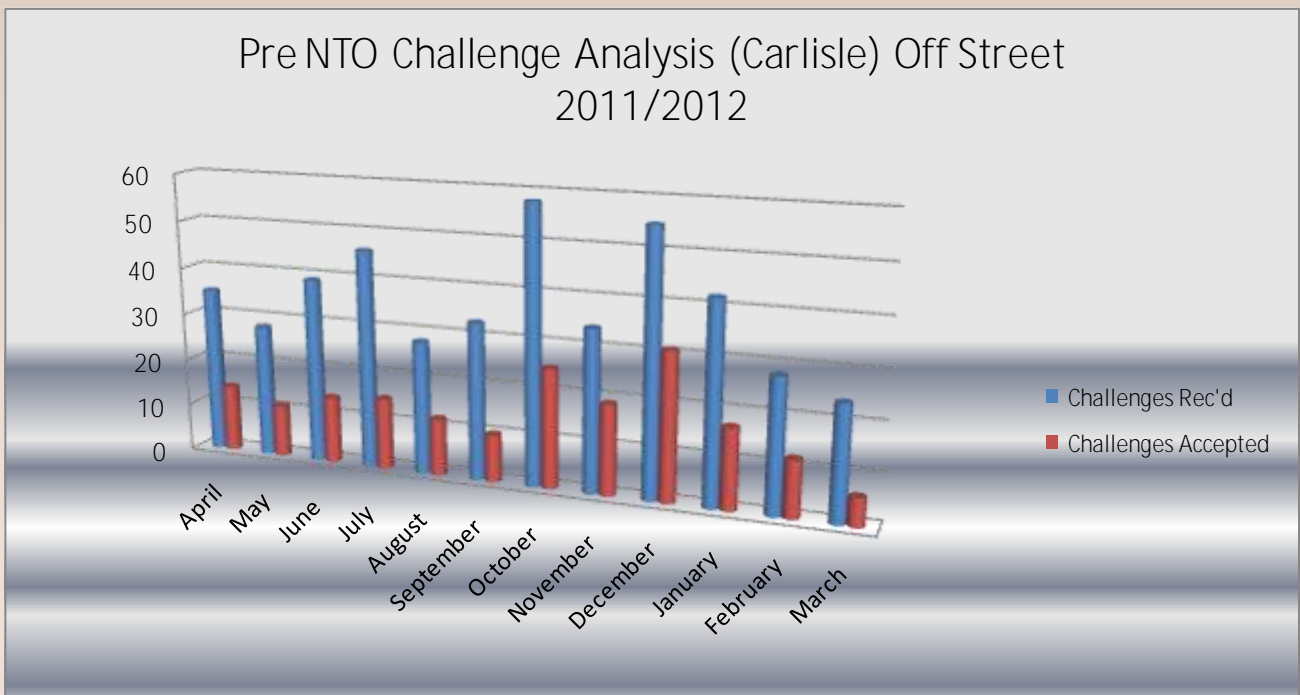
Parking Annual Report 2011/2012

The graphs below show the challenges received on a monthly basis

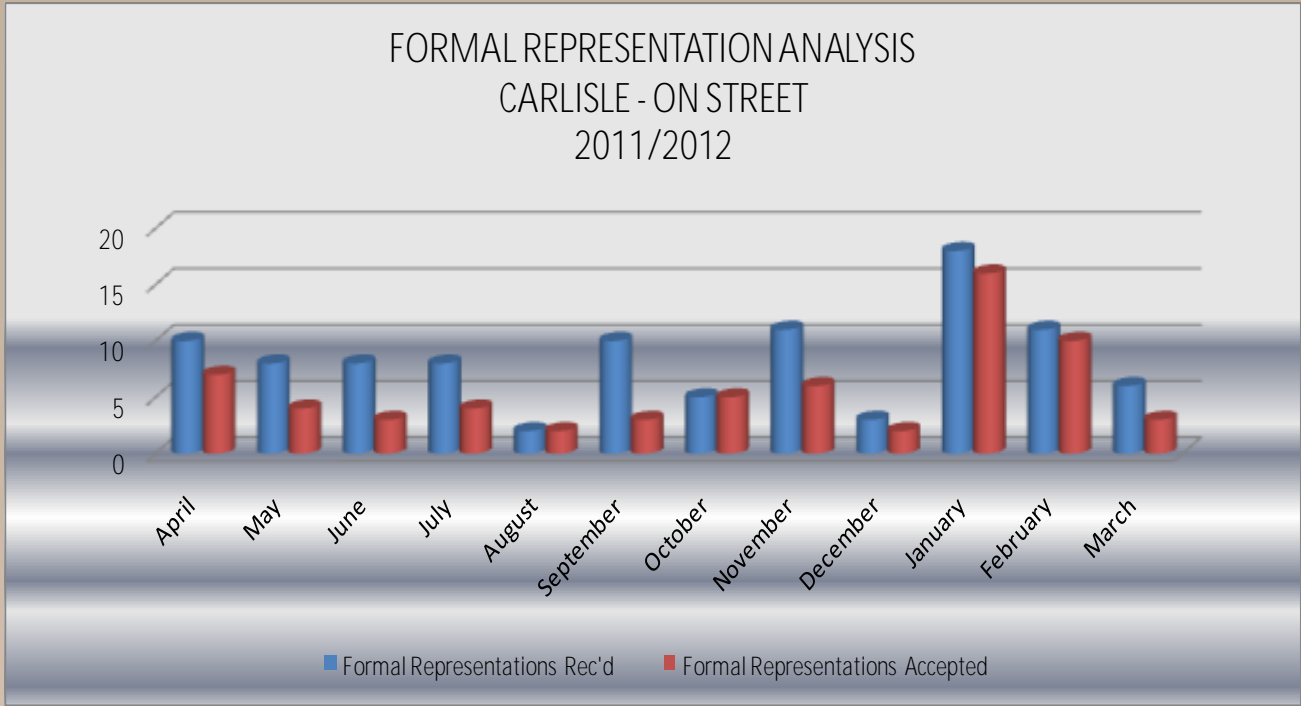
1. Informal representations received against on street PCNs



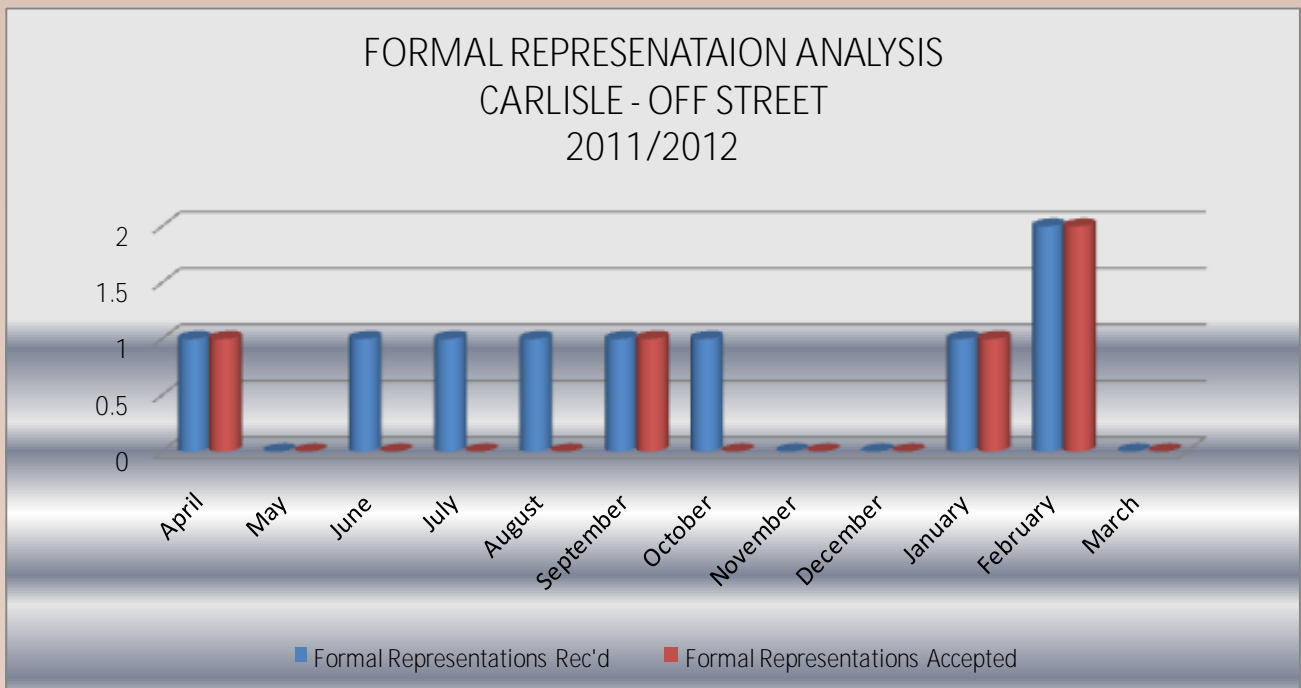
2. Informal representations received against off street PCNs



3. Formal representations received against on street PCNs



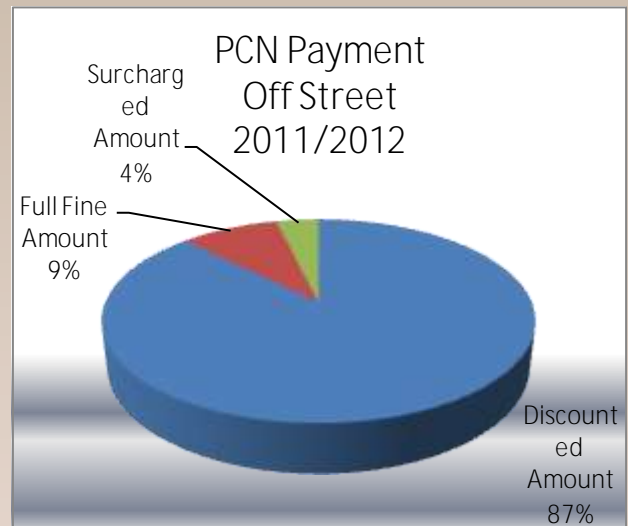
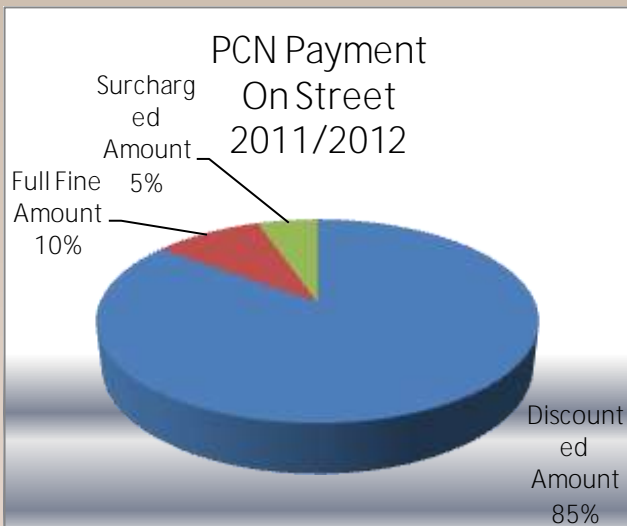
4. Formal representations received against off street PCNs



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PCNs Paid

	On Street	Off Street	Total
Number of PCNs paid at the discounted rate	5,599	1,368	6,967
Number of PCNs paid at the full fine amount	624	137	761
Number of PCNs paid at surcharged amount	346	59	405



On Street

73% of PCNs issued have been paid at the discounted rate
 8% of PCNs issued have been paid at the full fine amount
 4.5% of PCNs issued have been paid at the surcharged amount

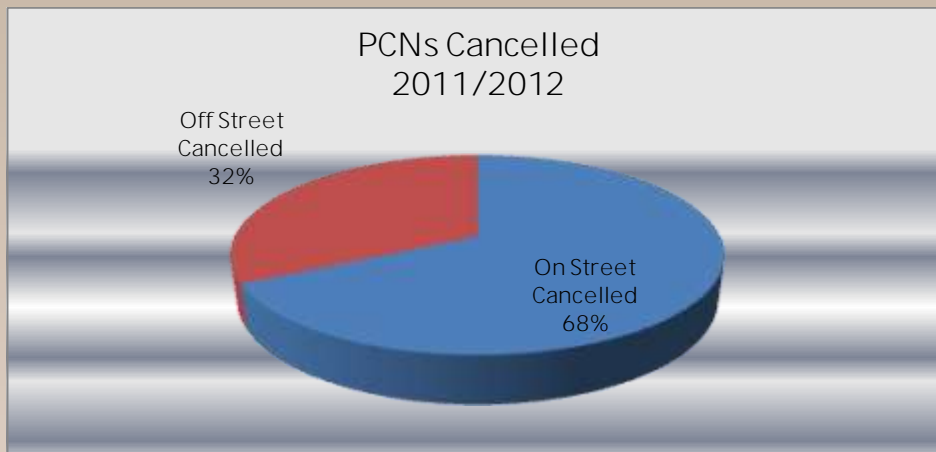
Off Street

67% of PCNs issued have been paid at the discounted rate
 7% of PCNs issued have been paid at the full fine amount
 3% of PCNs issued have been paid at the surcharged amount

PCNs Cancelled

This is the total number of PCNs cancelled at informal and formal representation and also for other reasons (CEO error, administrative error, etc)

	On Street	Off Street	Total
Number of PCNs cancelled	859	413	1,272



PCNs Written Off

	On Street	Off Street	Total
Recovery Procedure Exhausted	1	0	1
Unable to Trace Keeper	118	7	125
Debtor Deceased	0	0	0
Bailiff Warrant Expired	127	6	133
Debtor in Prison	1	0	1
Insolvency	1	0	1

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Traffic Penalty Tribunal

Cases sent for independent adjudication between 1st April 2011 and 31st March 2012

	On Street	Off Street	Total
Total number of cases received for adjudication	6	2	8
Number of cases accepted by adjudicator (cancelled)	2	0	2
Number of cases rejected by adjudicator (upheld)	2	2	4
Number of cases not contested by the Council (cancelled)	2	0	2

On Street

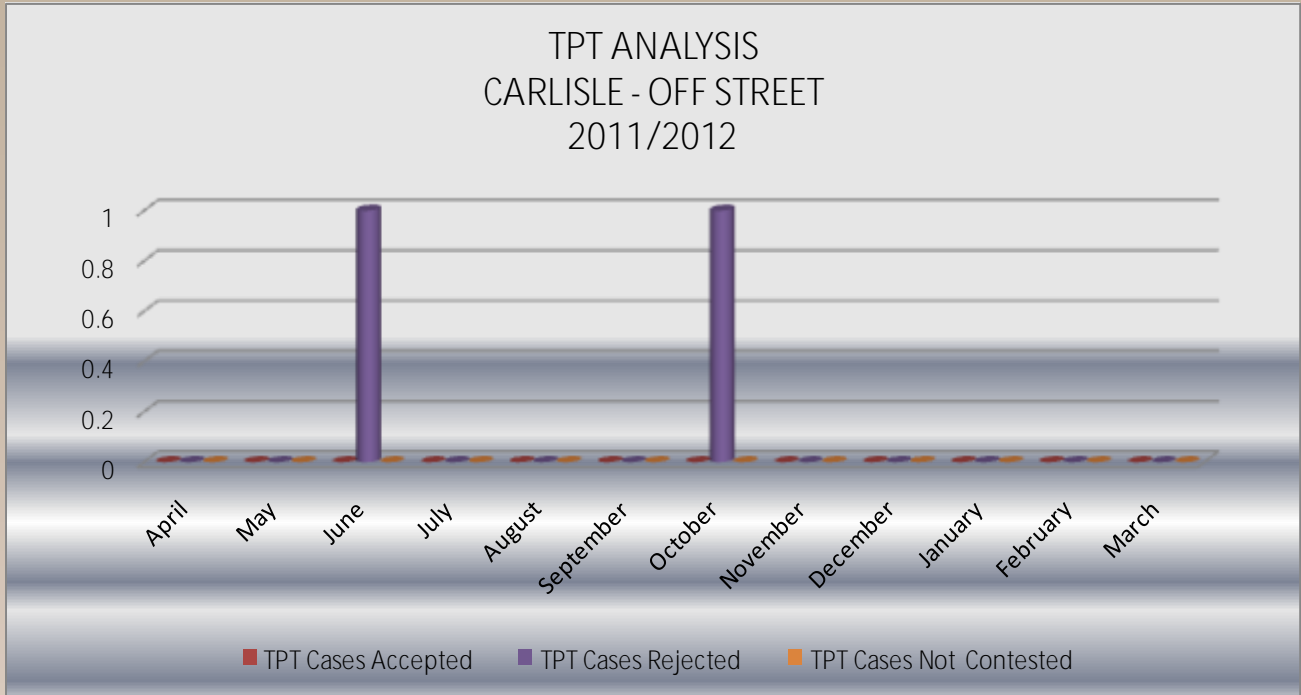
0.08% of PCNs issued have been challenged at TPT
33% of cases challenged at TPT have been upheld
33% of cases challenged at TPT have been cancelled
33% of cases challenged at TPT were not contested by Carlisle City Council

Off Street

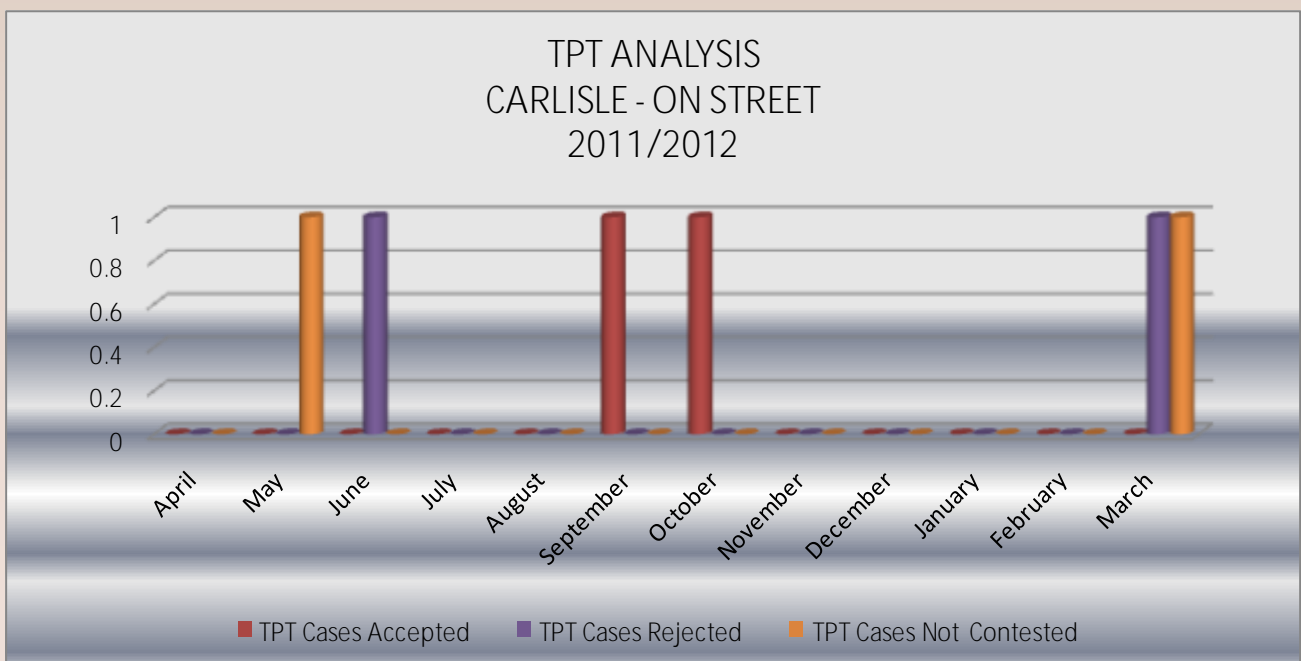
0.1% of PCNs issued have been challenged at TPT
100% of cases challenged at TPT have been upheld
0% of cases challenged at TPT have been cancelled
0% of cases challenged at TPT were not contested by Carlisle City Council

The graphs below show the Traffic Penalty Tribunal cases received on a monthly basis

1. Adjudication cases received against on street PCNs



2. Adjudication cases received against off street PCNs



Parking Annual Report 2011/2012

The traffic Penalty Tribunal (TPT) produces an annual report detailing its activities, the full TPT report details the results of all Penalty Charge Notices issued by all the participating Local Authorities outside London who conduct decriminalised parking enforcement or civil parking enforcement.

Their report gives figures for each individual authority, which enables comparisons to be made between them. It also combines all of those figures to give a set of national 'all councils' statistics.

The full TPT report also contains details of the performance of the adjudication service itself, a forward by the Chief Adjudicator and useful information with regards to common themes which have arisen in adjudication cases, including details of specific relevant cases.

The report can be accessed on the services website at **www.trafficpenaltytribunal.gov.uk**.

The small number of appeals resulting in adjudication are considered to indicate that the PCNs are being properly issued and that appeals made against those PCNs are being properly dealt with in a thorough, fair and equitable manner and in accordance with the relevant legislative requirements.

SECTION 19



PENALTY CHARGE NOTICES ISSUED BY POST

With the introduction of the Traffic Management Act 2004 we now have the powers to be able to issue a Penalty Charge Notice (PCN) by post when the Civil Enforcement Officer has been unable to affix the PCN to the vehicle windscreen or hand it to the driver of the vehicle.

There are three circumstances in which a PCN may be served by post.

1. If the Civil Enforcement Officer has been prevented, for example by force, threats of force, obstruction or violence, from serving the PCN either by affixing it to the vehicle or by giving it to the person who appears to be in charge of the vehicle
2. If the Civil Enforcement Officer has started to issue the PCN but did not have enough time to finish or serve it before the vehicle was driven away and would otherwise have to cancel or write off the PCN
3. Where the contravention has been detected on the basis of evidence from an approved device

In 2011/2012 there were 51 PCNs issued by post.

On the following pages is a detailed breakdown of the numbers of Postal PCNs which Carlisle City Council has issued in respect of each type of contravention from 1st April 2011 to 31st March 2012. Figures from 1st April 2010 to 31st March 2011 have been included for comparison purposes.

Parking Annual Report 2011/2012

<u>On Street Parking Contraventions</u>			
Code	Contravention Description	PCNs issued 2010/2011	PCNs issued 2011/2012
01	Parked in a restricted street during prescribed hours	51	37
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	9	3
12	Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place	0	0
16	Parked in a permit space without displaying a valid permit	0	1
21	Parked in a suspended bay/space or part of bay/space	0	0
22	Re-parked in the same parking place or zone within one hour (or other specified time) of leaving	0	0
23	Parked in a parking place or area not designated for that class of vehicle	0	1
24	Not parked correctly within the markings of the bay or space	0	1
25	Parked in a loading place during restricted hours without loading	0	2
30	Parked for longer than permitted	0	0
35	Parked in a disc parking place without clearly displaying a valid disc	5	8
36	Parked in a disc parking place for longer than permitted	0	0
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	1	2
42	Parked in a parking place designated for police vehicles	0	0
45	Parked on a taxi rank	2	6
47	Stopped on a restricted bus stop or stand	8	2
48	Stopped in a restricted area outside a school	6	2
49	Parked wholly or partly on a cycle track	0	0
55	A commercial vehicle parked in a restricted street in contravention of an Overnight Waiting Ban	1	1
62	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)	0	0
99	Stopped on a pedestrian crossing and/or crossing area marked by zigzags	0	0
	Total number of Postal On Street PCNs issued	84	66

Parking Annual Report 2011/2012

Off Street Parking Contraventions

Code	Contravention Description	PCNs issued 2010/2011	PCNs issued 2011/2012
70	Parked in a loading area during restricted hours without reasonable excuse	0	0
80	Parked for longer than the maximum period permitted	0	0
81	Parked in a restricted area in a car park	0	0
82	Parked after the expiry of paid for time	0	1
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	0	5
84	Parked with additional payment made to extend the stay beyond time first purchased	0	0
85	Parked in a permit bay without clearly displaying a valid permit	0	0
86	Parked beyond the bay markings	0	1
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	0	1
89	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area	0	0
90	Re-parked within one hour (or other specified time) of leaving a bay or space in a car park	0	0
91	Parked in a car park or area not designated for that class of vehicle	0	0
92	Parked causing an obstruction	0	0
93	Parked in car park when closed	0	0
Total number of Postal Off Street PCNs issued		0	8

Parking Annual Report 2011/2012

GLOSSARY OF TERMS

Cancellations

A Penalty Charge Notice is cancelled when we believe that it would be unjust to pursue the case or when there is an applicable exemption.

Challenge/Informal Representation

An objection made against a Penalty Charge Notice before a Notice to Owner is issued.

Civil Enforcement Officer (CEO)

This is the name given to officers who used to be known as Parking Attendants. They must be employed by the council or through a specialist contractor. Carlisle City Council directly employ the CEOs in the Carlisle district.

Civil Parking Enforcement (CPE)

This is the name given to the enforcement of parking regulations by Civil Enforcement Officers under the Traffic management Act 2004.

Contravention

Failure of the motorist to comply with traffic or parking regulations as set by local Traffic Regulation Orders.

Department for Transport (DfT)

This is the government department responsible for the English transport network and transport matters in Scotland, Wales and Northern Ireland which are not devolved. The department is run by the Secretary of State for Transport.

Decriminalised Parking Enforcement

This is the name given to the enforcement of parking regulations by Civil Enforcement Officers (CEOs) under the Road Traffic Act 1991.

Differential Parking Penalties

This is the name for the different levels of charges implemented by the Traffic Management Act 2004. Higher level contraventions are £70 and lower level contraventions are £50. The different charges reflect the seriousness of the offence.

Formal Representation

This is a challenge against a PCN after a Notice to Owner has been issued.

Fixed Penalty Notice (FPN)

These were introduced in the 1950s to deal with minor parking offences. These can only be issued by the Police.

Parking Annual Report 2011/2012

Local Transport Plan (LTP)

These are an important part of transport planning within England. We are required to prepare them as plans for the future and present them to the Department for Transport.

Notice to Owner (NtO)

This is a statutory notice that is served by Carlisle City Council to the registered keeper of the vehicle that was issued with the Penalty Charge Notice (PCN). This will be served when a PCN remains unpaid for 28 days. When the registered keeper receives this they can either;

- make a payment of the full charge
- make a formal representation

Off Street Parking

These are parking facilities provided in car parks.

On Street Parking

These are parking facilities provided on the kerbside such as Disc Zone parking.

Penalty Charge Notice (PCN)

This is issued to a vehicle believed to be in contravention of the local Traffic Regulation Order.

Registered Keeper

The person who is deemed to be legally responsible for the payment of the PCN. These details are obtained from the Driver and Vehicle Licensing Agency (DVLA).

Special Parking Area (SPA)

An area where on street parking is subject to Civil Parking Enforcement. Local Authorities enforce the regulations through Civil Enforcement Officers.

Traffic Management Act 2004 (TMA04)

This act was passed by the government in 2004. This law details street works and parking regulations. The act has been implemented since 31st March 2008.

Traffic Penalty Tribunal (TPT)

The Traffic Penalty Tribunal decides appeals against parking penalties issued by Civil Enforcement Authorities in England (outside London) and Wales.

The Traffic Penalty Tribunal is the final stage of appeal for motorists or vehicle owners against a Penalty Charge Notice issued by a Council in England (outside London) and Wales.

Traffic Regulation Order (TRO)

This is the statutory legal document necessary to support any enforceable traffic or highway measures.

SUMMARY

Carlisle City Council hopes that this report will have given an insight into

- Carlisle City Council's parking policies.
- Parking restrictions and why they are required.
- The need for those restrictions to be enforced.
- The method of enforcement.
- The associated appeals and debt recovery procedures.
- Carlisle City Council's performance over the last 12 months.

Hopefully, some of the information given will either provide readers with a reminder of or will provide a useful update regarding parking regulations and help avoid incurring penalty charges.

Although the information contained in this report cannot be exhaustive, reference to the websites mentioned will provide further detail for those who require it.

Amongst their other duties such as handling the processing of PCNs, appeals made against those PCNs and the recovery of outstanding penalty charge payments, Carlisle City Council's Parking Services staff also deal with;

- The issuing of permits for on street resident permit parking schemes.
- The issuing of contract parking permits for Carlisle City Council's off street car parks.

- The issuing of dispensations for contractors permits (waivers) in respect of vehicles which will have to be parked in breach of parking restrictions (i.e. parked in excess of the permitted waiting time in a disc zone bay/permit holder exempt parking bay) in order to carry out works on nearby premises.
- General enquiries regarding parking within the District of Carlisle, particularly from potential visitors to the area.
- The issuing of information leaflets and making available of parking information on the Council's website at **www.carlisle.gov.uk**.

To contact us, please write to:

**Parking Services
Carlisle City Council
Civic Centre
Rickergate
Carlisle
Cumbria
CA3 8QG**

Telephone: **01228 817200**

Fax: **01228 817550**

E Mail: **parkingservices@carlisle.gov.uk**

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Carlisle City Council

