

# Annual Parking Report

2014/15





# Contents

	Page
Introduction	3
Glossary of terms	4
Why have parking enforcement?	5
What is civil parking enforcement?	6
Parking Services Team	7
How does civil parking enforcement work?	8
Contraventions in the borough	9
Park & Ride	11
Blue Badge Holders	13
Awards/Certificates	15
Car Park Rates	16
Free Parking	18
Car Parks	20
Penalty Charge Notices	22
Vale Royal Enforcement	30
Events Parking	31
Permits	33
Traffic Regulation Orders	37
Legislation	38
Traffic Penalty Tribunal	39
Income and Expenditure	41





# 2014/15

## Introduction:

Welcome to Cheshire West and Chester Council's Annual Parking Report which looks at the work of our Parking Services Team during 2014/15.



While parking can be a sensitive and contentious issue, we hope this report will show our Parking Services team do not just issue parking tickets (officially known as Penalty Charge Notices) but actually they have a positive influence on road safety and traffic flow, as well as ensuring the fair use of available parking spaces across the borough.

Our main focus is to minimise disruptions and to allow free flow of residents and visitors to and from the borough. Parking enforcement keeps our communities safe, minimising accidents by keeping busy junctions as free from congestion as possible.

Although many perceive civil parking enforcement as a hindrance, individuals who park thoughtlessly or dangerously can actually affect the rest of us as we go about our day to day lives. The Parking Services team is a presence on the street, supporting the community, as well as carrying out our activities.

Car parks create an income for the Council, which, in turn, contributes to the redevelopment of the city, along with essential maintenance of public facilities.

Under section 55 of the Road Traffic Regulation Act 1984, it states, money made from off-street parking must go back into a related project: For example; any further public transport or road improvements needed within the local authority's area.

This shows, Parking Services are not here to make profit, but to rise development in Parking Services, and other amenities within the band, for the borough and its residents.

Though we look to increase growth in the sector, reiteration must be made to the effect Parking Services is self-sufficient, therefore, we are able to maintain our own costs and expenses without the need for funded support.

Failure to be self-sufficient could would, depending on the total of deficit, mean the service may need to be subsidised by other Council budgets. Reinforcing the important provisions Parking Services provides for both residents of the borough, and tourism.



## Glossary of Terms:

**Blue Badge** - The Blue Badge Scheme provides a range of parking concessions for people with 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. The Council's blue badge team can be contacted on 0300 123 7040 or by email [enquiries@cheshirewestandchester.gov.uk](mailto: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.** A description of parking enforcement carried out by Local Authorities who have been granted powers to carry out enforcement rather than the Police.

**Park Mark** - An award which is 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.

**IAS: Independent Adjudication Service;** governs the TPT.





## Why have parking enforcement?

Enforcement can help in a variety of ways to improve our borough. This includes:

- Improving accessibility and fairness

Parking enforcement helps maintain access and ensures fair use of parking facilities. Enforcement tackles the abuse of parking spaces including where motorists park in disabled persons' spaces even though they are not a blue badge holder. To help communities, enforcement is also used to ensure residents parking schemes are adhered to.

- Supporting local businesses

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

- Keeping our communities safe

Enforcement keeps specific areas (such as busy junctions) free from traffic which helps reduce the risk of accidents. An example of this is visibility at junctions.

Parking enforcement prevents vehicles from prohibiting a driver's visibility due to other motorist's actions, ensuring the safety of all road users.

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

Enforcement activity helps to keep roads clear, maintaining traffic flow and discouraging inconsiderate and disruptive parking. Journey times will become predictable and public transport more reliable making it a furtherly attractive travel option.





## What is civil parking enforcement?

Councils obtain the power to carry out enforcement, replacing the Police, by making an application to the Department of Transport. The purpose of allowing Councils to carry out enforcement is to allow Police resources to be used to address serious criminal offences.

Added benefits of having a local authority taking care of civil parking enforcement:

- They have specific knowledge of the area; some public services may not.
- Police have greater pressures on their time with more imperative areas of work.
- It is far easier to contact a local authority than it is to contact the Police as there are more lines of communication.
- The public feel more relaxed speaking to a Council officer rather than the formality of a Police officer.
- It is a pivotal role and it is vital the Council is in full control of parking enforcement because incorrect or inadequate fulfilment of this job would create huge disruption for motorists.

An example of this was in the Aberystwyth area where an issue led to no parking enforcement taking place. This happened on 31 May 2011 and caused many complaints of parking chaos with vehicles parked on double yellow lines for days at a time. This would have impacted hugely on the disabled members of the public and placed them along with pedestrians' safety at risk.





## Parking Service Team:

The Parking Services team is made up of 15 full-time Civil Enforcement Officers (CEOs) and two part-time CEOs. The CEOs are managed directly by the Council and are responsible for on-street and off-street Civil Parking Enforcement (CPE) within the borough. The team is on duty seven days a week, including out of hours and Bank Holidays. They work flexible hours to ensure enforcement is met throughout the day. Each member of the team is allocated an area (beat) during their morning brief or before the start of their shift. Though it must be noted, these differ on a daily basis to ensure officers are familiar with all areas and restrictions.

Each CEO has been trained according to the standards set out in the Traffic Management Act 2004, in addition to training regarding personal safety.

All CEOs have achieved a City and Guilds qualification in Parking Enforcement.

The CEOs are obliged to follow statutory guidelines and must carry valid photographic ID with them at all times. Also, a specific uniform must be worn when carrying out their work. They must not include their name on uniform for confidentiality purposes. In addition, it is a necessity that the correct equipment is carried at all times to ensure duties are sustained.

The CEOs will carry appropriate equipment around with them, one of these being a handheld computer. These have upgraded GPS functionality (GPRS) in order to fulfil the work of issuing PCNs where contraventions are taking place.

CEOs also carry a radio around with them so they're able to keep in contact and informed of any updates from co-workers, along with constant access to the office. This ensures they have ongoing communication to enable them to carry out the role.

Other authorities contract private companies to carry out enforcement. This can lead to less accountability and concern of local issues.

All CEO's working for Cheshire West and Chester are employed directly by the Council. All training and knowledge associated with their role is provided within the local area. This helps to address local issues whilst maintaining consistency and fairness.





## How does Civil Parking Enforcement (CPE) work?

CPE is introduced through a legal order known as a Traffic Regulation Order. Road markings and signs provide information to motorists of the restrictions. If motorists do not abide by these restrictions, a PCN will be issued.

A CEO has duties other than issuing PCNs, which include road closures and reporting any defects in roads/signs to the Highways teams. CEOs are in direct contact with the public, face-to-face on a daily basis. They also give guidance to drivers regarding parking restrictions and where these apply.

Many CEOs are approached for directions daily. Through their knowledge of the area, they give directions to the public to help them with their day. They also ensure public safety; acting on behalf of the public, Police, Fire and

Ambulance services to address specific concerns relating to CPE.



Prior to a PCN being issued, a CEO may allow for an 'observation' period to elapse before a vehicle is issued with a PCN. This is to satisfy an exemption such as loading or unloading is not taking place.

Typically, a period of 5 minutes observation time for vehicles below 3.5 tonnes is observed for legitimate loading or unloading. This increases to 20 minutes maximum for a heavy goods vehicle weighing 3.5 tonnes or above for on-street. Where a private motor car is concerned, the observation given will be a minimum of 5 minutes, as typically the loading taking place relates to smaller or less numerous items. There will, however, be incidents where a greater amount of time is needed due to the nature of the delivery.

With certain contraventions, however, this amount of observation time is not appropriate such as bus stops and taxi ranks where loading is not permitted. CEOs will take into consideration road safety for all users for each case.

The Council reserves the right to reduce or remove the observation time to address local problems. An example may be where drivers persistently contravene parking restrictions to access a cash point. By performing their duties and helping the public, each CEO walks, on average, 10 miles per shift. Their shifts do vary however, most are around 8 hours long. This illustrates the level of performance required to fulfil their role.





Below is a list of the contraventions the Parking Services Team deals with across the borough.

<b>Contravention Type</b>	<b>CCTV Static</b>	<b>Issued by CEO</b>	<b>Postal PCN</b>	<b>Issued 14/15</b>
01 Parked in a restricted street during prescribed hours.	0	8,030	221	8,251
02 Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force.	0	1,038	89	1,127
21 Parked in a suspended bay/space or part of bay/space.	0	15	0	15
22 Re-parked in the same parking place or zone within the prescribed time period.	0	187	1	188
23 Parked in a parking place or area not designated for that class of vehicle.	0	13	0	13
24 Not parked correctly within the markings of the bay or space.	0	317	12	329
25 Parked in a loading place during restricted hours without loading.	0	296	5	301
27 Parked in a special enforcement area adjacent to a dropped footway.	0	43	0	43
28 Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge.	0	76	0	76
30 Parked for longer than permitted.	0	9,917	155	10,072
40 Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge.	0	646	28	674
45 Parked on a taxi rank.	80	544	42	666
47 Parked on a restricted bus stop/stand.	0	173	23	196
48 Stopped in a restricted area outside a school.	27	25	11	63
49 Parked wholly or partly on a cycle track	0	23	1	24
62 Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	0	130	3	133
70 Parked in a loading place or bay during restricted hours without loading	0	6	0	6
80 Parked for longer than permitted	0	114	0	114
81 Parked in a restricted area in a car park.	0	8	0	8
82 Parked after the expiry of paid for time.	0	2,066	13	2,079



Contravention Type	CCTV Static	Issued by CEO	Postal PCN	Issued 14/15
83 Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	0	4,923	20	4,943
84 Parked with payment made to extend the stay beyond initial time	0	45	0	45
85 Parked in a permit bay without clearly displaying a valid permit.	0	977	10	987
86 Not parked correctly within the markings of a bay or space	0	3,079	25	3,104
87 Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge in the prescribed manner	0	2,132	16	2,148
90 Re-parked in the same car park within one hour after leaving	0	4	0	4
91 Parked in an area not designated for that class of vehicle.	0	100	0	100
92 Parked causing an obstruction.	0	5	0	5
95 Parked in a parking place for a purpose other than that designated	0	163	10	173
99 Stopped on a pedestrian crossing or a crossing area marked by zigzags	0	39	14	53
<b>Total</b>	<b>107</b>	<b>35,134</b>	<b>699</b>	<b>35,940</b>





## Park and Ride

Park and Ride in Chester is a fantastic facility operated by the Parking Services team. We aim to influence a change in the way people travel to the city centre. Park and Ride offers that change. It offers flexibility, free parking, cheap fares and a hassle-free, non-time consuming way to enjoy your day.

There are four Park and Ride sites available around Chester, all of which have received the Park Mark Award, which is explained further in this report. These are:

- Boughton Heath
- Sealand Road
- Wrexham Road
- Upton

Using the Park and Ride can be an essential part of your trip to Chester. There is no worry of over-staying in the car parks because you have lost track of time enjoying the city centre, nor will there be car parking fees and the inconvenience of sticking a ticket to your windscreen. The only thing users of the Park & Ride need to remember is where they've parked their car.

There are a total of 58 disabled spaces between the Park and Ride sites, the Wrexham Road site having 26 of those alone. This shows our car parks are available to anyone. They can be used for the daily commute to and from work, or a day out with family or friends.





Another benefit of the Park and Ride is the fact it is available to a wide variety of vehicles due to its accessibility. There is an over-height area at each Park and Ride site for motorhomes and larger vehicles.

We are looking at the possibility of increasing the facilities available at our Park & Ride sites. We can accommodate businesses on Park and Ride sites, building an amiable environment on the car park whilst creating jobs and opportunities for others. The promotion of business, albeit local, shows how the Council, in particular, Parking Services, helps local businesses create a solid structure for the community.

Park and Ride sites also contribute to a reduction in the amount of vehicles in transit around Chester. This decreases carbon emissions, creating cleaner air and an improved environment.

Also, Park and Ride adds an extra dimension to journeys as it allows drivers to sightsee whilst on route, which they'd obviously be unable to do if they were driving themselves.



## Blue Badge Holders:

Blue badge holders may park in any of the Council owned pay and display car parks for up to four hours without charge.

There are three car parks dedicated to blue badge holders:

- Frodsham Street, Chester
- Hamilton Place, Chester
- Central Palace Drive, Northwich

It must be noted the onus is on the driver to check relevant signs prior to parking.

A blue badge holder may park on yellow lines for up to three hours, providing their time clock is displayed and correctly set.

There are designated blue badge bays throughout the borough without time restrictions for blue badge holders; mentioned above. Please check the booklet issued with your blue badge for full terms and conditions regarding its use and permitted times.

Overall, the Council offer 426 disabled parking bays, split up in the following areas within the borough:

	No. of Disabled Bays
Chester	170
Ellesmere Port	127
Winsford	75
Rural	54
<b>Total</b>	<b>426</b>

This, in comparison to similar cities, offers greater number of designated disabled bays.

A similar city to Chester only has 66 designated disabled parking bays noted on the 'directory for car parks' on their website.

Though they do offer free parking for disability badge holders in some car parks, these are not designated for the disabled.

Therefore, it should be noted, our Council has excellent parking for the disabled as they're able to park in easily accessible bays.



In addition, a neighbouring city's average number of designated disabled parking bays in their controlled car parks is three. This shows we are head and shoulders above other Councils in providing parking services to the disabled.

Though we have a huge amount of disabled parking bays, there have been occasions where they have been abused. We do monitor these to minimise the misuse of disabled bays.

Between the years 2012 and 2013, there were a total five prosecutions under the Fraud Act and Road Traffic Regulation Act for various charges relating to misuse of a blue badge.

The Parking Services team works closely with our Regulatory Enforcement team as well as Cheshire Constabulary. We have previously been involved with 'blue badge enforcement days' to combat the misuse with our partners. This is currently ongoing and will be continuing for the future ahead.

Since January 2015, there have been 46 cases of misuse of the blue badge within our borough. These are a mixture of abused and expired blue badges. There are investigations currently ongoing through the system; therefore, more information regarding these cannot be disclosed at this stage.

It must be mentioned, we are doing every relevant action, within our power, to prevent people from exploiting the use of blue badge permits. This is to help disabled people to use the bays provided when they are needed, rather than having to park in an unsuitable area.





## Awards/Certificates

Cheshire West and Chester Council strive to be the best council in the country. The Parking Services team works tirelessly to ensure our car parks are working efficiently and exceed the required criteria set by various reward boards to be granted their award.

On 1 April 2015 we were thrilled to be presented with a Disabled Parking Award from Disabled Motoring UK for our Delamere Street Car Park, only the second local authority to be granted this award at the time.

This shows how much work the team here at the Council has put into the project. Being only the second local authority to be granted such an important award is very rewarding for the staff. Especially as the car park has only been open for a short period of time.

We have also been rewarded with the Park Mark Award for Delamere Street Car Park, only presented to the safest car parks, vetted by the Police.

Two awards for a single car park shows our competence and desire to succeed and improve on our standards.

The addition of Delamere Street means currently, 17 of our car parks have been recognised and satisfy the requirements needed for the Park Mark scheme.

This shows time and money has been invested well to establish such a great portfolio of car parks.

This has been a refreshing year for Parking Services as the work we have put into our car parks has been recognised. It is also a credit to the public as they have been instrumental in their feedback and support for our parking facilities.



## Car Park Rates:

Car Park rates throughout the borough are cheaper than other cities. Price comparisons for the inner-city car parks shows cities such as Manchester and York are more costly.

Local authority owned car parks benefit the public as the costs set by the council are well regulated and ultimately, cheaper.

A two-hour stay in Chester, Market car park or the recently opened Delamere Street car park would cost £4. In comparison, a zone one car park in Manchester City Councils' city centre costs £6 for the same period of time. Brook Street car park in Chester is £3, noticeably less and a similar distance away from the centre.

York is a city very similar to Chester. Founded by the Romans, it is a city with huge history. Both have historic landmarks which generate income through tourism.

York City Council charges more for their central car parks than Chester. It costs £2.40 per hour in their Piccadilly and Castle car park. These are situated within close proximity of the city centre. This, again, shows Chester is one of the cheapest cities for parking.

**Delamere Street Car Park**  
Daily Charges, Monday to Sunday from 7.00am Inc. Bank Holidays

Parking up to 3pm	Parking after 3pm is
Up to 2 hours £4.00	3pm is FREE
2 to 4 hours £4.90	
4 to 6 hours £5.90	No free blue badge parking
Over 6 hours £7.80	

**Medical Centre Visitors**  
Monday to Friday £1.00 for up to 2 hours (normal charges apply for over 2 hours)

**Cheshire West and Chester**  
www.cheshirewestandchester.gov.uk





Please note the figures are from April 2014 to 31 March 2015  
 Free car parks not displayed in the table. Only revenue car parks

Name of Car Park	Income 2014/2015	Spaces	Revenue Per Space
Boughton Heath Park and Ride	£408,731.04	750	£544.97
Brook Street Car Park	£124,219.27	137	£906.71
Chester Zoo Park and Ride	£277,272.51	460	£602.77
Christleton Road Car Park	£8,794.10	19	£462.85
Civic Centre Car Park	£101,668.78	395	£257.39
Cuppin Street Car Park	£80,714.05	21	£3,843.53
Delamere Street Car Park*	£1,400.00	351	£3.99
Ellesmere Port Town Centre Car Park	£389,174.76	1088	£357.70
Frodsham Street Car Park	£6,993.77	80	£87.42
Garden Lane Car Park	£57,126.67	120	£476.06
Gorsestacks Car Park	£361,774.17	110	£3,288.86
Little Roodee Car Park	£473,121.41	452	£1,046.73
Marina Drive and Civic Way	£36,655.17	36	£1,018.20
Market Car Park	£816,582.39	625	£1,306.53
McGarva Way Car Park	£8,713.67	41	£212.53
Sealand Road Park and Ride	£192,268.50	760	£252.98
Shrewsbury Car Park	£3,020.87	42	£71.93
Trinity Street Car Park	£219,282.26	145	£1,512.29
Watergate Street Car Park	£143,981.10	128	£1,124.85
Wellington Road Car Park	£376.11	274	£1.37
Westminster Car Park	£4,388.82	67	£65.50
Wrexham Road Park and Ride	£321,232.46	1200	£267.69
<b>Totals</b>	<b>£4,034,691.88</b>	<b>7301</b>	<b>£552.62</b>

\*Please note Delamere Car Park was opened on 22 April 2015  
 Full list of Council owned car parks can be viewed on the council's website



## Free Parking:

Cheshire West and Chester Council offers free car parking in and around the borough for residents and visitors. There is free parking in Chester city centre with various on-street bays, as well as free parking in Hoole and Saltney. These are within walking distance to the shops, showing our commitment to help motorists as much as possible.

In nearby Ellesmere Port, there are 13 free car parks available. Of the 13 car parks, 12 are open 24 hours a day. All 18 of the free car parks in Northwich and Winsford are open 24 hours. Some of these are situated in the centre of both areas, enabling motorists's access to car parks within a reasonable distance from the town centre.



Free parking at Westminster Car Park, Ellesmere Port



## Free car parks within the borough:

Car Park Chester	Number of spaces	Number of disabled spaces	Tariff	Opening Times
Bishop Street CH2 3BB	82	0	Free	24 hours
Walker Street CH2 3BS	11	0	Free	24 hours
Curzon Street CH4 8BP	12	0	Free	24 hours

Ellesmere Port	Number of spaces	Number of disabled spaces	Tariff	Opening Times
Wellington Road CH65 4AB	274	11	Free	7am - 7pm
Randle Meadow CH66 2LB	69	4	Free	24 hours
Old Chester Road (Great Sutton) CH66 3NZ	18	0	Free	24 hours
Seacombe Drive CH66 2BB	22	1	Free	24 hours
Little Sutton CH6 1QQ	17	0	Free	24 hours
Chester Road (Little Sutton) CH66 3RB	35	2	Free	24 hours
Gleneagles Road CH66 4NF	20	0	Free	24 hours
Ledsham Road CH66 3RR	40	2	Free	24 hours
Smithy Lane CH66 3RR	39	0	Free	24 hours
Westminster CH65 8BA	67	6	Free for four hours	24 hours
Whitby Hall CH66 6QY	27	0	Free	24 hours
Whitby Park CH66 6QY	175	0	Free	24 hours
Chester Road (Whitby) CH65 9BE	68	2	Free	24 hours



Northwich and Winsford	Number of spaces	Number of disabled spaces	Tariff	Opening Times
Iceland	10	10	Free	24 hours
Cumberland CW9 5LA	120	0	Free - max 14 hour	24 hours
Hadfield Street CW9 5LU	35	0	Free	24 hours
Memorial Hall CW9 5QJ	219	12	Free	24 hours
Leicester Street CW9 5LA	250	0	Temp long stay	24 hours
Park Street CW18 1HQ	28	0	Free – max 14 hour	24 hours
Tabley Street CW9 5DP	77	5	Up to three hours	24 hours
Verdin CW8 1BG	26	2	Free – max 14 hour stay in any 24 hours.	24 hours
Watermans CW9 5RT	52	2	Free - max four hour stay in any 24 hours	24 hours
Zion Street	40	0	Free - max 14 hour stay in any 24 hours.	24 hours
Barnton Stadium CW7 3DA	110	0	Free	24 hours
Cheviot Square CW7 1QS	55	0	Free	24 hours
Dingle Lane CW7 1AB	10	0	Free	24 hours
Marina CW7 3DA	30	0	Free	24 hours
Mere Lane CW8 2NS	12	1	Free	24 hours
Greville Drive CW7 3EP	30	0	Free	24 hours
Church Street CW8 3NJ	30	0	Free	24 hours
Victoria Club CW9 5JD	101	23	Free - max three hour stay.	24 hours



Rural	Number of spaces	Number of disabled spaces	Tariff	Opening Times
Hooton Interchange CH66 7N	437	24	80p - all day	24 hours
Moor Lane WA6 7AE	35	2	Free	24 hours
Frodsham Station WA6 0AG	86	0	Free	24 hours
High Street SY14 8NN	36	0	Free	24 hours
Neston CH64 6QB	20	0	Free	24 hours
Chester Road (1) CH64 9PB	10	10	Free	24 hours
Drake Road CH64 9TW	6	0	Free	24 hours
Station Road CH64 6QJ	17	1	Free	24 hours
School Lane CH64 6SL	15	0	Free	24 hours
Bell Meadow Court CW6 0DX	55	0	Free	24 hours
Buckley Lane CH64 2TT	17	1	Free	24 hours
British Legion CW6 0AG	31	0	Free	24 hours
Community Centre CW6 0AG	42	2	Free	24 hours
Chester Rd (2) CH64 9PB	118	10	Free - max three hour stay.	24 hours
Station Avenue WA6 0AG	21	4	Free	24 hours



## PCNs:

A PCN is usually placed on the vehicle and contains details of the contravention and how the motorist can respond; by paying the PCN or by way of a 'challenge.'

Part 6 of the Traffic Management Act 2004 on 31 March 2008 saw the introduction of differential charges. Penalty Charge Notices are issued at a Higher or Lower rate depending upon the severity of the contravention. The higher or lower charge is dictated by the contravention and code used and is not at the discretion of the Council.

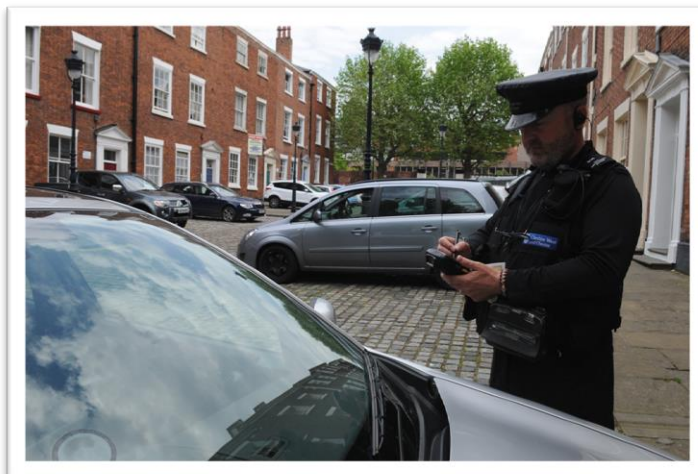
PCN costs are split between two bands, higher and lower. The Higher band is where a contravention has simply taken place with total disregard to parking restrictions, for example, someone has parked in a restricted street during prescribed times i.e yellow lines. A lower band PCN would include exceeding the time paid for in a car park. These both bring different charges.

Nationally, the current penalty for the lower breach is £50 with the higher breach £70.

Shown below is a table to indicate the number of issued PCN relating to the level rate.

	On Street	Off Street	Total	% of PCN
Number of Higher Level PCNs Issued	11,547	3,222	14,769	41.46%
Number of Lower Level PCNs Issued	10,508	10,343	20,851	58.54%
<b>Total</b>	<b>22,055</b>	<b>13,565</b>	<b>35,620</b>	

\*Figures up to 31<sup>st</sup> May 2015



### HOW TO PAY

- 1. ONLINE:** Visit our website [www.cheshirewestandchester.gov.uk](http://www.cheshirewestandchester.gov.uk) and click on the links to make an online payment. Please ensure you have your card details and Penalty Charge Notice to hand.
- 2. BY TELEPHONE:** Payments can be made by calling 0300 123 7029. Please ensure you have your card details and Penalty Charge Notice to hand.
- 3. BY POST:** Cheques/Postal Orders to be made payable to Cheshire West and Chester Council. Please write the Penalty Charge Notice number and your vehicle registration number on the reverse of the cheque. Send your payment together with the slip below to: Parking Services, 4 Civic Way, Ellesmere Port, CH65 0BE allow 2 working days for first class post and 5 for second class.

### WHAT HAPPENS IF NO PAYMENT IS MADE

A failure to pay this PCN within the 28-day period may result in a Notice to Owner being served by this Authority on the owner of this vehicle. This could result in an increased penalty charge

### HOW TO CHALLENGE

**Informal challenge:** You must send your appeal to the Council within 28 days of receiving your charge in order for your appeal to be considered. If you challenge this PCN within 14 days, and the challenge is rejected the council will usually re-offer the 14 day discount period. All challenges will be considered. To appeal online visit [www.cheshirewestandchester.gov.uk](http://www.cheshirewestandchester.gov.uk). Or send a written appeal to the postal address above.

**Notice to Owner:** Where the PCN has not been paid within 28 days, or successfully challenged, and a Notice to Owner has been issued by this Authority, any representation made concerning the issue of a Notice to Owner must be made in writing to the postal address above within 28 days of the service of the Notice to Owner for that representation to be considered. If these representations are rejected the owner may appeal to an independent adjudicator. The NTO will contain instructions for doing this.



## PCNs by street:

Below shows the top 20 streets where PCNs have been issued. These include car parks, residential parking and various zones for on-street parking.

On Street	Issued	Paid	Cancelled	Outstanding
St Werburgh Street, Chester	784	623	93	68
Weaver Street 30/30, Chester	763	639	41	83
Bridge Street, Chester	731	545	133	53
Service Road four, Winsford	701	567	59	75
Lower Bridge Street 30/30, Chester	637	539	25	73
Volunteer Street Residents Parking 10/60, Chester	597	530	26	41
City Road 60/60, Chester	557	476	29	52
Weaver Way, Northwich	524	450	49	25
Market Car Park Pay on Foot, Chester	511	404	81	26
Commonhall Street Residents Parking 30/60, Chester	425	386	17	22

Off Street	Issued	Paid	Cancelled	Outstanding
Town Centre Car Park, Ellesmere Port	3,045	1,943	795	307
Trinity Street Car Park, Chester	1,358	1,002	249	107
Gorsestacks Car Park, Chester	1,228	859	291	78
Frodsham Street Car Park, Chester	850	496	260	94
Market Car Park, Northwich	819	710	41	68
Little Roodee Car Park, Chester	746	398	282	66
Cuppin Street Car Park, Chester	615	421	134	60
Victoria Club Car Park, Chester	541	390	134	17
Market Car Park Pay and Display, Chester	499	308	158	33
Civic Centre Car Park, Ellesmere Port	490	293	150	47

## Statistics:

The largest number of PCNs issued overall was for the breach of contravention 30; Parked for longer than permitted. This shows this is the on-street parking is where the majority of problems arise.

Though the majority of problems arise regarding free on-street parking, off-street parking also has its concerns.

Contravention 83, parked in a car park without clearly displaying a valid pay and display ticket, voucher or parking clock, sees the third most PCNs issued. The council give a 'grace' period for drivers to get back to their vehicle in pay and display car parks in the borough once their time has lapsed. This means there is a 10 minute 'grace' period from the time of the ticket's expiry.



In certain areas, where parking restrictions apply, for example yellow lines, a vehicle will be observed to establish whether an exemption applies, such as loading/unloading.

Our Parking Enforcement team strives to be fair by ensuring public safety whilst creating a hassle-free environment for members of the public.

The three most breached contraventions are:

1. 30 – Parked for longer than permitted
2. 01 – Parked in a restricted street during prescribed hours
3. 83 – Parked in a car park without clearly displaying a valid pay and display ticket

These contraventions make up roughly 65.32% of all PCNs issued in the 2014/2015 annual year.

One of the three most common contraventions is a higher band PCN. Contravention 01 of the higher band makes up 23.16% of overall PCNs, just over half of overall higher band are collected simply from one contravention.

However, the lower band sees the most PCNs issued and contravention 30 is 28.28% of overall PCNs; roughly half of the lower band PCNs.

With the welcomed addition of our premium Delamere Street car park, along with the instalment of pay on exit machines for seven other car parks, enabling visitors more time for their leisure, contravention 83 (Parked in a car park without clearly displaying a valid pay & display ticket) will decrease over the next period.





This will free CEOs time to spend on-street to ensure the free flow of traffic as previously mentioned, along with the safety of pedestrians and the disabled.

## Payment:

Number of paid PCNs issued in 2014/15:

	<b>On Street</b>	<b>Off Street</b>
Number of PCNs paid at discount	12,805	6,839
Number of PCNs paid after discount	5,399	2,724
<b>Total value</b>	<b>18,204</b>	<b>9,563</b>
Total % Paid at discount	69%	72%
% paid after discount	31%	28%
<b>Overall % against PCNs</b>	<b>83%</b>	<b>70%</b>

\*Figure of paid: up to 25 August 2015\*

Overall, just under 78% of all PCNs issued in this period have been paid. Nationally, the percentage of total PCNs paid is approximately 70%. We are therefore higher than the average, showing the efficiency of our Parking Services team.

We also encourage payment at the discount rate to save the public money, which the table demonstrates.



## Challenges:

If an individual has received a PCN and they feel they have not contravened, or they have plausible reasons why they did, they can submit an appeal.

The appeals process is a civil matter and does not require any legal counsel. The appeal must be made to Parking Services at the Council online, through e-mail or a written letter. All these details will be found on the back of the PCN notice.

The stages for appeal are:

- Informal Challenge: Made within 28 days of issued PCN
- Formal Representation: If the initial challenge is not paid within 28 days, a Notice to Owner is sent to the Registered Keeper of the vehicle which was issued with the PCN. This informs the owner of grounds for appeal under this stage.
- Traffic Penalty Tribunal: If the Formal Representation is rejected and the appellant is still unhappy with the decision made, they can appeal to the Independent Adjudication service. For this process to be granted, it must be made within 28 days of served rejection by the Council from Formal Representation.
- If the PCN has not been paid within 28 days of the Notice to Owner being issued and no representation or appeal is being considered then a Charge Certificate will be issued. This will increase the Penalty Charge from £70/£50 to £105/£75.
- Failure of payment will then see the procedure reach the County Court, where a registration fee will apply.
- Further failure of payment once the matter has been decided will see the approach of bailiffs to seek payment, which will include their own costs and any additional charges.

It should be noted, the Council will take into account the CEO's actions in issuing the penalty charge but will always give challenges and representations a fresh and impartial consideration. This process takes place at the Parking Services office by a fully trained and qualified team. The process is prescribed within legislation and by adhering to it; the Council is fulfilling its duties in accordance with the regulations set.

The Council provides full guidance on reasons given for receiving a PCN. This can be found on our website and is outlined on the next page.



## Statutory exemptions:

Statutory exemptions apply to emergency vehicles. If emergency vehicles are given PCN, they will be cancelled. In reality, this is highly unlikely due to the extensive training our CEOs are given regarding exemptions. However, it should be noted emergency vehicles should only be parked in a restricted area, for example, on double yellows, when they are on duty.

Another statutory exemption is loading and unloading. Vehicles have access to load and unload during permitted hours in certain areas such as Watergate Street in Chester city centre. However, if a vehicle is loading and unloading on double yellows they are exempt, providing the activity is continuous. An example is a unceasing action where it would normally require a vehicle to be present due to the nature of the goods being loaded.

Examples of the types of exemptions for loading/unloading are;

- Removal vans
- Builders

Examples where loading/unloading is incorrectly used and will not be tolerable:

- Leaving vehicle to pick up documents or any such actions similar

## First Occasions:

'First occasions' is where a vehicle has not displayed their blue badge, pay and display ticket or permit correctly but have had their PCN cancelled. There are several reasons cancellation can ensue;

- Because evidence was provided to support their claim
- If the evidence proves the individual did have a valid ticket or blue badge.
- Individual has no previous history of PCNs
- Or evidence can be provided for exceptional circumstances

## Mitigating Circumstances:

Mitigating circumstances can be broken down into two categories, foreseeable circumstances and unforeseeable circumstances (avoidable/unavoidable).

### Foreseeable:

These are circumstances where the driver was aware of the possibility of a contravention happening but chose to ignore or disregard it.



In each of these circumstances below, a PCN will not be cancelled:

“Other vehicles were parked incorrectly at the same time”

“I didn’t see the signs”

“I’m sorry can you let me off just this once I haven’t done it before”

“My appointment overran and I couldn’t make it back in time”

“I assumed the restriction did not apply on a Sunday/Bank holiday”

**Unforeseeable:**

These are mitigating circumstances which are beyond a drivers’ control. Providing proof can be obtained, the Council will consider cancelling where a situation has arisen causing the contravention to occur. An example of this would be a medical emergency

**Challenges**

**Informal Challenges shown below**

	Mobile CCTV Vehicle	Issued by CEO	Totals
On Street	1	3,353	3,354
Off Street	0	4,027	4,027
Grand Totals	1	7,380	7,381

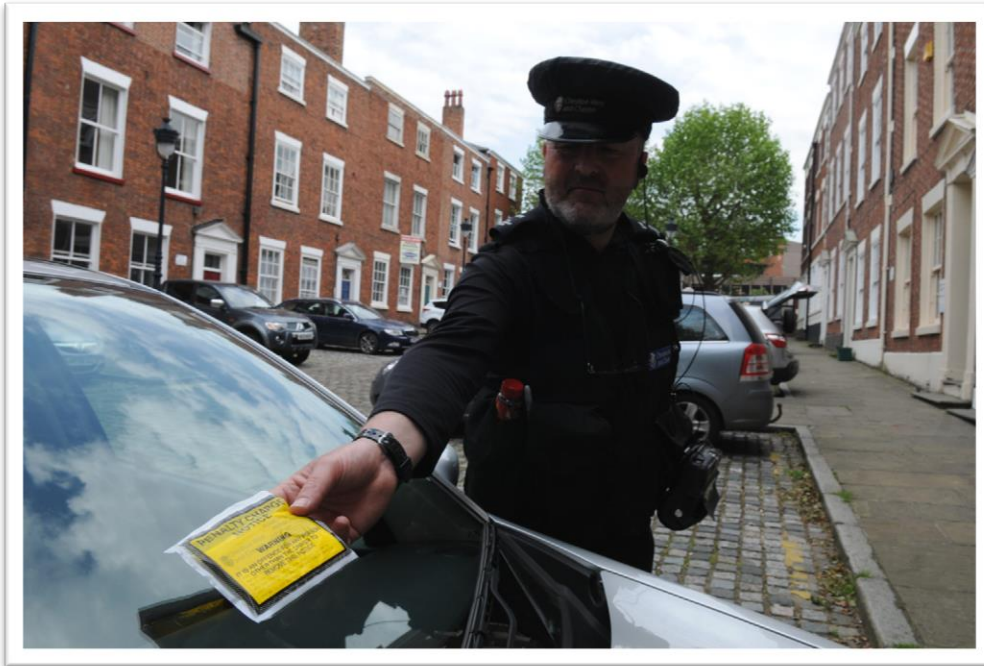
**Formal Representation**

	Mobile CCTV Vehicle	Issued by CEO	Totals
On Street	0	546	546
Off Street	11	932	943
Grand Totals	11	1,478	1,489

\*- PCN issued: 2014 – May 2015



<b>Exemptions</b>	<b>Issued</b>	<b>% Issued of Overall PCN</b>
Mitigating Circumstances	1296	3.64%
Standard Exemptions	325	0.91%
First Occasion	2588	7.27%
CEO Error	353	0.99%
Processing Error	61	0.17%
<b>Total</b>	<b>4623</b>	<b>12.98%</b>





## Vale Royal Enforcement:

November 2013 saw the introduction of parking restrictions in the former Vale Royal area i.e Northwich, Winsford, Frodsham etc. During the first six weeks, following the introduction of enforcement, warning notices were issued (rather than PCNs) and CEOs spoke to local residents, businesses, pedestrians and motorists to explain the change as well as the importance of parking correctly.

On 2 January 2014, enforcement by way of PCNs was introduced.

From January to March 2014, 2,364 PCN's were issued in this area, justifying the need for correct enforcement. Within such a short space of time many contraventions occurred. However, because of the due diligence of our enforcement team and our efforts working with the public, these have now decreased dramatically.

The following year saw the huge reduction to 1,402 PCNs, opposed to the previous year within the same months. This has shown the work undertaken by parking services has been effective and the public have responded to the new management.

To achieve this, the Council used a number of ways to communicate with residents. These included a series of media releases and leaflets being distributed in the local community, along with visits to local businesses.

We also spoke to the National Disability Authority to advise them of the restrictions and explain the new regulations. This was to ensure safety making sure disabled residents and visitors were aware of suitable parking facilities.

From January to March 2015, 962 fewer PCNs were issued. This averages at 10 PCNs per day. In such a large area, this is a huge improvement and one which the public has been instrumental in reducing.





## Events Parking:

Many excellent events take place in the borough each year and Parking Services actively supports them.

One of the main reasons for our involvement is to ensure our car parks are operational and working effectively where large numbers of visitors are expected. If this means we have to open car parks earlier to facilitate earlier starts, then we open earlier! Staff in Parking Services balance their shifts to assist with selected events.

The CEOs actively work with the event team for key events to ensure appropriate parking is maintained and a dialogue is developed to manage the road network in a safe and correct way.

This serves as a benefit to the community and the event team itself, as people adhering to parking restrictions ensures the event runs smoothly and safely without any interruptions.

Some events require a number of road closures. One such event is the Chester Half Marathon. The Parking Service team provide support to those affected in the restricted area or those who need access for any reason.

An example of this is the support of the Chester Cathedral, granting them access to free parking where blue badge holders and essential staff are displaced due to an event. This shows our efforts to minimise disruptions while actively co-ordinating and supporting events properly.

We have also closed car parks in Ellesmere Port, Northwich, Winsford and Chester to enable them to be used for a safe delivery space. This benefits the community, justifying the small loss of income and we ensure other car parks remain available and maintain a service for users, as the remaining car parks still maintain a service.

An example of this was the closure of a selected car park in Northwich for the Pedal Power Cycle event. This was then used for the start of the event together with the event village.

Parking services supports events using essential parking dispensation on the street to ensure enforcement can be maintained and is in line with regulations. We allow for vehicles to be parked in prohibited zones with a valid dispensation permit as we understand there is a lack of parking on certain event days.

Enforcement is maintained for public safety and reassurance for residents. Park & Ride services are also modified to fit the needs of events. They are supported above and beyond their normal, high levels where there is a need.

Whether large or small, each event is given the appropriate consideration to ensure an efficient and effective service is provided.



An example was the event for the Olympic Torch in 2012. This saw the full rerouting of all services in the Park & Ride along with an extension of service times to fit customers' needs.

An additional service was used for the recent Chester Half Marathon. This involved implementing an earlier starting time for the Park & Ride to experiment for the future growth of the event. Chester Half Marathon has only been running, pardon the pun, since 2010. Five years isn't a long period for a race as they can be maintained through decades, so future growth of the event is inevitable.

For other events such as the Motorbike Event, or the pending Dragon Boat Festival, a smaller use of the Park & Ride and other bus services releases parking pressure in further sites. In addition, preferential rates for the Deva Triathlon were sanctioned for car parking on Little Roodee car park.

This shows Parking Services aims to free up accessibility for events. Though some events do hinder parking services revenue on the day, we support events in their entirety, as the community as a whole takes priority. An example of this was the closure of a car park in Ellesmere Port for the building and subsequent parading of the Giants' Festival.







## Permits:

Cheshire West and Chester Council issue many types of permits, full details of which can be found online. Below are the most popular permits for Cheshire West and Chester.

### Chester residents' parking permit:

To qualify for a permit you must:

- Permanently reside at an address within the relevant parking zone
- Own or have the regular use of non-commercial car or a car-sized van

It should be noted there is no automatic entitlement to a permit or renewal of permit. They will be considered at the Council's discretion. However, there are priority levels which Parking Services introduced and abide by.

During 2014/15, extensions to our existing residents parking scheme in Chester were made. In 2015/16 further similar schemes will be introduced. These schemes are introduced at the request of residents who may be suffering from effects of inner city traffic relating to available parking. Full consultations are carried out by the Council and if the area is suitable for a scheme and the required level of support is met, the parking permits will be implemented in the designated area.



### Ellesmere Port residents' parking permit:

Residents parking permits are very popular in the Ellesmere Port area. They have the greatest number of permits in the whole borough. This is due to the fact Ellesmere Port is a residential area. This is different to an area such as Chester, where there are fewer residential permits, with dispensation permits being popular.



## Attendance Permits

Attendance permits are issued in residents' parking areas in Chester and are strictly for caring purposes. In order to qualify for an attendance permit, you must be a family member or caring professional who needs to visit a resident to provide care or medical support for them.

These are vital to ensure the health of residents, therefore, the Council provides these when needed to provide safety and security to residents in the borough. The cost of an attendance permit is just £12. It is a small amount due to the necessity and significance of an individuals' well-being.

## Dispensation permits:

The Council allows a limited number of commercial vehicles to park with a dispensation permit in locations where otherwise they would be in contravention of parking restrictions. But, only where the vehicles are essential to enable the following works to be carried out:

- Maintenance, building, excavation and demolition works
- Furniture removal
- Glaziers involved in emergency repair work
- Plumbers, electricians and gas fitters on emergency call outs

The Council, as well as Parking Services, likes to welcome as much work to the area as possible for local businesses to thrive and add opportunities for the community.

We grant dispensation permits for television production companies, as this can only be a benefit to the city and the surrounding borough, due to the tourism it will attract and the revenue it will generate.

## Charges for a permit are:

- One day: £10
- Two days: £20
- Three days: £50
- Four days: £70
- Five days: £90

Permits must be requested at least five days before the work is due to start.



## Season tickets

There are six central car parks in Chester, along with four in Ellesmere Port, which a season ticket can be purchased for, these are:

Chester: Market, Frodsham Street, Little Roodee, Watergate, Garden Lane and Brook Street.

These can be purchased annually, on a six-month contract or paid each month. There are also two types of ticket options available. These are for 7 days or 5 days a week parking.

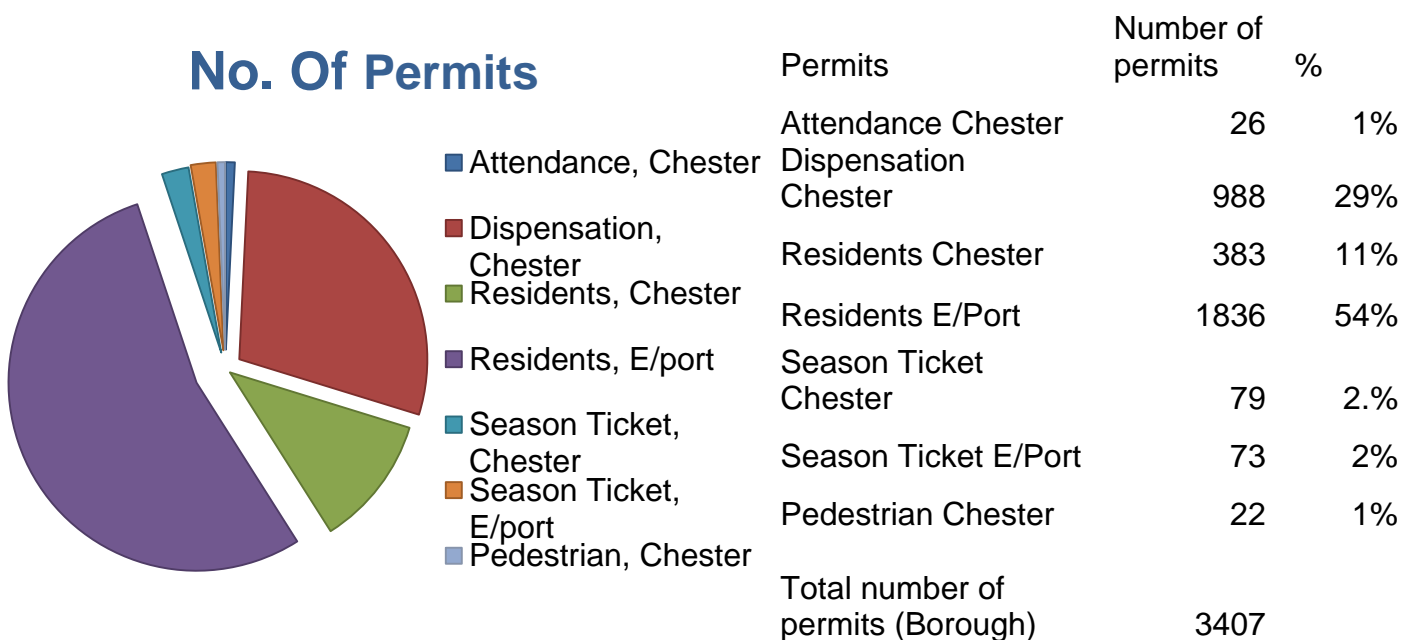
Ellesmere Port: Civic Centre, Shrewsbury Road, Wellington Road and Westminster Road.

Further flexibility is available here as permits can be valid for various days. For example, if your work pattern is Monday, Tuesday and Friday, your permit and charges will reflect this.

In addition, there is an option to pay monthly. However, for season tickets in Ellesmere Port, there are certain restrictions on monthly payments for some contracting periods.

All payments can be made via invoice or card payment. Please see the Council website for additional information.

Below is a chart showing the weighting of permits within the whole borough, relevant to their classification:





## Traffic Regulation Orders:

A Traffic Regulation Order (TRO) is a legal document made by the local authority under the Road Traffic Regulation Act 1984 and all other enabling powers, to support any enforceable traffic or highways measures to control traffic, parking and movement.

Failure to comply with the requirements of a TRO, as indicated by signs or road markings, is a contravention and may result in the issue of a PCN.

A TRO enables the local authority to introduce parking restrictions, speed limits, one-way streets, width and weight restrictions, vehicular access and turning, or for required maintenance and special events.

A total of 30 TROs were written in the year 2011/12, rising to 36 for the year 2012/13. This annual year, 2014/2015, there were 18 TROs in the Chester area, 4 in the Northwich and Winsford area and 92 in the Ellesmere Port area.

Most TROs arise as a result of input from the local communities and the emergency services, to address specific traffic congestion, health and safety, or quality of life issues.

TROs are mainly dealt with by the Council's Highways team, however, Parking Services process parking permits which are considered TROs.

Highways use temporary TROs for large events, which are then enforced by Parking Services to ensure the safety of the public.

They are a necessity in parking, as failure to implement TROs in an area which needs them will have a detrimental effect on drivers and pedestrians. For example, pedestrian crossings and school keep clear markings. These ensure the safety of vulnerable road users.

This shows how important TROs are, though many people would not realise what TROs cover or be able to explain what a TRO is. However, most people will encounter them and their benefits on a daily basis.



Cheshire West  
and Chester

## Legislation:

Parking Services is governed by many Acts of Parliament to ensure safety and fairness. Each is pivotal in the manner parking is enforced. These tie departments together, both the CEOs and the processing staff, each following guidelines and regulations appropriately.

The main Act our enforcement is governed under is the Traffic Management Act 2004. In this Act, Schedule 8 Part 2 applies to enforcement outside Greater London. In addition, Part 6 of the same Act of Parliament explains civil penalties for road traffic contraventions.

Part 6 of the Traffic Management Act 2004 implemented on 31 March 2008 also saw the introduction of differential charges for PCNs.

This is a regulation we have abided by as we have installed a strategic procedure relating to discounted rates, full rates and delayed payment rates.

Under Section 82 of Traffic Management Act, relating to the enforcement of penalty charges, The Lord Chancellor can make provisions for certificated bailiffs under for the execution of warrants. These can include recovering fees and expenses and any security required for bailiffs. This will apply if a PCN is not paid and all stages have proceeded, as mentioned earlier in the report.

Section 94 of the Traffic Management Act 2004 introduced the 'power to inspect' Blue Badges for police officers, traffic wardens, local authority parking attendants and civil enforcement officers. Our CEOs are classified as 'authorised officers' under section 76 of the same Act. This makes it an offence for an individual to refuse to produce a badge when asked by any of these authorised persons. However, this power can only legally be exercised when a person is in the vehicle or when leaving or, returning to a vehicle displaying a badge.

Any evidence of blue badge misuse is recorded and subsequently, monitored.



## Traffic Penalty Tribunal (TPT):

The last platform an appeal can take place is a Traffic Penalty Tribunal (TPT). This can be sought once the initial challenge has been rejected and all relevant processes have been exhausted.



The appellant can make a claim to the Independent Adjudication Service once their formal representation has been rejected. They must apply for this within 28 days of the formal representation being rejected by the Council.

The appellant has three choices when taking this course of action. They can either submit an appeal in writing or attend a hearing to submit their case. Alternatively, they can request a telephone hearing which will usually last around 15 minutes; evidence has to be gathered and sent to the IAS for the adjudicator to oversee before the tribunal takes place in all actionable processes.

Evidence will be gathered by both parties prior to the hearing to give the adjudicator sufficient time to read through the case.

Below are two tables regarding TPT outcome.

On Street	Total	Overall Outcome	Total	% of Appeal
Allowed	11	Allowed	15	18%
Not Contested	15	Not Contested	22	27%
Open	8	Open	12	15%
Rejected	17	Rejected	31	38%
Totals	51	Withdrawn	2	2%
<b>Off Street</b>		<b>Total</b>	<b>82</b>	
Allowed	4	% from overall PCN	0.2%	
Not Contested	7			
Open	4			
Rejected	14			
Withdrawn	2			
Totals	31			
<b>Grand Totals</b>	<b>82</b>			

\*Figures up to 25 August 2015

As you can see, together there were only 82 appeals to TPT.



Broken down, this was only 0.2% of the total issued PCNs.

This is an exceedingly low percentage, showing the effectiveness of the Council and our team who deal with challenges.

It also shows the majority of PCNs which proceed to TPT are rejected. This, once again, shows how efficient the parking services team performs.



## Income and Expenditure

### Income and expenditure for the financial year 2013/2014

#### Income and Expenditure Account

	On Street £	Off Street £	Total £
<b>Income</b>			
Penalty Charge Notices	611,287	272,711	883,998
Residents Parking Permits	29,947	0	29,947
Dispensation Permits	12,934	0	12,934
<b>Sub-total</b>	<b>654,168</b>	<b>272,711</b>	<b>926,879</b>
<b>Expenditure</b>			
Staffing			750,947
Transport			10,123
ICT & Stationery			17,526
External Professional Services			155,192
<b>Sub Total</b>			<b>933,788</b>
<b>Net Deficit/(Surplus)</b>			<b>-6,910</b>

### Income and expenditure for the financial year 2014/2015

#### Income and Expenditure Account

	On Street £	Off Street £	Total £
<b>Income</b>			
Penalty Charge Notices	700,409	369,407	1,069,816
Residents Parking Permits	35,560	0	35,560
Dispensation Permits	11,492	0	11,492
<b>Sub-total</b>	<b>747,461</b>	<b>369,407</b>	<b>1,116,868</b>
<b>Expenditure</b>			
Staffing			888,662
Transport			17,121
ICT & Stationery			159,380
External Professional Services			66,797
<b>Sub Total</b>			<b>1,131,959</b>
<b>Net Deficit/(Surplus)</b>			<b>-15,091</b>

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 cost. In 2014/15 over 98% of the costs of enforcement were met by income, resulting in a small loss which represents 1.35% of the total income.



