

Cheshire West & Chester Council

2012/13

Annual Parking Report



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Cheshire West
and Chester

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Cheshire West and Chester Council
is a member of
the British Parking Association

1.0 Introduction

This report provides information for the period 01 April 2012 to 31 March 2013 on civil parking enforcement activity carried out by Cheshire West and Chester Council. The enforcement of parking restrictions both in the street and 'off street' (in Council operated car parks) is included. As the Police have responsibility for parking enforcement in the former Vale Royal area detail of this enforcement activity is not included.

1.1 Why have parking enforcement?

Enforcement helps in a variety of ways, including:

Improving accessibility and fairness

Parking enforcement helps maintain access and ensures fair use of parking provision. Enforcement tackles the abuse of parking spaces including where motorists park in disabled spaces even though they are not blue badge holders. To assist local communities enforcement is also used to ensure residents parking schemes are adhered to.

Supporting local businesses

Parking enforcement minimises traffic congestion which benefits local businesses who may otherwise experience delays with deliveries. By encouraging the turnover of spaces, enforcement ensures that those spaces can be used by a high number of different vehicles. This increases the likelihood of customers visiting local shops being able to find a space to park.

Keeping our communities safe

Enforcement keeps specific areas, including busy junctions, free from traffic which helps reduce the risk of accidents. Enforcement can also help in special areas such as outside schools where 'keep clear' zones protect both children and parents.

Supporting the free flow of traffic & supporting public transport

By helping to keep roads clear enforcement activity maintains traffic flow. Journey times become more predictable and public transport more reliable, making it a more attractive travel option.

1.2 What is civil parking enforcement?

Councils may obtain the powers to carry out enforcement instead of the Police by making an application to the Department of Transport. This is known as civil parking enforcement and the majority of Councils now have these powers. By allowing Councils to carry out enforcement Police resources are freed up to be used to address serious criminal offences. When civil parking enforcement is in place the Police continue to retain powers to take action against obstructions and dangerous driving, but the local Council has the responsibility for enforcing general parking restrictions.

1.3 How does civil parking enforcement work?

Parking restrictions are introduced and road markings and signs provide information to motorists about the restrictions. Where a vehicle is parked in breach of a restriction a 'Penalty Charge Notice' can be issued by a civil enforcement officer (this officer is employed by the local Council).

The Penalty Charge Notice is usually placed on the vehicle and it contains details of the breach and how a motorist can respond e.g. by making the required payment or by contesting the Notice. The fine issued will depend on the category of breach that has taken place – either a 'lower' or 'higher' breach. The categories are determined nationally and currently the penalty for a 'lower' breach is £50 and for a 'higher' breach is £70.



The civil parking enforcement process - from the issuing of a Penalty Charge Notice to appealing against a Notice - is set out in law. The process includes the length of time during which a motorist should either pay or appeal. The legislation includes provision for a case to be heard by an independent arbitrator at a Traffic Penalty Tribunal. More information about the Traffic Penalty Tribunal including grounds of appeal is available on their website: www.trafficpenaltytribunal.gov.uk

Civil enforcement officers are not allowed to cancel a Penalty Charge Notice. This is a national requirement to help ensure that an officer is not open to any accusation of favouritism, inconsistency and bribery. Any requests to cancel a Penalty Charge Notice are dealt with by the Team Leader for Parking. The Team Leader considers the circumstances and applies the principles set out in the Council's parking enforcement guidance. The guidance is designed to ensure that parking enforcement is fair, transparent and consistent.

2.0 Parking provision

Parking is provided to enable residents, shoppers, commuters and other visitors to access city and town centres. To ensure that the best use of available space is made, restrictions are in place on a number of car parks.



The restrictions discourage inconsiderate parking such as blocking another vehicle in a space or parking over two spaces. The restrictions also penalise the abuse of disabled spaces by those who do not hold a Blue Badge.

Park mark for safer car parks

During 2012/13 sixteen car parks were awarded a national award for safer parking known as the 'Park Mark' award. The award is presented to car parks in recognition of the measures that are place to create a safer car park environment.

The award is made following the successful audit of the car park by an independent body and is vetted by the Police.



Improvements

The Council is committed to improving the quality of parking facilities and invested £225,000 during 2012/13 to maintaining and improving Council owned car parks. This included resurfacing the Little Roodee car park in Chester (a popular facility for those visiting the city as well as the nearby river Dee and Groves areas). The Market car park, a multi storey car park in Chester city centre, also benefited from improvements as did five of the car parks in Ellesmere Port.

Season ticket parking

Season tickets are available for a number of car parks in Chester and Ellesmere Port. The tickets offer savings for customers who use the car park on a regular basis. Annual and six month tickets are offered and the option to spread the cost with monthly payments is available. To find out more about season tickets visit the parking pages on the Councils website:

www.cheshirewestandchester.gov.uk or email: parking@cheshirewestandchester.gov.uk

Residents' Parking

A guidance document has been developed to help residents who are considering whether a residents' parking scheme could help tackle parking problems in their street. The guidance is available on the parking pages of the council's website and was developed with the help of residents.

During 2012/13 four new residents' parking schemes were put forward after receiving initial support from the local community. For one of the proposed schemes, after further consideration residents decided that it was not what they required so this scheme was not progressed any further. A new scheme was implemented in the Chester area after receiving full support from local residents. The two other schemes are currently being considered by residents.

3.0 Facts and Figures

Penalty Charge Notices

The table below provides detail of the Penalty Charge Notices issued and cancellations made during 2012/13.

Table 1 - Penalty Charge Notices (PCNs) issued				
	On street	Off street	Total	as a percentage of all PCNs issued
Number of Higher Level PCNs Issued	7,679	2,677	10,356	39.68%
Number of Lower Level PCNs Issued	8,119	7,621	15,740	60.32%
Total	15,798	10,298	26,096	
Number of PCNs paid	12,643	6,623	19,266	73.83%
Number of PCNs paid at discount rate	8,710	4,616	13,326	51.07%
Number of PCNs against which an informal or formal representation was made	3,354	3,975	7,329	28.08%
Number of PCNs cancelled as a result of an informal or a formal representation	1,625	2,801	4,426	16.96%
Number of PCNs written off for other reasons (e.g. officer error or driver untraceable)	562	354	916	3.51%
Number of vehicles immobilised	N/A – the Council does not immobilise vehicles			
Number of vehicles removed	N/A – the Council does not remove vehicles			

The figures are for all cancellations made during 2012/13 so include cancellations for penalties issued in 2012/13 as well as cancellations of penalties issued in previous years.

Cancellations

Appeals

If a vehicle keeper believes that there is a valid reason for cancelling a Penalty Charge Notice they may make a representation to the Council. If the Council does not consider there to be grounds for a cancellation (and so rejects the representation) vehicle keepers may choose to progress an appeal to an independent adjudicator at a Traffic Penalty Tribunal. The adjudicator considers the facts of a case and decides whether to allow an appeal. (More information about the Traffic Penalty Tribunal including grounds of appeal is available on their website: www.trafficpenaltytribunal.gov.uk).

In total 63 appeals of the 26,096 Penalty Charge Notices issued during 2012/13 were lodged with the Traffic Penalty Tribunal. This represents 0.24 % of cases and is better than the national rate of appeal of 0.35%¹.

Results at Traffic Penalty Tribunal

Of the 63 appeals that were considered nine were allowed by the Traffic Penalty Tribunal and 14 were disallowed (i.e. the Adjudicator found in the Council's favour). 33 cases were not contested at the Traffic Penalty Tribunal stage. New evidence or additional information often comes to light at this part of the appeals process and it is not uncommon for Councils to decide not to contest a case. Of the remaining cases one was withdrawn by the motorist and the other cases remain on going at the time of reporting.

¹ Source: Annual Statistics of the Traffic Penalty Tribunal

Income and expenditure

The income and expenditure account is made up of income received from Penalty Charge Notices and permit fees less expenditure on enforcement and debt recovery costs. In 2012/13, 99.2% of the costs of enforcement were met by income received.

Table 2 - Income and Expenditure Account			
Income	On street	Off street	Total
Penalty Charge Notices	£496,109	£227,627	£723,736
Residents Parking Permits	£27,997	£0	£27,997
Dispensation Permits	£10,310	£0	£10,310
Sub-total	£534,416	£227,627	£762,043
Expenditure			
	Staffing		£624,971
	Transport		£6,055
	IT, telecommunications, stationery & professional services		£136,483
Sub-total			£767,509
Total			-£5,466

4.0 Glossary of terms

Blue Badge	The Blue Badge Scheme provides a range of parking concessions for people with severe mobility problems who have difficulty using public transport. The badge enables holders to park close to where they need to go. The scheme operates throughout the UK, and is administered by local authorities who deal with applications and issue badges. Cheshire West and Chester Council blue badge team can be contacted on 0300 123 7040 or by email enquiries@cheshirewestandchester.gov.uk
CEO	Civil Enforcement Officer. An Officer authorised to carry out enforcement of parking restrictions in a Civil Parking Enforcement area.
CPE	Civil Parking Enforcement. Description of parking enforcement when carried out by Local Authorities who have been granted powers to carry out enforcement rather than the Police.
Park Mark	An award presented to car parks which have been vetted by the Police and which have been found to have measures in place to create a safer environment for users of the car park and their vehicles.
PCN	Penalty Charge Notice (sometimes referred to as a 'parking ticket') issued to vehicles when the vehicle is parked in breach of a parking restrictions.
TPT	Traffic Penalty Tribunal. Independent tribunal appeals for motorists and vehicle owners.

