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**Ceredigion County Council
Parking Services Annual Report
2012 - 2013**

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1.0 Introduction

Welcome to the first Ceredigion County Council Annual Parking Report. The aim of this report is to look at the work undertaken by the Parking Services Team during 2012 / 2013. This year's report will be made available bilingually at www.ceredigion.gov.uk and at publicly accessible Council offices and libraries.

We hope that this report will highlight that the Parking Services Team is not solely about issuing the dreaded Parking Ticket (or Penalty Charge Notice as they are officially known), but is about having a positive influence on road safety and traffic flow, and ensuring the fair use of the available parking spaces.

Civil Parking Enforcement commenced in Ceredigion on 4th June 2012 following a 12 month period where no parking enforcement took place in the County. The high profile and negative feedback that was generated made it clear that, having no parking enforcement, resulted in undesirable consequences for both residents and visitors. On this date, responsibility for parking enforcement transferred from Dyfed Powys Police to Ceredigion County Council and parking offences changed from being Criminal offences to Civil offences. Despite the transfer of powers, Dyfed Powys Police still remain responsible for some parking related offences including obstruction.

The Civil Parking Enforcement Working Group was formed in June 2012, and its role is to provide the strategic lead in relation to the operation of Civil Parking Enforcement. The group is chaired by the Cabinet Member for Transport, Waste and Carbon Management, Cllr Alun Williams, with representation from Dyfed Powys Police and Officers of the Authority with an active role or an interest in the activities of the Parking Services Team. Decisions in relation to the overall operation of the Civil Parking Enforcement Scheme are made by the group as a collective.

Whilst parking (and in particular parking enforcement) can be an emotive and contentious issue, the key objective of the Parking Services Team is to maintain the balance of needs of all road users, including pedestrians. This results in the parking needs of some being restricted for the benefit of others e.g. the provision of dedicated Disabled Bays.

One major benefit of the introduction of Civil Parking Enforcement has been the Authority's move towards Map Based Traffic Regulation Orders. Not only has this meant that the legal basis to parking restrictions has become clearer for members of the public to understand, it has also enabled the Authority to introduce an Annual Review of its parking restrictions. Through this Annual Review process the Authority aims to have parking restrictions which have community consensus, and reflects the current needs of residents, businesses and visitors.

Ceredigion County Council is committed to providing a Parking Service that operates in a fair, consistent and transparent manner. It is also committed to providing a service that is for the overall benefit of the residents, visitors and businesses of Ceredigion, ensuring that the area is one that is safe and accessible for all road users.

2.0 Civil Parking Enforcement in Ceredigion

2.1 Aims and Objectives

Unfortunately, the demand for parking in Ceredigion exceeds the supply of available On-street parking places. This is particularly exacerbated by the layout of the historic road network, geographical constraints and the higher than average level of car ownership due to the rural nature of the County. The Authority's challenge is to manage the needs of all users and in some cases this does result in the needs of some being restricted for the benefit of others.

The Traffic Management Act 2004 places a duty on Ceredigion County Council to manage the road network and to ensure the expeditious movement of all traffic. Civil Parking Enforcement is one tool used by the Authority to fulfil this duty. In addition, Civil Parking Enforcement is a tool that aims to support local, regional and national transport plans and achieve the following outcomes:

1. Improve road safety,
2. Reduce congestion,
3. Improve access to public transport,
4. Improve access to services for all road users, including pedestrians, and
5. Support the local economy by ensuring a turnover of the free time limited parking spaces available.



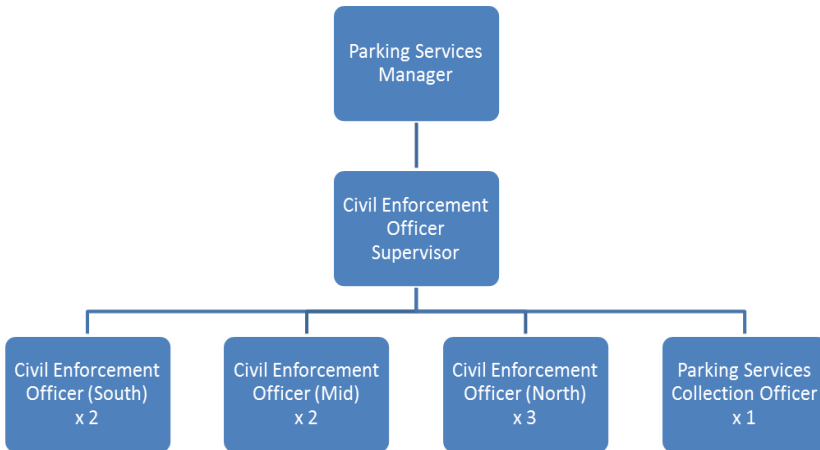
The overall aim of the Authority is to provide a Parking Service that operates in a fair, consistent and transparent manner, for the overall benefit of the residents, visitors and businesses of Ceredigion. This aim supports the overall Corporate Strategy of the Council in delivering its five main Strategic Objectives over the next 4 years, as outlined on the Council's website at www.ceredigion.gov.uk.

No one will appreciate being issued with a Penalty Charge Notice, however the Authority will continue to work towards maintaining the general community support for the Parking Services Team and its activities. The team is an important public facing service and is a significant contributor to the overall view of residents, businesses and visitors of the Authority. It is hoped that, in general, the view expressed by this visitor is one that is shared by others.

"We have spent today in Aberystwyth with my wife and three children. I just wanted to thank you for the wonderful services you provide; the reasonable parking at the promenade, the cleanest toilets we have visited at a beach, friendly traffic warden, excellent playground, beautiful flower beds and a wonderful Castle to explore. I realise you probably already know this by living here but we wanted to thank you for a lovely day."

2.2 The Parking Services Team

The Parking Services team is made up of 9 Full Time Officers and 1 Temporary Officer, and the team is responsible for On-street and Off-street parking enforcement across the whole County.



The team has been arranged to be flexible and mobile, and is operational 7 days a week, including evenings and Bank Holidays. Civil Enforcement Officers (CEOs) are deployed across the County with patrols concentrated at those locations where parking related issues (road safety, congestion or accessibility to shops and services) are most prevalent.

In addition, the team also responds to specific concerns / requests received for parking enforcement, from members of the public, Local Councillors, Town and Community Councils and other agencies such as the Police, Fire and Ambulance services.

All CEOs have been trained to the standards set out in Welsh guidance, including completing a City & Guilds qualification in Civil Parking Enforcement and a range of generic training (such as Personal Safety). All CEOs carry identification, wear recognisable uniform, and are issued with the appropriate equipment to carry out their duties, in accordance with statutory guidelines.

The main aims of the CEOs are to maintain the free flow of traffic and encourage compliance with parking restrictions. Compliance with parking restrictions plays an active role in maintaining road safety for drivers as well as pedestrians. Whilst as part of their role the CEOs will issue Penalty Charge Notices (PCNs) to vehicles parked in contravention of parking restrictions On and Off street, the majority of their time is actually spent observing and advising members of the public. This advice includes local information in addition to parking related matters.



CEOs follow the procedure for issuing PCNs as set out in Welsh Government statutory guidance to Local Authorities, and the Welsh Penalty Processing Partnership's Civil Parking Enforcement Procedures, which can be found here:

<https://www.wppp.org.uk/pdf/WPPP%20CPE%20Procedures.pdf>



3.0 Off-Street parking facilities



In addition to the On-street parking capacity in Ceredigion, the Authority operates 20 pay and display car parks, including a Park and Ride facility in Aberystwyth, 4 permit holder only car parks and a further 4 free public car parks. Whilst the Authority does not have a statutory duty to provide Off-street parking, car parks play a significant role in the management of traffic within towns and villages, contributing to reductions in congestion and the expeditious movement of all traffic.

The Authority provides a combination of long and short stay Off-street parking spaces to balance the needs of commuters and all day visitors, and those only making a short trip to a town or village. Parking charges are variable and designed to reflect both the nature of the car park and its location. Variable charging is a tool that enables the Authority to encourage use of particular car parks, especially by commuters and all day visitors. Daily and weekly tickets are available in addition to annual and 6 month season tickets for specified long stay car parks. With an annual ticket, parking in a Council managed car park costs less than 60p per day. For more information on parking charges and season tickets in Council car parks please visit:

www.ceredigion.gov.uk/parking.

	Cyngor Sir CEREDIGION County Council	
TALU ac ARDDANGOS	PAY and DISPLAY	
Cyfnod Codi Tâl 8 am - 6 pm	Charging Period 8 am - 6 pm	
Talwch wrth y peiriant Talu ac Arddangos	Pay at Pay and Display machine	
Gweler yr amodau wrth ymyl y peiriant Talu ac Arddangos	See conditions adjacent to Pay and Display machine	



The Authority operates a Park and Ride Car Park in Aberystwyth with the 503 bus service running Monday - Saturday between 8am and 6pm every 20 minutes. The cost is £1.20 per day per vehicle, or £4.30 weekly. The cost is per vehicle and so for only £1.20 a family of 5 can park, and travel on the bus which serves not only the town centre, but also Bronglais Hospital and the Welsh Government and Council Offices.

4.0 Traffic Regulation Order Review

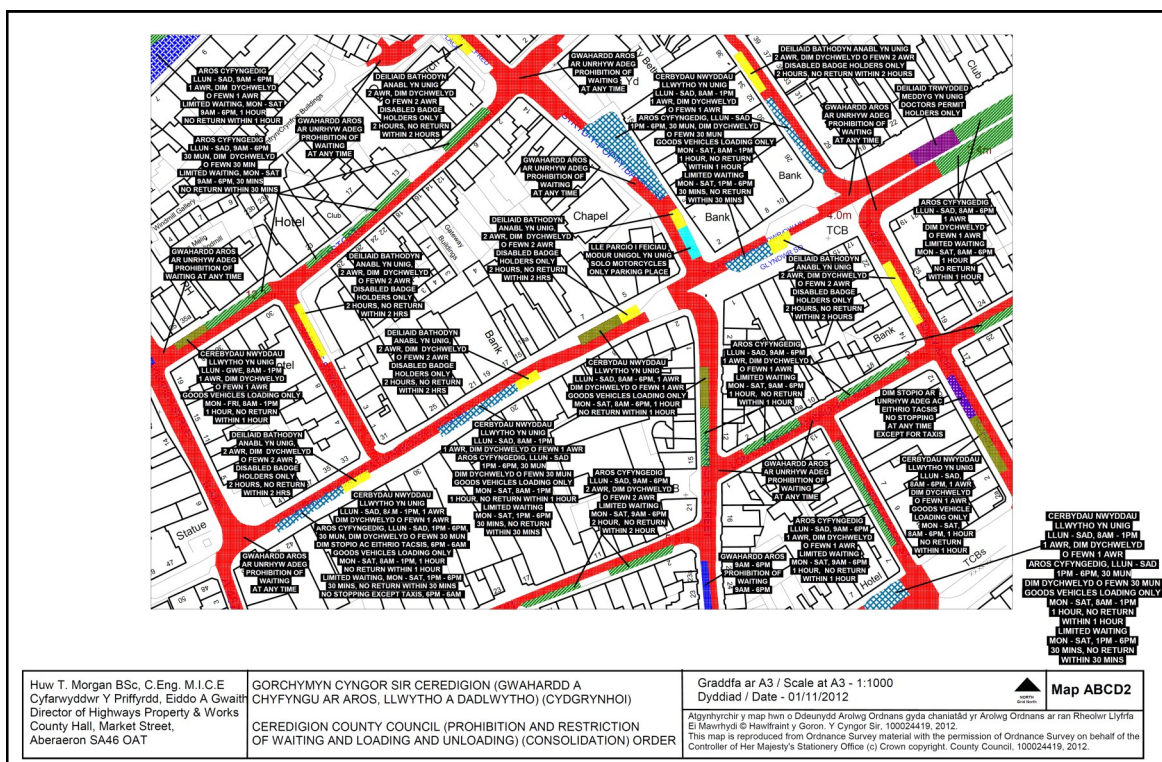
In October 2012 the Authority commenced a comprehensive On-street Traffic Regulation Order Review. The aim of the review was to try and ensure that the parking restrictions that are in place in Ceredigion had community consensus, and were fit for purpose.

The Authority commenced the review by collating all the requests for new restrictions and changes to restrictions it had received. Officers of the Authority then met with all County Councillors with existing restrictions in their wards, or where new restrictions had been requested.

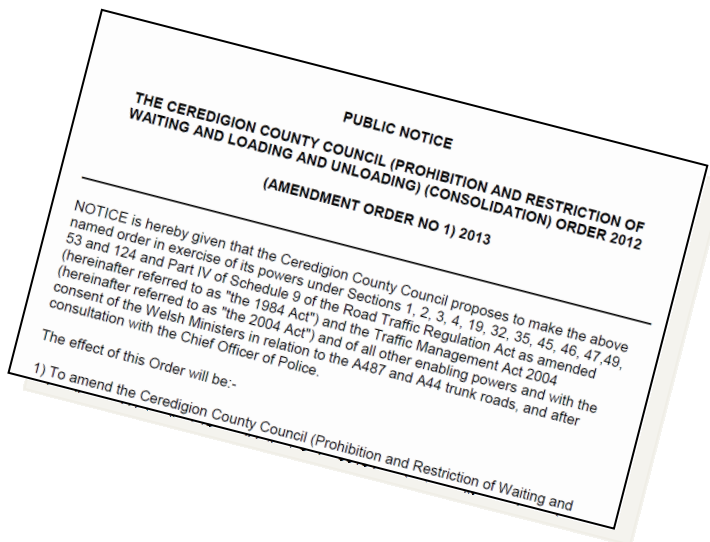
At these meetings County Councillors were able to discuss with Officers those requests received by the Authority, and any additional requests the County Councillors had for changes. The result of these meetings was a set of proposals for changes to parking restrictions that had the support of the County Councillors. Over 400 changes to parking restrictions were proposed as part of this process.

Parking restrictions can be emotive; they restrict the needs of some for the benefit of others. However, by carrying out a Traffic Order Review on a regular basis, the Authority aims to maintain community consensus and support for the parking restrictions that are in place.

Whilst in some cases the proposed changes include the introduction of new parking restrictions, the majority of the proposed changes aim to increase the available On-street parking available. These changes include the removal of yellow lines completely, increasing the amount of time you can park in a limited waiting bay, reducing the number of days on which parking restrictions applied and introducing time restricted waiting or restricted spaces for specific users where previously yellow lines were in place.



Following these meetings, the agreed proposals for changes underwent the formal consultation process. This formal consultation process included consulting with Community / Town Councils, Emergency Services, Bus Companies, Chambers of Trade and motoring organisations. Following this consultation some changes were made to the proposals. In addition to the comments received in relation to the proposals that were being put to consultation, a number of comments about other locations were received. Comments about other locations have been documented and will be put forward for consideration at the next Traffic Order Review, due to commence in the Autumn of 2013.



The final consultation phase is the Public Notice stage, this is the opportunity for members of the public to comment on the proposals put forward. Of the approximate 400 changes proposed, objections were received only in relation to 10 locations. Given the large number of changes proposed and the small number of objections, the comprehensive consultation exercise undertaken with Local Members helped to ensure that community support for the proposals was already in place for the majority of the proposals.

Following the completion of the consultation process the changes to parking restrictions as part of the process are due to be implemented by the end of September 2013.

Traffic Orders - making sure they're relevant

"During 2012/13 Ceredigion County Council undertook its first ever Traffic Order Review. The proposals took into account the desirability of maximising the parking space available in our towns wherever possible, whilst ensuring the turnover of parking spaces needed to help local businesses, alongside the necessity to maintain safety and traffic flow.

The approximate 400 changes agreed, will lead to a net kilometre of existing parking regulations becoming less restrictive. Following completion of the Review process in September 2013 the Council will be more confident that the yellow lines and other parking related Traffic Regulation Orders in Ceredigion have general community consensus and support.

To make sure that this remains the case in future, the Council will undertake a similar review every year, although it is unlikely that those in future will need to be so extensive. People can therefore have confidence that our Traffic Regulation Orders are up to date, have been judged to be necessary, and continue to have the general support of the community.

If for any reason, a Traffic Regulation Order appears to have lost its relevance over time, it can be reconsidered at the next review. If parking restrictions have community consensus, then it follows that they should be enforced."

Cllr Alun Williams, Cabinet Member for Transport, Waste and Carbon Management

5.0 Education

Ceredigion County Council's Parking Service is one that **is supported by enforcement and not led by enforcement**. Contrary to popular belief, a significant proportion of Ceredigion's Civil Enforcement Officers' time is spent engaging with motorists and advising them where not to park, and consequently, how to avoid being issued with a Penalty Charge Notice.



In addition to the day to day work of the Civil Enforcement Officers, the Authority has produced a leaflet that advises drivers on the aims of the Parking Service, how to avoid being issued with a Penalty Charge Notice and provides information on Penalty Charge Notices and the appeals process.

In 2013/2014 the Parking Service team will also be attending agricultural shows and University Freshers' fairs and look to engage with local groups by giving presentations on the Parking Service, all in the hope to improve driver awareness and to dispel some of the common myths about parking enforcement. The Parking Services Team will also be working closely with Dyfed Powys Police to carry out educational activities at schools with specific parking related issues.

It is hoped that this education work will help to make drivers more aware of the parking restrictions that are in place in Ceredigion, the reasons why these restrictions are in place and how they can avoid being issued with a Penalty Charge Notice.

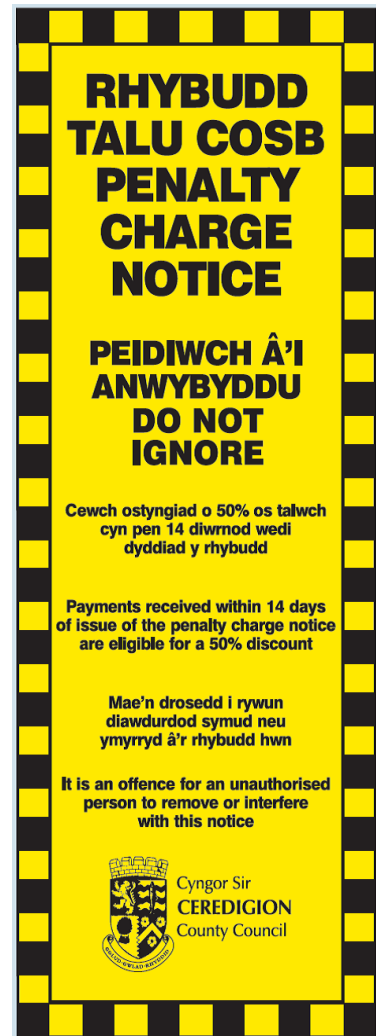
6.0 Penalty Charge Notices

6.1 Types of Penalty Charge Notice

Penalty Charge Notices are issued where a Civil Enforcement Officer has reason to believe that a parking contravention has occurred.

There are two bands that Penalty Charge Notices fall into - higher (£70) and lower (£50). There are two bands because it is acknowledged that some contraventions are more serious than others. Generally a contravention will be classed as a higher band if you should not have been parked there in the first instance e.g. parked in a dedicated disabled bay without displaying a valid blue badge or parked on yellow lines when they are in force. Lower rate contraventions are generally those where you are initially permitted to have parked there but have then not complied with the parking restriction e.g. parked longer than you were allowed in a limited waiting bay or car park.

If the recipient of a Penalty Charge Notice pays within 14 days, then they can take advantage of a 50% discount which reduces the Penalty Charge to £25 for lower band and £35 for higher band contraventions.



Some Penalty Charge Notices are issued instantly e.g. where a vehicle is parked where waiting and loading is not allowed, whilst others have an observation period before a Penalty Charge Notice is issued e.g. vehicles parked in a car park without displaying a valid pay and display ticket or permit. During 2012/13 no Penalty Charge Notices were issued by post by the Authority. All Penalty Charge Notices issued were either affixed to a vehicle or handed to the person who appeared to be in charge of the vehicle.



The Authority issued 154 Warning Notices in the week prior to the commencement of Civil Parking Enforcement. A warning notice did not incur a penalty charge for the recipient but aimed to advise the driver that if they were to park at the location again they would be liable for a Penalty Charge Notice.

The following pages provide information in relation to the number of Penalty Charge Notices issued during 2012/13, where they were issued and why they were issued.

6.2 Penalty Charge Notices issued by charge level

	Number of Penalty Charge Notices issued	% of Penalty Charge Notices	Number of Higher Level Penalty Charge Notices issued	Percentage Higher Level Penalty Charge Notices issued	Number of Lower Level Penalty Charge Notices issued	Percentage Lower Level Penalty Charge Notices issued
On-Street	6176	85.30%	5205	71.89%	971	13.41%
Off-Street	1062	14.67%	64	0.88%	998	13.79%
Warning	2	0.03%	2	0.03%	0	0.00%
Total	7240	100%	5271	72.80%	1969	27.20%

6.3 Penalty Charge Notices issued by contravention type

The following tables provide information in relation to the number of Penalty Charge Notices issued by Civil Enforcement Officers for each type of contravention in 2012/13.

The top three contraventions in 2012/2013 Ceredigion were:

- 1) Code 01 - Parked in a restricted street during prescribed hours (parked on a single or double yellow line) - 2,287
- 2) Code 23 - Parked in a parking place or area not designated for that class of vehicle (e.g. parked in a Goods Vehicle Loading Only bay when the vehicle is not a Goods Vehicle i.e. displaying a tax disc stating LGV or HGV) - 2,182
- 3) Code 30 - Parked for longer than permitted (overstaying the time allowed in a parking bay or loading bay) - 905

These three contraventions made up a total of 74.23% of all the Penalty Charge Notices issued by the Authority.

Band	Code	<u>Off-Street</u> - Contravention description	Number of Penalty Charge Notices Issued	% of all Penalty Charge Notices Issued
Lower	73	Parked without payment of the parking charge.	47	0.65%
Lower	80	Parked for longer than the maximum period permitted.	14	0.19%
Higher	81	Parked in a restricted area in a car park.	5	0.07%
Lower	82	Parked after the expiry of paid for time.	28	0.39%
Lower	83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock.	879	12.14%
Lower	84	Parked with payment made to extend the stay beyond initial time.	1	0.01%
Higher	85	Parked in a permit bay without clearly displaying a valid permit.	29	0.40%
Lower	86	Not parked correctly within the markings of a bay or space.	29	0.40%
Higher	87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner.	17	0.23%
Higher	91	Parked in a car park or area not designated for that class of vehicle.	13	0.18%
Higher	Warning		1	0.01%

Band	Code	<u>On-Street</u> - Contravention description	Number of Penalty Charge Notices Issued	% of all Penalty Charge Notices Issued
Higher	01	Parked in a restricted street during prescribed hours.	2,287	31.59%
Higher	02	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force.	53	0.73%
Lower	06	Parked without clearly displaying a valid pay & display ticket or voucher.	7	0.10%
Lower	07	Parked with payment made to extend the stay beyond initial time.	1	0.01%
Lower	11	Parked without payment of the parking charge.	1	0.01%
Higher	16	Parked in a permit space or zone without clearly displaying a valid permit.	54	0.75%
Higher	21	Parked wholly or partly in a suspended bay or space.	1	0.01%
Lower	22	Re-parked in the same parking place or zone within one hour after leaving (or other specified time).	2	0.03%
Higher	23	Parked in a parking place or area not designated for that class of vehicle.	2,182	30.14%
Lower	24	Not parked correctly within the markings of the bay or space.	53	0.73%
Higher	25	Parked in a loading place during restricted hours without loading.	26	0.36%
Higher	26	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place.	3	0.04%
Higher	27	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway.	275	3.80%
Lower	30	Parked for longer than permitted.	905	12.50%
Lower	35	Parked in a disc parking place without clearly displaying a valid disc.	2	0.03%
Higher	40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner.	195	2.69%
Higher	41	Parked in a parking place designated for diplomatic vehicles.	1	0.01%
Higher	45	Parked on a taxi rank.	5	0.07%
Higher	46	Stopped where prohibited (on a red route or clearway).	2	0.03%
Higher	47	Stopped on a restricted bus stop or stand.	67	0.93%
Higher	48	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited.	1	0.01%
Higher	62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway.	43	0.59%
Higher	99	Stopped on a pedestrian crossing or crossing area marked by zigzags.	10	0.14%
Higher	Warning		1	0.01%

6.4 Penalty Charge Notices issued by location - Off-Street

Town	Number of Penalty Charge Notices Issued	Percentage of all Penalty Charge Notices Issued
Aberaeron	62	0.9%
Aberystwyth	415	5.7%
Cardigan	289	4%
Lampeter	172	2.4%
Llandysul	31	0.4%
New Quay	66	0.9%
Tregaron	27	0.4%

6.5 Penalty Charge Notices issued by location - On-Street

Town / Village (Including top 3 streets)	Number of Penalty Charge Notices Issued	Percentage of all Penalty Charge Notices Issued	Town / Village (Including top 3 streets)	Number of Penalty Charge Notices Issued	Percentage of all Penalty Charge Notices Issued
Aberaeron (all)	220	3%	Llandysul (all)	99	1.4%
1. Victoria Street	44	0.6%	1. New Road	29	0.4%
2. Alban Square (south west side)	40	0.6%	2. High Street	22	0.3%
3. Bridge Street	38	0.5%	3. Church Street	20	0.3%
Aberystwyth (all)	4596	63.5%	New Quay (all)	96	1.3%
1. Great Darkgate Street	1,227	16.9%	1. Glanmor Terrace	26	0.4%
2. Baker Street	531	7.3%	2. High Street	23	0.3%
3. Terrace Road	286	4.0%	3. Water Street	15	0.2%
Cardigan (all)	954	13.2%	Other Villages (all)	48	0.6%
1. High Street	188	2.6%	1. C1009 Tresaith	27	0.4%
2. Napier Street	115	1.6%	2. B4321 Llangrannog	6	0.1%
3. Lower Mwdan	112	1.5%	3. Rhiw Y Plas Aberporth	6	0.1%
Lampeter (all)	165	2.3%			
1. High Street	56	0.8%			
2. Drovers Road	35	0.5%			
3. College Street	26	0.4%			

7.0 The Appeals process

7.1 Overview

If an individual receives a Penalty Charge Notice and they feel it should not have been issued, they may submit an appeal. The appeals process is designed to be accessible to all and does not require legal counsel.

All appeals must be submitted in writing to the Welsh Penalty Processing Partnership who administer the processing of correspondence in relation to Penalty Charge Notices. Details of how to appeal can be found on the back of the Penalty Charge Notice.



There are three stages of appeal that are open to the recipient of a Penalty Charge Notice:

1. Informal Challenge -

These must be made within 28 days of the service of the Penalty Charge Notice.

2. Formal Representation -

If the Penalty Charge is not paid within 28 days a Notice to Owner is sent out to the Registered Keeper of the vehicle. The Notice to Owner sets out the grounds under which a Formal Representation can be made. If the recipient wishes to make a Formal Representation they must complete the Notice to Owner and return it within 28 days of receipt of the Notice to Owner documentation.

3. Appeal to the Traffic Penalty Tribunal -

If a Formal Representation is rejected by the Council, included with the notice of rejection of the representation, will be details on how, if the appellant is unhappy with the decision of the Council, they can appeal to the Independent Adjudication service - the Traffic Penalty Tribunal. In order for the Traffic Penalty Tribunal to consider an appeal, it must be made directly to them within 28 days of the service of the rejection of the Formal Representation by the Council.

Each appeal received to a Penalty Charge Notice is considered on its own merits. The Authority will consider carefully the details provided by the appellant but if it considers that Penalty Charge Notice was issued correctly, and there are no other grounds for cancellation an appeal will be rejected. Sometimes the Authority will ask for further evidence to be supplied by an appellant e.g. when it is claimed a vehicle has broken down, and following receipt of the further evidence it will reconsider the appeal.

Where it is determined that a Penalty Charge Notice has been issued incorrectly then the Authority will cancel the Penalty Charge Notice. In addition, cancellation may also result where there are significant mitigating circumstances which are supported by evidence e.g. unexpected medical emergency or unexpected vehicle breakdown (this does not include running out of petrol).

7.2 Challenges and Representations

The following table details the number of Informal Challenges and Formal Representations received for Penalty Charge Notices issued in 2012/2013 and their outcome.

	On Street				Off Street			
	Informal challenge Lower level	Informal challenge Higher level	Formal Rep Lower level	Formal Rep Higher level	Informal challenge Lower level	Informal challenge Higher level	Formal Rep Lower level	Formal Rep Higher level
Received	62	778	19	140	208	23	33	1
Rejected	45 (72.6%)	624 (80.2%)	15 (78.9%)	119 (85.0%)	171 (82.2%)	14 (60.9%)	24 (72.7%)	1 (100%)
Accepted	17 (27.4%)	154 (19.8%)	4 (21.1%)	21 (15.0%)	37 (17.8%)	9 (39.1%)	9 (27.3%)	0 (0.00%)

1112 Notice to Owners were issued by the Authority, for unpaid Penalty Charge Notices issued in 2012/13, 28 days after issue of the Penalty Charge Notice. Of these, 193 completed Notice to Owners (Formal Representations) were received. This equates to 17.4% of all Notice to Owners issued for Penalty Charge Notices.

As of 10/09/2013 430 Penalty Charge Notices issued in 2012/13 were cancelled or written off, this equates to 5.9% of all Penalty Charge Notices issued. This includes those cancelled as a result of the following:

1. Informal Challenge,
2. Formal Representation,
3. Non contest at Adjudication,
4. Notification of mitigating circumstances falling outside the normal appeal process,
5. Untraceable drivers, and
6. Civil Enforcement Officer error identified during quality assurance checks.

78 Penalty Charge Notices (1.1% of all Penalty Charge Notices issued) were written off due to a driver being untraceable. 2 warning notices were issued, 4 were not contested at Adjudication stage and 4 were cancelled as a result of a processing error.

252 Penalty Charge Notices were cancelled as a result of either mitigating circumstances, or following a Blue Badge first offence. A Blue Badge first offence cancellation is only considered where a valid badge was held and they were permitted to park at the location but they failed to display the badge in the prescribed manner e.g. failing to display a time clock alongside the Blue Badge or displaying it upside down.

90 Penalty Charge Notices (1.2% of all Penalty Charge Notices issued) were cancelled as a result of Civil Enforcement Officer error. This equates to an error rate of 9 Penalty Charge Notices per year per Civil Enforcement Officer, less than 1 PCN per month per Officer. The percentage of Penalty Charge Notices cancelled due to Civil Enforcement Officer error will be used as a benchmark for future performance by the Authority.

7.3 Appeals to the Adjudicator

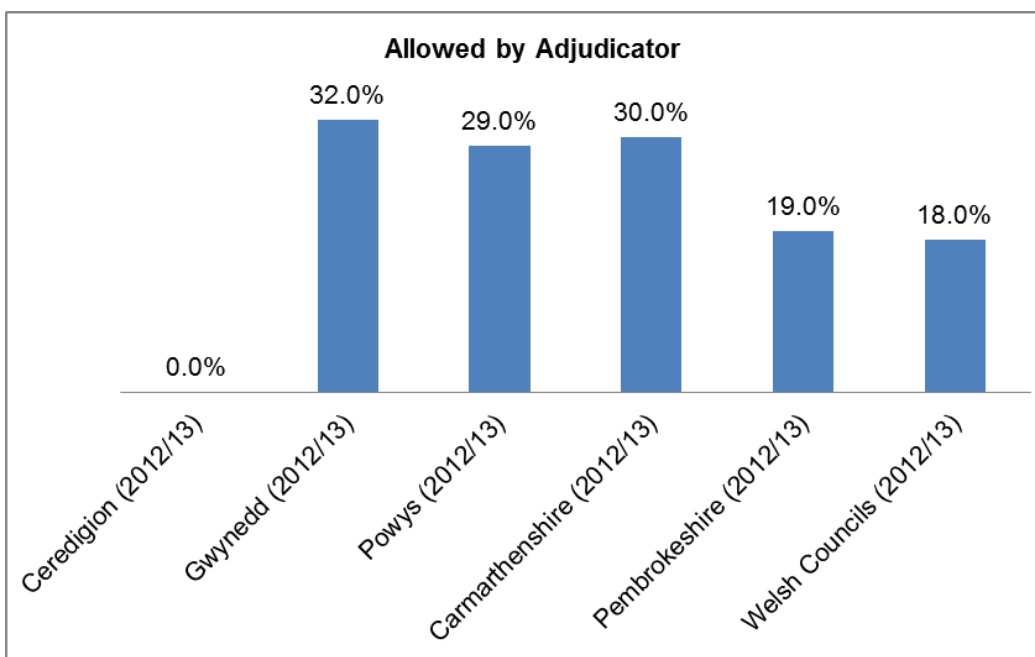
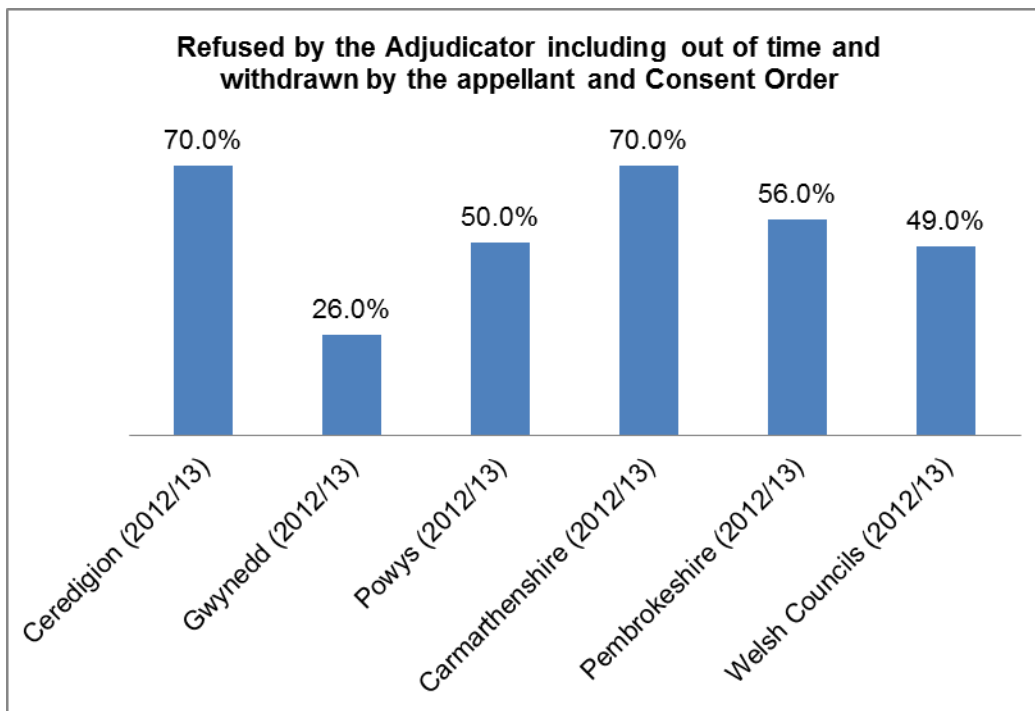
If an appellant is unhappy with the response of the Council to their formal representations, they have the opportunity to appeal to the independent adjudication service - the Traffic Penalty Tribunal. This appeal must be made within 28 days of the rejection letter sent by the Council. Only where there are significant mitigating circumstances, will an appeal application that has been submitted late be considered by the Tribunal.

An appeal will be allowed by an Adjudicator if, after considering the evidence of the appellant and the Council, they determine that the contravention either did not occur or that the Penalty Charge Notice was not issued correctly.

Local Authority	PCN's appealed	Rate of appeal per PCN issued	Not contested by the Council	Allowed by Adjudicator	Total allowed including not contested by the Council	Refused by the Adjudicator including withdrawn by the appellant	Awaiting Adjudicator's decision	Other
Ceredigion (2012/13)	13	0.18%	23% (3)	0.0% (0)	23% (3)	62% (8)	8% (1)	8% (1)* Consent Order
Gwynedd (2012/13)	38	0.32%	34% (13)	32% (12)	66% (25)	26% (10)	5% (2)	3% (1)
Powys (2012/13)	14	0.22%	21% (3)	29% (4)	50% (7)	50% (7)	0% (0)	0% (0)
Carmarthenshire (2012/13)	10	0.12%	0% (0)	30% (3)	30% (3)	70% (7)	0% (0)	0% (0)
Pembrokeshire (2012/13)	36	0.33%	14% (5)	19% (7)	33% (12)	56% (20)	8% (3)	3% (1)
Welsh Councils (2012/13)	647	0.35%	25% (164)	18% (116)	43% (280)	49% (320)	4% (26)	3% (21)

During 2012/13, 13 of the Authority's Penalty Charge Notices were appealed to the Traffic Penalty Tribunal. This equates to an average number of appeals per Officer of 1.3 cases. To date 70% (9 cases) have been refused by an Adjudicator, withdrawn by the appellant or a Consent Order has been granted (appellant and Council agree for payment of the Penalty Charge at discounted rate before hearing). In addition, to date, no Ceredigion case has been allowed by an Adjudicator.

The Authority did not contest 23% of the cases referred by appellants to the Adjudication service in 2012/13. The reasons for non contesting a case can be varied but can include an appellant producing evidence that the Authority has not previously been privy to.



It is encouraging when comparing the Authority's own performance at Adjudication in 2012/13 with neighbouring authorities and the Welsh Councils average performance in 2012/13. The percentage of Ceredigion appeals refused by an Adjudicator was significantly higher than that of the Welsh Councils' average.

These statistics appear to indicate that the Authority considers appeals it receives in an appropriate manner. The Authority aims to ensure that it only rejects appeals to Penalty Charge Notices, where it considers that the notice has been issued appropriately and there are no grounds for cancellation - ultimately, only valid Penalty Charge Notices can be upheld by an independent Adjudicator.

The Authority will continue to strive to ensure that the consideration of appeals is conducted appropriately, fairly and consistently. These figures will be used as a benchmark for the future performance of the Civil Parking Enforcement scheme operated in Ceredigion.

8.0 Payment of Penalty Charge Notices

There are two bands that Penalty Charge Notices fall into - higher (£70) and lower (£50). If the recipient of a Penalty Charge Notice pays within 14 days, then they can take advantage of a 50% discount which reduces the Penalty Charge to £25 for lower band and £35 for higher band contraventions. Penalty Charge Notice may be paid by telephone, online, by post and in person at any All Pay outlets.

If the recipient or registered keeper fails to pay or appeal within 28 days of the service of the Notice to Owner to the registered keeper, a Charge Certificate is issued. A Charge Certificate increases the penalty by 50% to £75 for lower band and £105 for higher band contraventions. Further failure to pay will result in the Authority seeking to register the debt with the Traffic Enforcement Centre (TEC) and an additional £7 being applied to the outstanding penalty amount.

As of the 10/09/2013, 91.2% of all Penalty Charge Notices issued have been paid. 210 (2.9%) Penalty Charge Notices issued in 2012/13 are part paid or unpaid and remain open, and the Authority is currently continuing to pursue payment in relation to these Penalties. The percentage of Penalty Charge Notices that are issued and recovered will be used as a benchmark for the future performance of the service.

	Total Penalty Charge Notices issued	Total Cancelled and written off	Paid at Discounted Rate	Paid at Full Charge	Paid at Charge Certificate	Paid following Debt Registration	Total all Paid	Unpaid - Open and part paid Open Cases
Number of PCNs	7240	430	5479	831	175	115	6600	210
% of all Penalty Charge Notices	100%	5.9%	75.7%	11.5%	2.4%	1.6%	91.2%	2.9%

These statistics relate to Penalty Charge Notice issued in 2012/2013 as at 10/09/2013. Payments recorded on the Authority's Parking Account for 2012/2013 include only those payments received up to the 31/03/2013. Any payments for Penalty Charge Notices issued in 2012/2013 but paid after the 31/03/2013 will appear in the Authority's 2013/2014 Parking Account.

9.0 What happens if a Penalty Charge Notice or result of an Appeal is ignored

In fairness to those that park legally and those that pay their Penalty Charge Notices, the Authority looks to recover unpaid Penalty Charge Notices.

If a Penalty Charge Notice is not paid the Authority will apply to the Traffic Enforcement Centre (TEC) for a warrant to enable the collection of the unpaid debt to the Authority. These warrants are then issued to bailiffs to recover the outstanding debt.

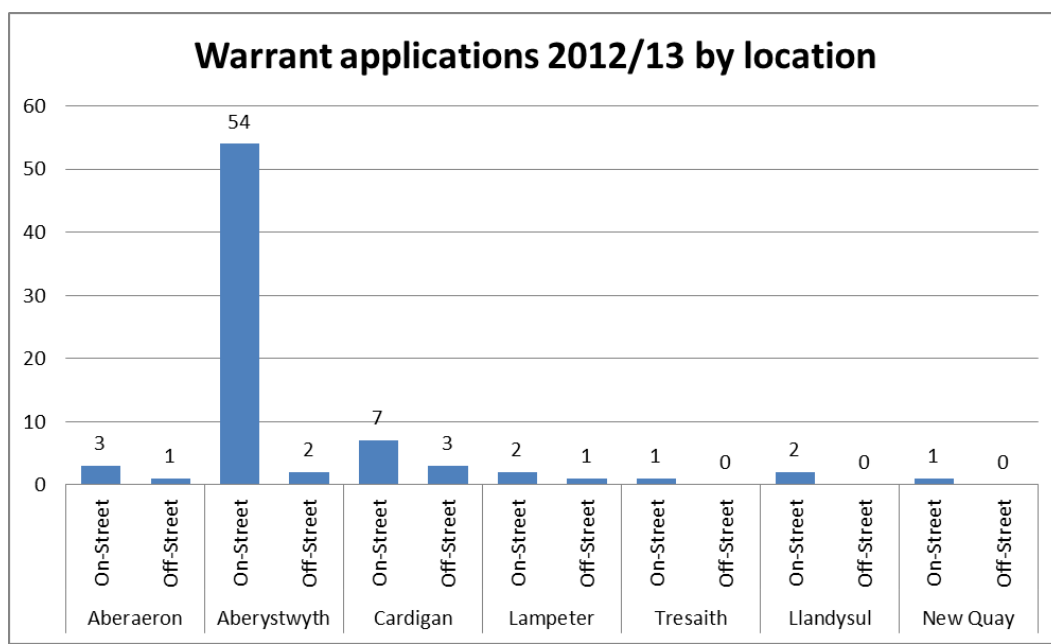


Further information about the TEC can be found at:

<http://www.justice.gov.uk/courts/northhampton-bulk-centre/traffic-enforcement-centre>

It is important that a Penalty Charge Notice, and any paperwork sent in relation to it, is not ignored, as it will not go away. What started out as a £25 (lower) or £35 (higher) penalty (if paid within 14 days) will increase to £82 (lower) or £112 (higher) debt to the Authority. This debt can escalate quickly to in excess of £500 with recovery fees imposed by a bailiff, particularly if an individual also chooses to ignore the communications of the bailiff.

In 2012/2013 the Authority applied for 77 warrants* in relation to unpaid Penalty Charge Notices. Of these 77 warrants, 7 related to Off-Street Penalty Charge Notices and 70 related to On-Street Penalty Charge Notices. To date of the 77 warrants applied for in 2012/13, 39 warrants have been recovered and 38 remain open and outstanding. The graph below shows the distribution of warrants applied for by location.



*In addition to the 77 warrants applied for in 2012/13, further warrants have been applied for unpaid Penalty Charge Notices that were issued in 2012/13, during the 2013/14 financial year.

10.0 Financial information

The income and expenditure of local authorities in connection with their On-street charging and their On-street and Off-street enforcement activities are governed by Section 55 (as amended) of the Road Traffic Regulation Act 1984. Ceredigion County Council does not currently raise a charge for any On-street parking and therefore the financial report will cover only income and expenditure in relation to On-street and Off-street enforcement activities.

The Civil Parking Enforcement budget is mainly comprised of income from Penalty Charge Notices and Waivers, less any expenditure on enforcement, administration, parking enforcement infrastructure and debt recovery.

On-Street and Off-Street Parking Income by Source	2011/2012	2012/2013
Penalty Charge Notices		£226,189.24
Waivers		£2,560.00
Total		£228,749.24

Civil Parking Enforcement Expenditure	2011/2012	2012/2013
Start Up Costs - Corporate Revenue Account borrowing	£78,694.17	£37,093.75
Start Up Cost - Corporate Capital Account borrowing	£18,000.00	£0.00
Employee costs		£103,031.13
Supplies and Services		£21,185.84
Third Party Payments to the Welsh Penalty Processing Partnership (WPPP) and the Joint Committee of England and Wales for the civil enforcement of Parking and Traffic Regulation		£28,963.24
Transport		£13,000.88
Total	£96,694.17	£203,274.84

Parking Account Summary	2011/2012	2012/2013
Income	£0.00	£228,749.24
Expenditure	£96,694.17	£203,274.84
Deficit on Parking Account carried forward	£0.00	£96,694.17
Balance	-£96,694.17	-£71,219.77

Note - The operation of Civil Parking Enforcement is marginal to the former car park enforcement regime and as a result a proportion of the employment costs of the parking Services Team is funded from the Off-Street Car Parking budget. Only those employee costs funded from the Civil Parking Enforcement budget are detailed above.

11.0 Where to find further information and how to contact us

You are likely to encounter Civil Enforcement Officers out and about while they are doing their work across Ceredigion. As part of their duties they will be happy to advise and respond to any queries or comments you may have.

However, any matters relating to paying or appealing a ticket should be dealt with as advised on the rear of the Penalty Charge Notice and any subsequent correspondence sent to you.

For more information about Civil Parking Enforcement in Ceredigion visit:

www.ceredigion.gov.uk/parking

Any general queries or comments regarding Civil Parking Enforcement in Ceredigion can be made via:

Email: hpw@ceredigion.gov.uk

Post: Head of Municipal and Environmental Services

County Hall

Market Street

Aberaeron

Ceredigion

SA46 0AT

Telephone: 01545 572 572 / 01970 633010

12.0 Glossary

Charge Certificate	The notice served 28 days after the service of the Notice to Owner if the Penalty Charge Notice remains unpaid. This notice increase the Penalty Charge by 50%.
Civil Enforcement Officer (CEO)	The name given to the Officers that enforce parking restrictions for the Authority.
Civil Parking Enforcement (CPE)	The name given to the type of enforcement of parking restrictions by a Local Authority under the Traffic Management Act.
Contravention	Where a motorist does not comply with a parking regulation (formally referred to as an offence under the previous Police enforcement regime).
Dispensation	A dispensation is where permission to park in contravention of a parking restriction given. A dispensation may be requested by applying for a parking waiver in line with the Council's parking
Exemption	A provision contained within a Traffic Regulation Order to allow a specific type of vehicle to park in contravention for a specific reason e.g. emergency service vehicles whilst attending an emergency.
Formal Representation	An appeal made within 28 days of the service of the Notice to Owner to the Registered Keeper.
Highway	A road over which the public has a right of way. A highway may be maintainable at public expense or maybe maintained privately. Parking Regulations can apply on both privately maintained highways and highways maintainable at public expense. The extent of the highway includes the road surface and any pavement, verge or island up to the building line of a property.
Informal Challenge	An appeal made within 28 days of the service of the Penalty Charge Notice
Notice to Owner (NTO)	The statutory notice issued to the Registered Keeper of the vehicle if a Penalty Charge Notice is not paid within 28 days of the date of service. The recipient may either pay in full or make a Formal Representation within 28 days of the service of the Notice to Owner.
Off-Street	This relates to facilities and enforcement at Council managed Car Parks.
On-Street	This relates to facilities and enforcement on the Highway.

Parking Regulations / Parking Restrictions	The rules that motorists must follow. These can be a result of Traffic Regulation Orders or national legislation.
Penalty Charge Notice (PCN)	The notice issued to a vehicle believed to be parked in contravention of a parking regulation.
Registered Keeper	The person who is deemed responsible for the payment of a Penalty Charge Notice irrespective of whether they were driving at the time of the contravention. These details are obtained from the Driver and Vehicle Licencing Agency (DVLA).
Traffic Management Act 2004 (TMA 2004)	The legislation under which the Authority operates its Civil Parking Enforcement Scheme.
Traffic Penalty Tribunal (TPT)	The independent body that considers appeals in relation to Penalty Charge Notices where the appellant is unhappy with the Authority's response to their Formal Representation. This is the final stage of appeal for the motorist and their decision is binding on both the Authority and the motorist.
Traffic Regulation Order (TRO)	The legal basis for the majority of parking regulations. Traffic Regulation Orders may only be introduced following public consultation.
Waiver	An official notice issued by the Authority to a specific vehicle that has applied for a dispensation to park in contravention of a parking restrictions at a specified location, on a specified date, for a reason that meets the Authority's criteria for issuing a Waiver.
Welsh Penalty Processing Partnership (WPPP)	A partnership of 10 Local Authorities that undertakes administration of Penalty Charge Notices and associated correspondence. This partnership consists of the following Local Authorities - Anglesey, Bridgend, Ceredigion, Denbighshire, Flintshire, Gwynedd, Pembrokeshire, Powys, Vale of Glamorgan and Wrexham.

