


Annual Parking Report 2018/19



 @Eastherts

 EastHertsDC

 easthertscouncil

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Introduction from Cllr Graham McAndrew

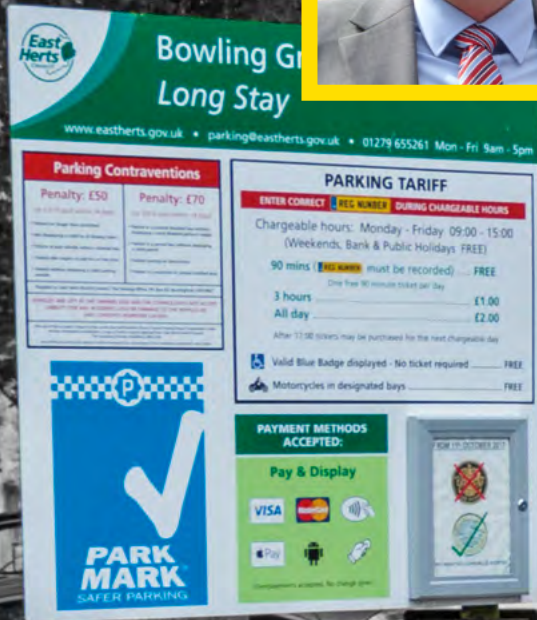
It is my pleasure to introduce East Hertfordshire District Council's tenth Annual Parking Report.

The use of parking enforcement in our district is an effective tool used to balance the demand for parking whilst ensuring free traffic flow, improving the local environment as well as supporting the local economy.

East Herts Council is committed to promoting healthier more environmentally friendly alternatives to the car and encourage sustainable travel choices wherever practicable. The cost and availability of parking in the district is an important influence on the type of car journeys made and we will continue to ensure that parking requirements support accessibility for all residents.

During the course of the year East Herts Council has conducted a Task and Finish review on policy areas due to increased demand on:

- Town centre parking policies, focussing on Bishop's Stortford and Hertford, but looking also at the needs of other towns and villages
- Resident Permit Zone (RPZ) policy
- Parking standards within planning policies
- Climate change/sustainability implications of parking policy





About East Herts

East Hertfordshire is the largest of the ten districts in Hertfordshire. It covers 184 square miles, approximately a third of the county and offers a blend of rural and town living. 148,100 people live in the district.

Half of the population lives in the three largest market towns in the district; Bishop's Stortford (40,100) Hertford (28,200) and Ware (19,900).

Sawbridgeworth (8,800) and Buntingford (6,200) plus more than 100 villages and hamlets scattered across the area making up the remainder.

East Herts is an affluent area. Qualification levels are high, with a quarter of people educated to degree level or higher.

The economy consists predominantly of micro and small businesses (97%) with a few key businesses that play a significant role in the economy. People are predominantly employed in managerial or professional occupations and enjoy higher than average earnings. Unemployment is very low at 1.9%

Car ownership is very high in East Herts with over a third of households owning two or more cars. The high usage of private transport in the district has had a detrimental effect on public transport services which have been dramatically cut due to the lack of use and therefore making the motor vehicle much more necessary in the district.

Source: 2001 Census, ONS

Local Factors

The close proximity of residential roads to town centres and train stations has resulted in the implementation of various resident permit parking zones in the three main market towns in the district. Parking restrictions in these roads has had the desired effect of preventing commuter parking on-street and many vehicles have migrated to pay and display car parks.

This migration, though welcomed by affected residents has had implications on town centre businesses as shoppers and visitors to the town are now faced with lack of car parking availability in the town centres.

Many of the resident permit schemes in place in the district were introduced more than ten years previously. The changes to the town, its car parks, businesses and general population increase has necessitated a full review of the parking service which is currently being undertaken by a working group of Councillors and local stakeholders to put in place a plan for the future of parking in East Herts. In Bishop's Stortford, the proximity of Stansted Airport to the town has further impacted car parking in residential roads. Passenger growth has gone from 17 million per annum in 2009 to 28 million per annum in 2019 and steadily growing with more international destinations being added.

East Herts has adopted its own Parking and Transportation Strategy in which the Council has set out the following aims:

- Maintain car parking income
- Ensure users pay for the parking service rather than the council tax payer
- Continue to explore new technologies to improve the overall convenience of parking in East Herts
- Seek where possible and appropriate to match parking capacity with demand.
- Continue to develop and implement parking solutions that reflect local needs
- Maintain the economic vitality of towns in East Herts when developing parking services

The Council's strategic ambition for its parking service is summarised as follows:

- East Herts subscribes publicly to the traffic management objectives of CPE set out above and commits to operating its parking management and enforcement service in ways that deliver against these objectives.



Mon - Sat
8.30 am - 6.30 pm

The Parking Service

As a two tier Authority, East Herts Council has different responsibilities on-street (public highway) and off-street (car parks).

Hertfordshire County Council retains accountability for the public highway such as inputting new road markings, lighting, resurfacing etc. East Herts Council has entered into an agreement with Herts County Council to enforce all parking restrictions in the district.

The parking office receives and encourages engagement with all areas of the community. A generic parking email address is available for any member of the public to contact us regarding any parking related issues and these emails are answered on a daily basis.

The parking service is not just about issuing parking tickets, our priority is to reduce congestion, promote safety, improve air quality and work in partnership with other members of the community to provide a more efficient road network.

East Herts Council manages all aspects of the off-street car park operation details of which can be found <https://www.eastherts.gov.uk/highways-parking/details-our-car-parks>

There are several resident permit parking schemes within the district which are managed by the Parking Service. Details of these can be found at <https://www.eastherts.gov.uk/highways-parking/resident-parking-permits>

Early 2019, the parking service launched a new online permit system which allows eligible residents to purchase permits and vouchers via the internet making this service much more accessible for our users.

The start of the year also saw a change in the way that the district's schools were patrolled. Previously, one Civil Enforcement Officer was employed to visit all schools at drop-off and pick-up times. East Herts has more than seventy schools throughout the district and one member of staff attempting to visit numerous schools over such a large area was not feasible.

As many patrol routes as possible have now been amended to include nearby schools and the officer on these patrol routes is responsible for ensuring that these schools are visited at drop-off or pick-up times to maintain maximum coverage.

We also work in partnership with the police and have carried out some targeted patrols at various schools. The aim of these sessions is to educate motorists on safer parking outside schools demonstrating the importance of road safety for our children.

Our Parking Services Team comprises an enforcement team of civil enforcement officers deployed from 2 areas based in Hertford and Bishop's Stortford. A central team of appeals officers consider challenges and appeals to Penalty Charge Notices (PCN) and oversee the management and issuing of on street permits. Our deployment prioritises schools, town centres and main routes where free flow of traffic is essential.



It also recognises the needs of communities where a high demand for turnover of on street spaces plays a vital role in maintaining economic viability. The service recognises the challenges for the modern high street and sees the management of parking as a supporting complimentary service; ensuring parking is available to customers giving a high turnover, whilst maintaining clear passage and access for deliveries and loading.

Our approach to parking enforcement is consistent, transparent, and informed by national best practice (including feedback received from the Traffic Penalty Tribunal).

The issue of a PCN is a last resort with officers preferring to move on drivers whenever possible. Our goal is to assist people to park; pick up; set down; load or unload conveniently and lawfully, to make our towns and villages accessible to everyone.

We continue to review beat patterns to further enhance our service. Ensuring we attend when most needed and can respond to changing local needs. Enforcement can be requested by email at parking@eastherts.gov.uk

Our team of Civil Enforcement Officers are available to ensure that parking restrictions are adhered to by all drivers.

Our officers are not paid commission on the amount of PCNs issued; their performance is measured on their time patrolling on-street, the amount of times specific locations with known traffic problems are patrolled, quality of PCNs issued and other traffic related performance indicators.

The conduct of CEOs is closely monitored to ensure that they are appropriate ambassadors for the Council.

Dealing with challenges and appeals

A PCN is issued by a Civil Enforcement Officer (CEO) based on the facts available at the time. This does not automatically mean that a vehicle is parked in contravention just that the officer believes that a contravention has occurred. The multifaceted nature of a PCN and the options and circumstances which can decide whether a vehicle is parked in contravention means that it is necessary to have an accessible back office team to deal with the administration of challenges.

The consideration of challenges is carried out by the notice processing team. The officers are trained to provide a fair and consistent approach and they will consider the circumstances given and the evidence collected by the issuing officer and make decisions on a case by case basis.

All recipients of a PCN have the opportunity to dispute the issue of a penalty if they feel that the PCN has been issued incorrectly or there are mitigating circumstances to be considered.

Challenges can be made online, by email or by post. There must be an auditable record of the challenge so challenges made by telephone are not accepted.

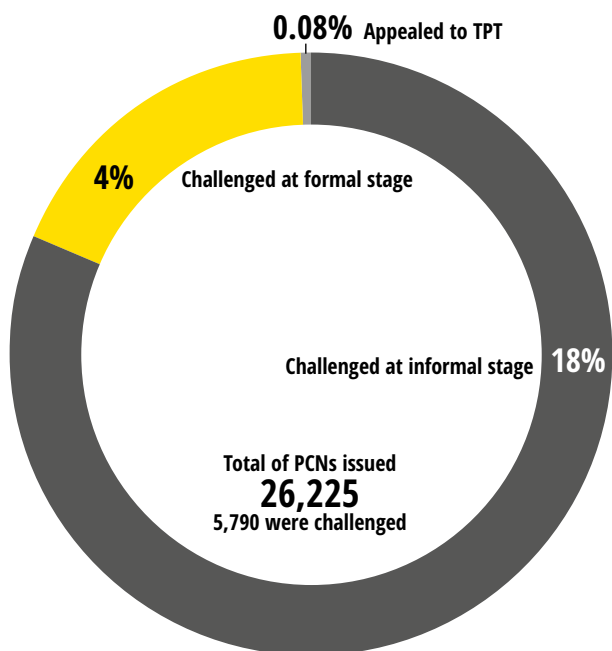
As soon as a challenge is received, the case will be placed on hold and the charge will not increase until a Notice Processing Officer has considered the case and responded to the sender.

There are three stages to the appeal process

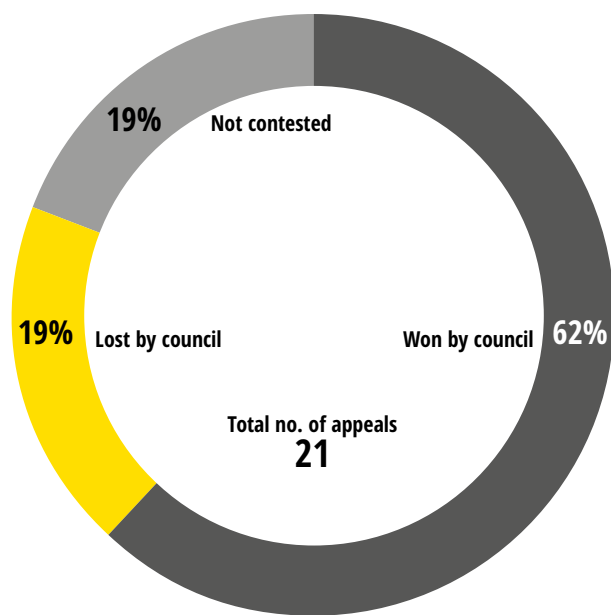
- 1** Informal challenge – This is when correspondence is received within 28 days of issue. Anyone can make a challenge against the issue of a Penalty charge notice at the informal stage.
- 2** Formal Representation – 28 days after the PCN has been issued and if it has not been paid or cancelled, the DVLA will advise the council of the registered keeper details. Only the registered keeper can make a formal representation.
- 3** Appeal to the Traffic Penalty Tribunal (TPT) – If the formal representation is rejected, the keeper of the vehicle can make an appeal to the TPT. The TPT is an independent body which provide adjudicators to participate in a formal tribunal hearing and whose decision regarding the PCN is final.

If a PCN remains unpaid or cancelled and continues to progress it may ultimately be registered as a debt and a warrant registered with an enforcement agent to collect the increased outstanding debt including charges.

The number of PCNs in 2018/19 which have received a challenge against issue



Appeal rate in 2018/19



Number of PCNs cancelled following consideration of a challenge.

Cancellation reason	PCNs
Cancelled due to general reason	1,276
Cancelled with warning	617
Cancelled due to a user error with car parking machines	604
Cancelled using Council discretion	491
Cancelled blue badge provided	334
Pay & display ticket produced	249
Pay by Phone user error	246
CEO error	116
Proof of loading/unloading submitted	90
Run out of time as per statutory timescales	74
Company in liquidation	69
Vehicle driven away	58
Handheld machine malfunction	42
Vehicle has been cloned/stolen	32
Problem with resident permits	30
Prevented from issue	19
Signs and lines error	19
Cancelled due to medical grounds	10
Write off reasons	
No trace from bailiff	1,278
No trace from DVLA	467
Foreign vehicle	126
Total	6,247



It is important to emphasise that the Council's cancellation of a PCN does not mean it should not have been issued in the first place. There are many scenarios where a CEO is correct to issue a PCN based on the evidence available at the time, but where the Council quite correctly cancels the Notice upon receipt of additional evidence from the motorist as to the circumstances that led them to park as they did on the day in question. A common example relates to loading or unloading. From the evidence available at the time a CEO standing next to a vehicle parked in apparent contravention may not know that this exempt activity is taking place. In these circumstances it may be necessary for the recipient of a PCN to challenge its issue, supplying such evidence as may be available in support of their case.

There are a number of circumstances where a motorist's activities gain them automatic exemption from the restrictions detailed in a Traffic Regulation Order. For example, fire, police and ambulance vehicles enjoy an automatic exemption when the driver is engaged in official activities.

The general rule concerning Civil Parking Enforcement is that where the council alleges a contravention has taken place it is for the council to establish, on the balance of probabilities that the contravention occurred. The exception to this rule is where the motorist seeks to claim an exemption (such as loading or unloading), in which case the motorist must satisfy the council, again on the balance of probabilities, that they were entitled to the benefit of that exemption at the time the PCN was issued.



New developments

The East Herts parking service has been operating since 2005 when CPE was adopted and East Herts entered into an agreement with Herts County Council. The service has evolved considerably over time in response to statutory changes and customer needs.

The 14 years since 2005 have seen many changes and in order to measure the effectiveness of the current parking service, a scrutiny group was established to review the service. The final report can be seen at <http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=515&MId=3547&J=2>

The population of East Herts will increase from 145,000 (recorded in 2016) to 173,000 by 2037 which is an increase of 28,000¹.

The function of local towns has evolved over the years and town centres are becoming areas for social activities instead of a destination for weekly shopping. Town centres throughout the country are regenerating to become predominantly leisure destinations with shops offering services which are not readily available online such as beauty and hair salons, restaurants, coffee shops and art centres.

The population increase and change to dwell time in our local towns will have an effect on parking habits and East Herts must ensure that parking provision is adequate and fairly proportioned.

January 2019 saw a new partnership with a parking enforcement contractor and a new IT parking system. The IT service offers a virtual permit solution to our permit holders which also included visitor parking and meant that residents did not have to visit council offices to purchase scratchcards.

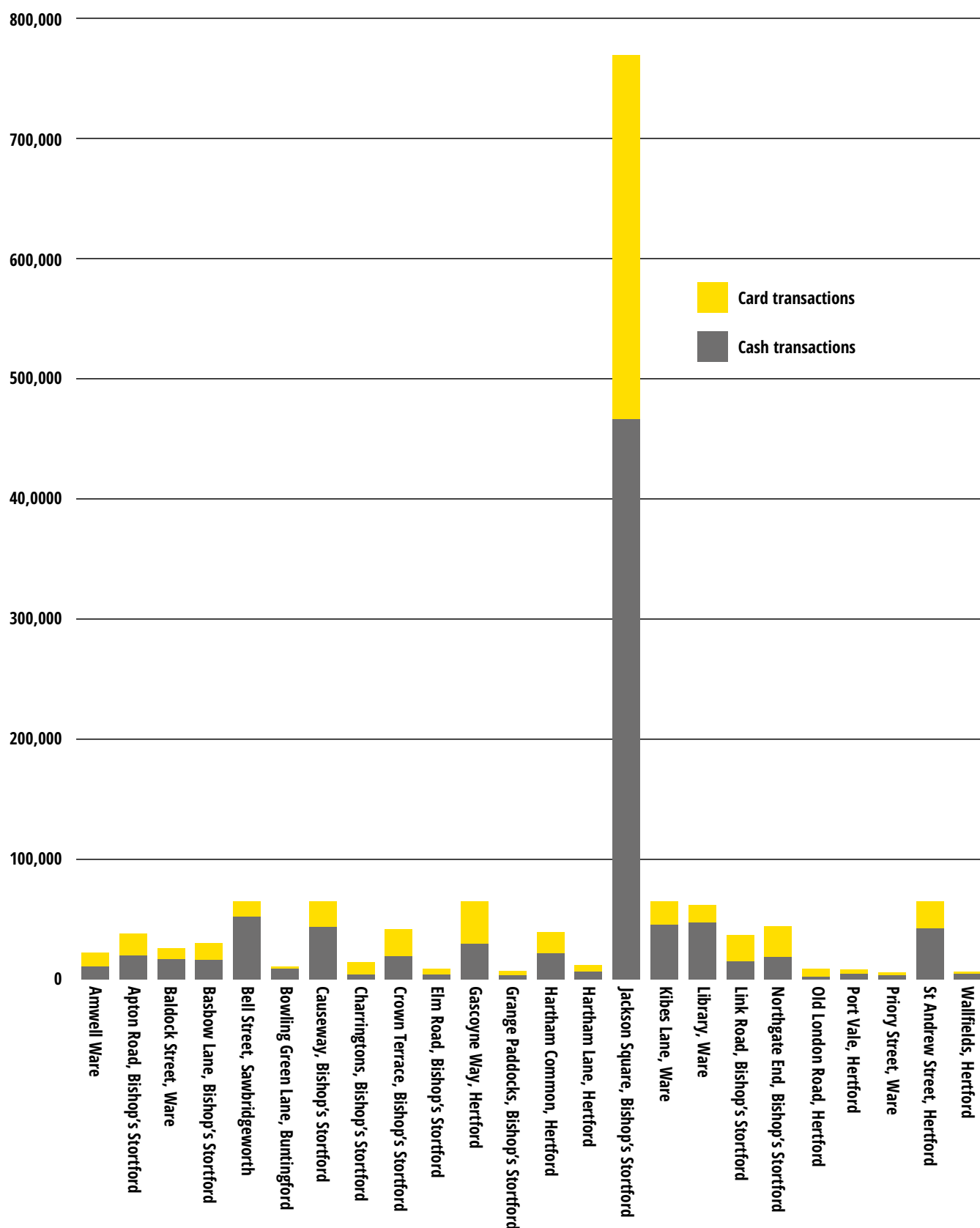
The updated IT system also allows users to make payment of a PCN within minutes of issue whereas the previous payment service had to be updated overnight before a payment of a PCN could be accepted.

The council parking office is open Monday to Friday 8:30 until 17:00. Outside of these hours telephones are not manned and enforcement requests cannot be received. The new contract allows for Civil Enforcement Officers to be contactable outside until 20:00 Monday to Friday and Saturday and Sunday who can respond to enforcement requests.

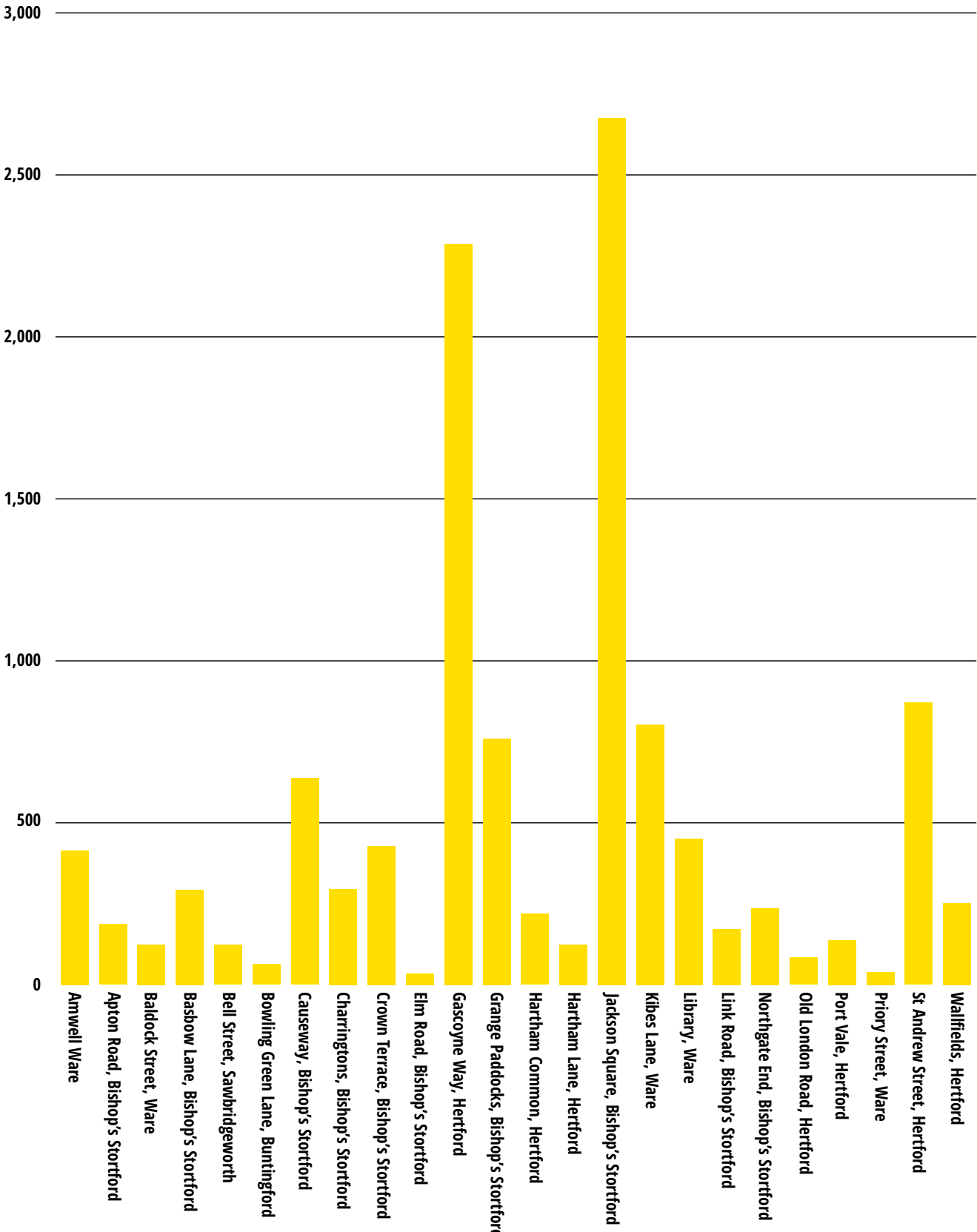
¹ Figures from Hertfordshire County Council.

Off street Car parks

The table below details the total number of paid transactions made by cash and card in our car parks in 2018/19.



PCNs issued in our car parks are detailed below

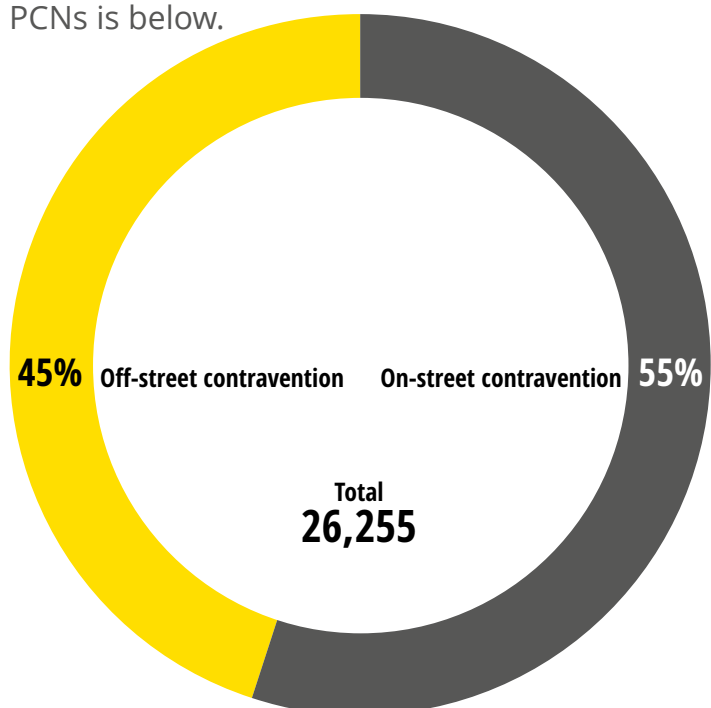


The primary purpose of CPE is to promote compliance with parking controls and improve road safety; therefore enforcement of car parks is of secondary importance to enforcement of yellow line restrictions on the highway, which generally has more pronounced safety issues.

On the other hand, many of our towns and villages rely on visitors to local shops and restaurants. Enforcement in car parks is therefore important, to ensure a regular turnover of vehicles and that car park users pay for their parking appropriately.

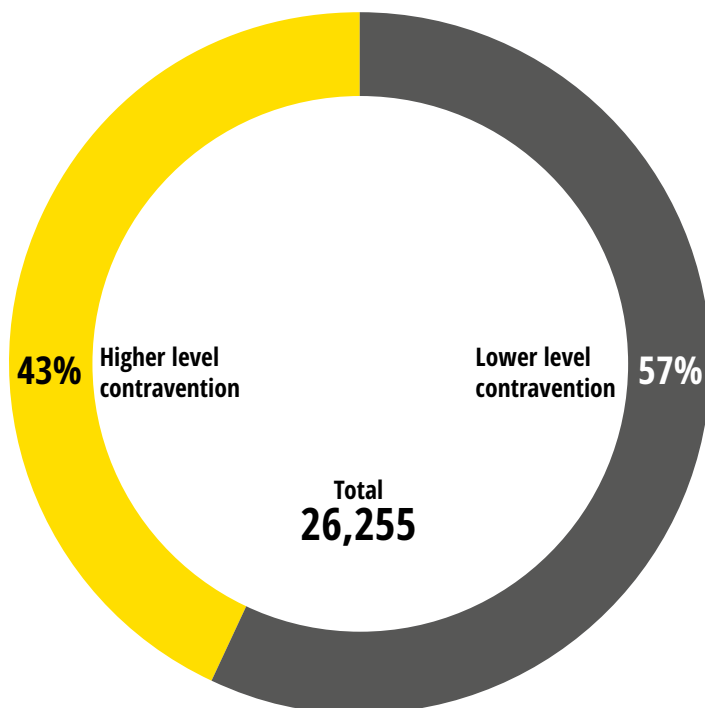
By definition, car parks are densely packed with vehicles; therefore the potential for contravention is greater than on the highway. As a result, there will always be more PCNs issued per patrolling hour in car parks than on street. This can give rise to the erroneous perception that CEOs concentrate on car park enforcement to the detriment of enforcement on the highway. In fact, East Herts requires its CEOs to spend no fewer than 60% of total patrolling hours enforcing on-street parking restrictions. The split of enforcement hours deployed in 2017/18 was % on-street and % off-street.

The percentage split of on-street and off-street PCNs is below.



Contravention codes are split into lower level (£50) and higher level charges (£70). These charges reflect the seriousness of the contravention committed. Higher level contraventions tend to be on restrictions such as yellow lines whereas lower level contraventions tend to be car park and permitted parking contraventions.

The percentage split of higher and lower level PCNs is given in the table below and includes both on-street and off-street (car park) figures



PCNs issued by contravention

Contravention Code	PCNs issued	% of total issued
01 – Parked in a restricted street	5,201	20%
02 – Parked where waiting loading and unloading is prohibited	572	2%
12 – Parked in a residents zone without a permit or visitor time	1,829	7%
19 – Parked in a residents scheme with an invalid permit or visitor time	352	1.3%
22 – Re-parked in the same parking place within the no return period	109	0.4%
23 – Parked in a bay not designated for that class of vehicle	928	3%
25 – Parked in a loading bay without loading/unloading	571	2%
26 – Parked with all wheels more than 50cm from the edge of the highway	41	0.1%
27 – Parked adjacent to a footway, or kerb lowered meet the carriageway	405	1.5%
30 – Parked for longer than permitted	3,431	13%
40 – Parked in a blue badge bay without displaying a blue badge	483	1.8%
45 – Parked in a taxi rank and not a taxi	247	0.9%
47 – Parked in a bus stop and not a bus	173	0.6%
48 – Stopped on school zig zags	61	0.2%
61 – HGV parked with one or more wheels on kerb or verge	38	0.1%
99 – Stopped on a pedestrian crossing	47	0.1%
80 – Parked for longer than permitted	488	1.8%
81 – Parked in a restricted area in a car park	31	0.1%
82 – Parked after the expiry of paid for time	2,266	8.6%
83 – Parked in a car park without purchasing parking time	7,855	30%
85 – Parked in a permit bay in a car park without displaying a valid permit	382	1.5%
86 – Parked outside the bay markings in a car park	369	1.4%
87 – Parked in a disabled bay without displaying a valid blue badge	304	1.1%
90 – Re-parked in the same car park within the no return period	16	0.06%
91 – Parked in a bay not designated for that class of vehicle	56	0.2%
Total	26,255	

On-street

Off-street

Top ten streets for PCNs issued

Street	PCNs issued
Fore Street, Hertford	1,372
South Street, Bishop's Stortford	1,161
High Street, Buntingford	610
North Street, Bishop's Stortford	572
Bull Plain, Hertford	531
Queens Road, Hertford	469
Castle Street, Hertford	303
Riverside, Bishop's Stortford	291
Bell Lane, Hertford	266
Marshgate Drive, Hertford	266

Payment of PCNs

When a Penalty Charge Notice is issued, a 50% prompt payment discount is offered if paid within 14 days of issue of the PCN. Following the 14 day period the penalty charge reverts to its full value.

The charge will increase by a further 50% of the full charge if payment is not received after formal representation stage.

Details of payment stage detailed below

	PCNs	%
Paid at discount	14,965	57%
Paid at full	3,676	14%
Paid after further 50% added	788	3%

If an informal challenge is received within the discount period and subsequently declined, the 50% discount amount will be re-instated for a further 14 days from the date the challenge is rejected.

All Statistics

Figures listed since the adoption of CPE

Year	Total PCNs
2005/06	31,086
2006/07	26,772
2007/08	24,304
2008/09	26,966
2009/10	29,296
2010/11	29,586
2011/12	25,986
2012/13	24,271
2013/14	26,161
2014/15	25,866
2015/16	27,209
2016/17	27,443
2017/18	26,368
2018/19	26,255

Year	On-Street PCNs	Off-Street PCNs
2005/06	40%	60%
2006/07	38%	62%
2007/08	40%	60%
2008/09	41%	59%
2009/10	46%	54%
2010/11	50%	50%
2011/12	46%	54%
2012/13	47%	53%
2013/14	47%	53%
2014/15	41%	59%
2015/16	40%	60%
2016/17	45%	55%
2017/18	54%	46%
2018/19	55%	45%

Year	PCNs Paid at Full Charge or Higher
2005/06	4,048 (13%)
2006/07	4,211 (16%)
2007/08	3,753 (16%)
2008/09	2,638 (10%)
2009/10	2,990 (10%)
2010/11	2,891 (10%)
2011/12	3,137 (12%)
2012/13	3,035 (13%)
2013/14	3,096 (13%)
2014/15	3,018 (12%)
2015/16	3,606 (13%)
2016/17	3,461 (13%)
2017/18	4,148 (16%)
2018/19	3,676 (14%)

Year of Issue	PCNs Paid at Discount
2005/06	17,558 (57%)
2006/07	14,426 (54%)
2007/08	13,645 (56%)
2008/09	15,181 (56%)
2009/10	15,994 (55%)
2010/11	16,703 (56%)
2011/12	15,967 (61%)
2012/13	13,775 (57%)
2013/14	15,169 (62%)
2014/15	14,577 (59%)
2015/16	15,263 (57%)
2016/17	15,996 (58%)
2017/18	15,376 (58%)
2018/19	14,965 (57%)

Year	PCNs Cancelled/Written Off
2005/06	5,622 (18%)
2006/07	5,832 (22%)
2007/08	3,946 (16%)
2008/09	5,902 (22%)
2009/10	6,967 (24%)
2010/11	8,411 (28%)
2011/12	5,792 (22%)
2012/13	5,521 (23%)
2013/14	5,400 (22%)
2014/15	5,811 (22%)
2015/16	7,162 (26%)
2016/17	6,501 (24%)
2017/18	5,686 (22%)
2018/19	6,247 (24%)

Write-offs, which are a subset of cancelled PCNs, usually occur because the motorist/owner cannot be traced – either because of an inadequate record at the DVLA, because the motorist/owner is no longer at the address they have registered with the DVLA or because the vehicle is foreign registered.

Financial Aspects of Civil Parking Enforcement

The Road Traffic Act 1991, which originally introduced Civil Parking Enforcement required local authorities to seek to make their parking enforcement regime self-financing as soon as possible. Local authorities were not, however, allowed to design and run their enforcement regime to make a surplus. Any surplus generated inadvertently had to be 'ring fenced' to fund improvements in related areas such as passenger transport or car parks.

As more and more local authorities took on DPE powers, government increasingly recognised that for many, particularly smaller boroughs and district councils, achieving break-even would not be possible. Accordingly, the Traffic Management Act 2004 softened this requirement. From 1 April 2008 a local authority has been able to apply for CPE powers without demonstrating that it will break even, but on the understanding that any deficit would be met from existing funding. Government has made it quite clear that national or local taxpayers are not to bear any shortfall.

The annual cost of enforcement (contract cost) and annual income from PCNs issued by the Council is shown below. The figures exclude items such as East Herts Council staff costs and signs and lines maintenance.

Year	Contract Costs	PCN Revenue	Variance
2006/07	£806,544	£665,873	- £140,671
2007/08	£807,344	£650,720	- £156,624
2008/09	£969,323	£668,441	- £300,882
2009/10	£986,785	£718,928	- £267,857
2010/11	£996,916	£735,831	- £261,085
2011/12	£1,012,029	£658,611	- £353,418
2012/13	£756,044	£638,540	- £117,504
2013/14	£752,156	£669,144	-£83,012
2014/15	£731,433	£639,234	-£92,199
2015/16	£793,275	£677,852	-£115,423
2016/17	£843,551	£743,384	-£100,167
2017/18	£845,104	£735,923	-£109,181
2018/19	£1,166,732*	£727,857	-£438,875

* costs include one-off new contract set-up costs plus new services not included in past contract

It is sometimes suggested that parking enforcement is regarded by local authorities as a revenue raising exercise; however the above table clearly demonstrates that East Herts Council makes a loss on its enforcement activities.

The revenue shortfall is effectively made up from surplus revenue from off-street parking. This is perhaps appropriate, as one of the reasons why a motorist will have been able to drive to an East Herts car park and find a space, ideally with the minimum of inconvenience, is because of compliance achieved through effective enforcement.

Financial Information

Total Income and (Expenditure) on Parking Account kept under Section 55 of the Road Traffic Regulation Act 1984 (RTRA 1984)

2018/19		Breakdown of income by source		Annual & Cumulative Surplus (Deficit)	
Total Income	1,149,099.00	PCNs	727,857.00	To 31/03/18	-3,663,844.11
Total Expenditure	1,336,215.00	Residents Parking Schemes	124,623.00	2018/19	-187,116.00
Net Position	-187,116.00	Section 106	0.00	Cumulative Surplus (deficit)	-3,850,960.11
		Cont. from other Authorities	292,473.00		
		Dispensations	4,146.00		
		Misc. Income	0.00		
		Total Income	1,149,099.00		

Frequently asked questions and Parking Myths

Q. Why do I have to pay for a permit to park outside my own house?

A. In common law, drivers have the right to pass and re-pass along the road but no legal right to park on the highway.

East Herts Council introduces Resident Permit Zones (RPZ) in residential areas which are used by non-residential commuters parking their vehicles and using up kerb space which is intended for the residents. In order for one of these schemes to be introduced, a lengthy legal process is required which costs a significant amount of money.

Residents living in an RPZ are not paying to park outside their home – they are paying to stop others parking.

Q. There is a single yellow line in the road to stop commuters parking. I am a resident so why can't I park here?

A. The purpose of the single yellow line in the road may have initially been put in to prevent commuters but single yellow lines apply to all motorists including residents and anyone parked in contravention of these restrictions will be issued a Penalty Charge Notice.

Q. Civil Enforcement Officers don't work on a Sunday so we can park where we like

A. Many parking restrictions in East Herts are enforceable 24 hours a day 7 days a week and therefore our officers work late at night and early in the morning and at weekends. Parking restrictions should be adhered to at all times



Q. Bank Holiday rules for yellow lines are the same as Sundays.

A. Twenty or thirty years ago a Bank Holiday meant that everything came to a halt and all shops and businesses closed for the day. In this day and age, traffic on a Bank Holiday is usually as heavy as a normal Saturday or Sunday and it is necessary for the enforcement of parking restrictions to ensure that roads are kept clear for free flow of traffic. The listed times shown will apply even on a bank holiday unless otherwise stated. i.e. If the single yellow line is restricted Monday-Saturday 8:30 to 18:30, if a bank holiday falls on a Monday then this restriction is still enforceable.

Q. Why is Enforcement necessary?

A. The majority of motorists understand that parking enforcement is necessary to keep the roads clear but it is an unfortunate fact of life that most motorists believe that restrictions should apply to everyone apart from themselves.

Q. Why do we charge in our car parks?

A. East Herts Council has a policy that the user should pay for the services used. Our car parks must be regularly cleaned and maintained to prevent slips, trips and falls plus the supply of CCTV for crime prevention reasons. The cost of

maintenance must be met and it is therefore necessary to charge for parking. If we charge, we must ensure that people are paying and therefore we need enforcement, maintenance to parking machines, Council staff to deal with challenges etc.

Enforcement in car parks is therefore important, to ensure a regular turnover of vehicles and that car park users pay for their parking appropriately

Q. Is it illegal to park on the pavement?

A. It is illegal to obstruct the highway but the enforcement of an obstruction is a matter for the police NOT the council. It is generally agreed that a pavement is obstructed if someone entitled to use the pavement is not able to do so because of an obstruction.

Currently, East Herts can only issue if a vehicle is parked on a pavement next to a single or double yellow line. If the road has no restrictions then the Council has no lawful power to issue.

In 1974 a blanket pavement parking ban was introduced in London and Greater London and it has been illegal to park on a pavement ever since.

In 2019 the Transport Committee set out recommendations for a blanket ban on pavement parking throughout the rest of the UK but a decision is yet to be made.

