


Annual Parking Report 2019/20



 @Eastherts

 EastHertsDC

 easthertscouncil

www.eastherts.gov.uk

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Introduction

from Cllr Graham McAndrew



It is my pleasure to introduce East Hertfordshire's eleventh 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.

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.

More than 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 2.5%

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 ONS 2018



Local Factors

Similar to many other areas in the country, East Herts towns and villages are experiencing a growth in population due to significant increases in housing development.

Due to the rural nature of the district, it is necessary for a large percentage of residents to use various motorised transport in order to get to shopping areas, transport hubs and workplaces.

Train services into London are relatively efficient and regular but the bus service throughout the district is sporadic and may be a contributory factor to the high usage of private vehicles which is supported by the high capacity of all-day parking in town car parks.

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.





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>

Many patrol routes 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

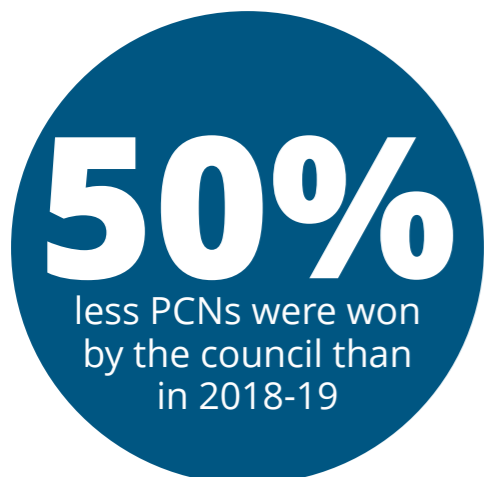
A PCN is issued by a Civil Enforcement Officer (CEO) based on the facts available at the time. This does not automatically mean that a vehicle is parked in contravention just that the officer believes that a contravention has occurred. The multifaceted nature of a PCN and the options and circumstances 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 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.

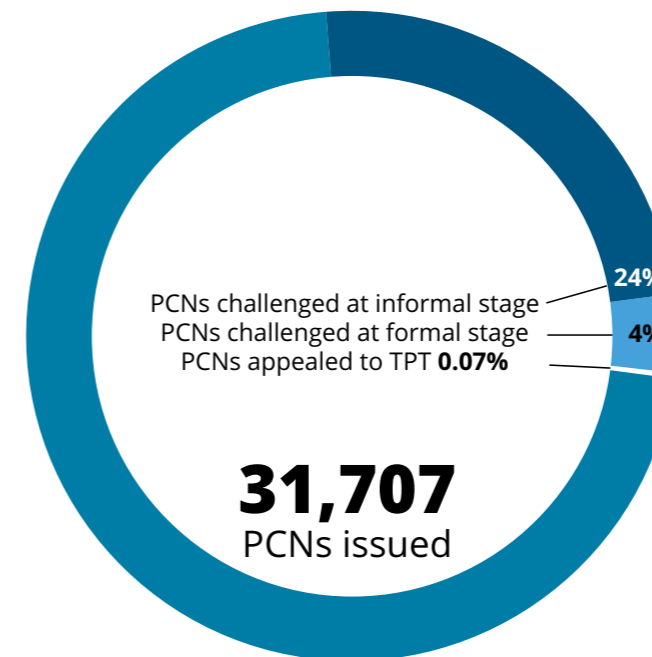


There are three stages to the appeal process:

- 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 uncancelled 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 2019/20 which have received a challenge against issue

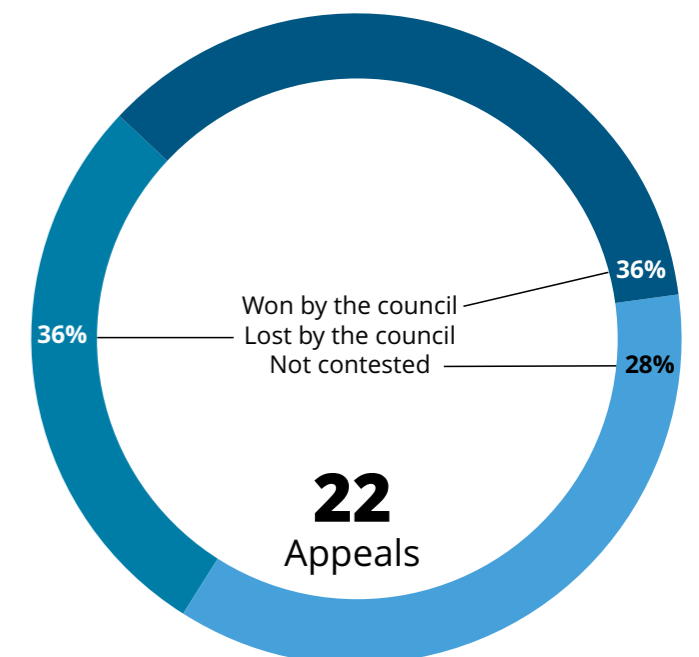


It is important to emphasise that the Council's cancellation of a PCN does not mean it should not have been issued in the first place. There are many scenarios where a CEO is correct to issue a PCN based on the evidence available at the time, but where the Council quite correctly cancels the Notice upon 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

Appeal rate in 2019/20



Cancellation reason	PCNs
Cancelled due to general reason	1,359
Cancelled with warning	817
Cancelled user error with car parking machines	2,772
Cancelled using Council discretion	232
Cancelled blue badge provided	383
CEO error	212
Proof of loading/unloading submitted	108
Resident permit	137
Vehicle has been cloned/stolen	27
Medical emergency/illness	48
Vehicle broken down	82
Signs and lines error	24
Write off reasons	
No trace from DVLA	1,007
Foreign vehicle	137
Total	7,345

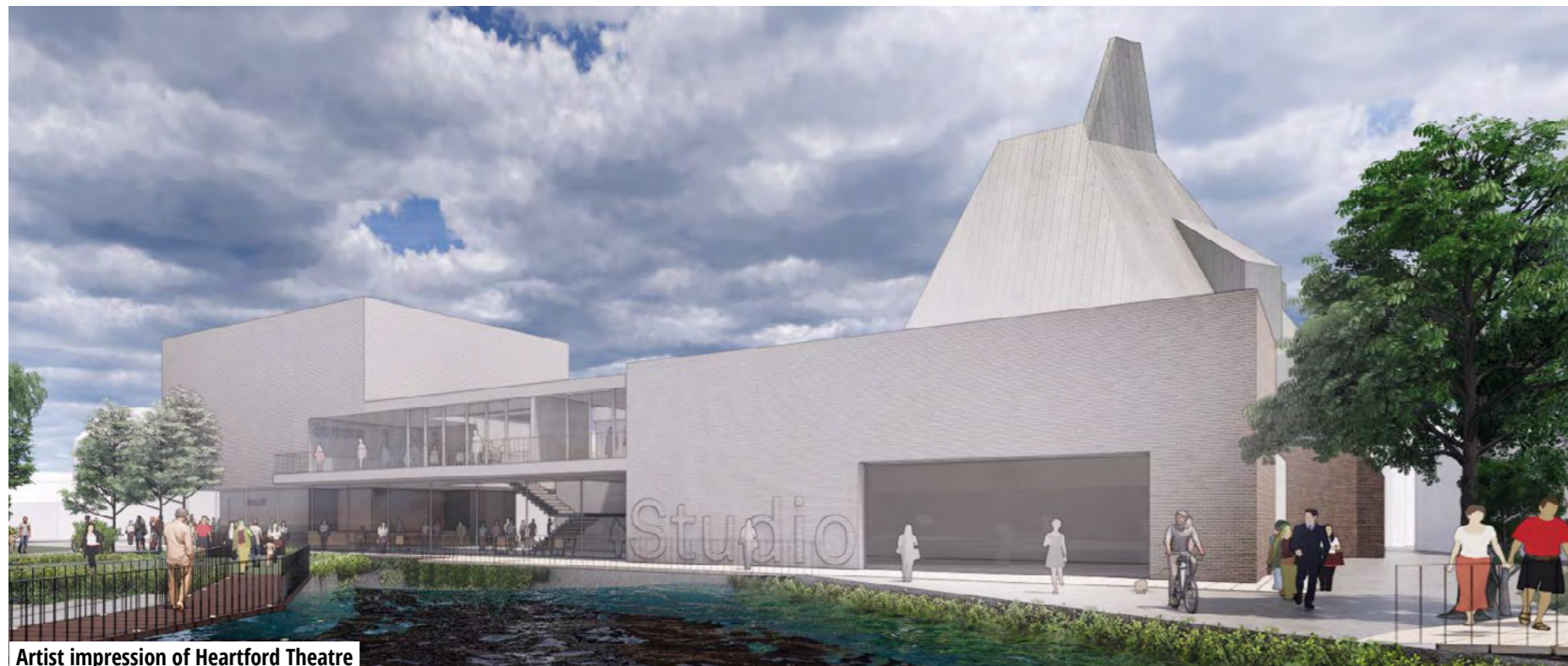
contravention has taken place it is for the council to establish, on the balance of probabilities that the contravention occurred. The exception to this rule is where the motorist seeks to claim an exemption (such as loading or unloading), in which case the motorist must satisfy the council, again on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



Artist impression of Hartham Common Leisure Centre



Artist impression of Grange Paddocks Leisure Centre



Artist impression of Heartford Theatre



Artist impression of Northgate End Car Park, Bishop's Stortford

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&MIId=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 28,000 figures from Hertfordshire County Council.

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.

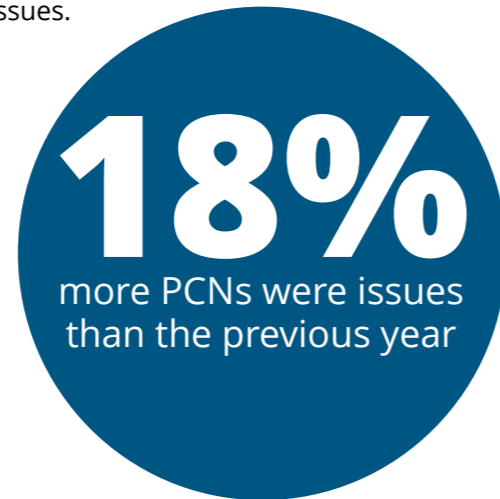
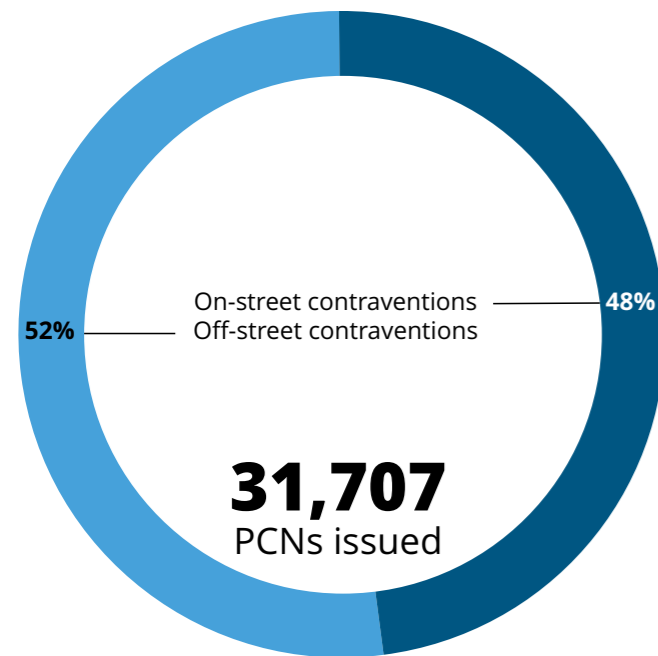
Off street Car parks

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.

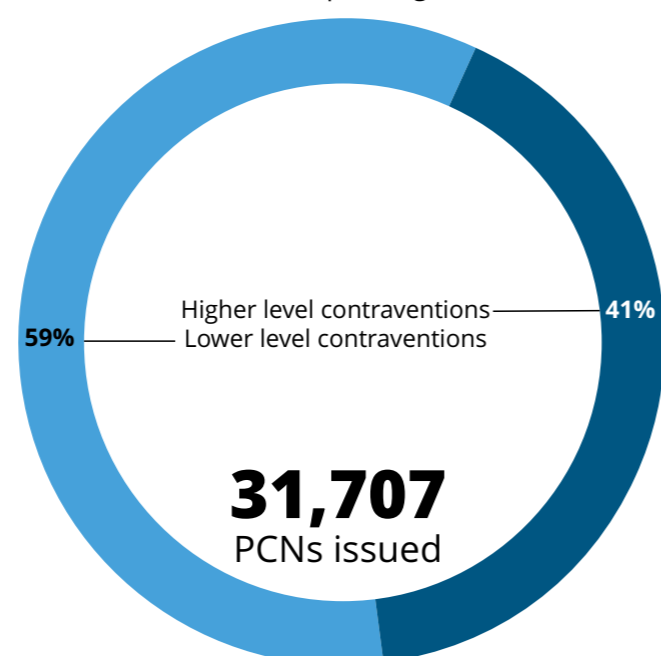
By definition, car parks are densely packed with vehicles; therefore the potential for contravention is greater than on the highway. As a result, there will always be more PCNs issued per patrolling hour in car parks than on street. This can give rise to the erroneous perception that CEOs concentrate 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 2019/20 was 69% on-street and 31% 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 2019/20	PCNs issued	% of total issued
01 – Parked in a restricted street	7329	23%
02 – Parked where waiting loading and unloading is prohibited	531	2%
12 – Parked in a residents zone without a permit or visitor time	1806	5%
19 – Parked in a residents scheme with an invalid permit or visitor time	242	0.7%
22 – Re-parked in the same parking place within the no return period	122	0.4%
23 – Parked in a bay not designated for that class of vehicle	1050	3%
25 – Parked in a loading bay without loading/unloading	612	2%
26 – Parked with all wheels more than 50cm from the edge of the highway	39	0.1%
27 – Parked adjacent to a footway, or kerb lowered meet the carriageway	420	1%
30 – Parked for longer than permitted	2481	8%
40 – Parked in a blue badge bay without displaying a blue badge	477	2%
45 – Parked in a taxi rank and not a taxi	160	0.5%
47 – Parked in a bus stop and not a bus	170	0.5%
48 – Stopped on school zig zags	52	0.2%
61 – HGV parked with one or more wheels on kerb or verge	37	0.1%
99 – Stopped on a pedestrian crossing	42	0.1%
80 – Parked for longer than permitted	410	1%
81 – Parked in a restricted area in a car park	23	0.1%
82 – Parked after the expiry of paid for time	2990	9%
83 – Parked in a car park without purchasing parking time	11351	36%
85 – Parked in a permit bay in a car park without displaying a valid permit	406	1%
86 – Parked outside the bay markings in a car park	560	2%
87 – Parked in a disabled bay without displaying a valid blue badge	362	1%
90 – Re-parked in the same car park within the no return period	1	0.01%
91 – Parked in a bay not designated for that class of vehicle	34	0.1%
Total	31,707	

Top ten streets for PCNs issued

Street	PCNs issued
Bull Plain, Hertford	1,502
South Street, Bishop's Stortford	1,292
Fore Street, Hertford	1,113
North Street, Bishop's Stortford	409
Queens Road, Hertford	320
Castle Street, Hertford	282
Crane Mead, Ware	276
Riverside, Bishop's Stortford	259
High Street, Ware	206
Parliament Square, Hertford	191





Payment of PCNs

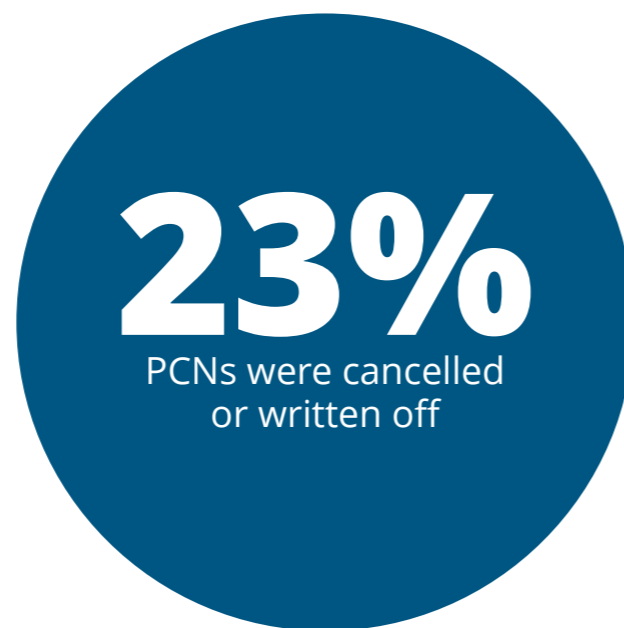
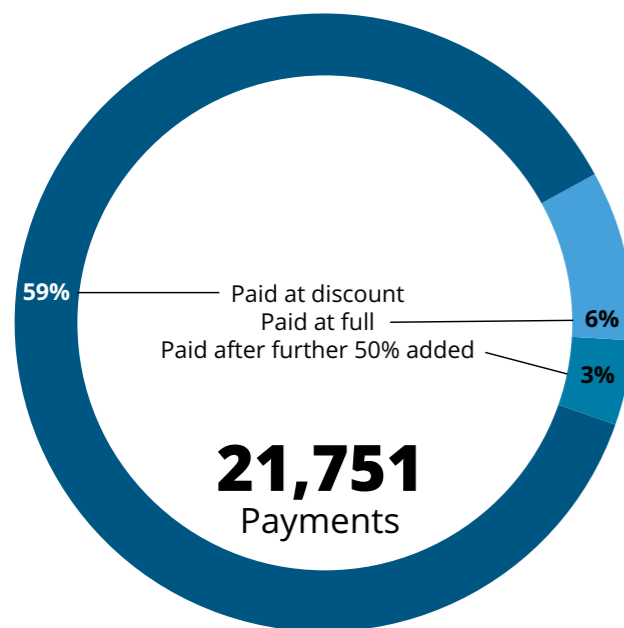
When a Penalty Charge Notice is issued, a 50% prompt payment discount is offered if paid within 14 days of issue of the PCN.

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

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
2019/20	31,707

Percentage split of on-street and off-street PCNs

Year	On-Street PCNs	Off-Street PCNs	Year of issue	PCNs Paid at Discount
2005/06	40%	60%	2005/06	17,558 (57%)
2006/07	38%	62%	2006/07	14,426 (54%)
2007/08	40%	60%	2007/08	13,645 (56%)
2008/09	41%	59%	2008/09	15,181 (56%)
2009/10	46%	54%	2009/10	15,994 (55%)
2010/11	50%	50%	2010/11	16,703 (56%)
2011/12	46%	54%	2011/12	15,967 (61%)
2012/13	47%	53%	2012/13	13,775 (57%)
2013/14	47%	53%	2013/14	15,169 (62%)
2014/15	41%	59%	2014/15	14,577 (59%)
2015/16	40%	60%	2015/16	15,263 (57%)
2016/17	45%	55%	2016/17	15,996 (58%)
2017/18	54%	46%	2017/18	15,376 (58%)
2018/19	55%	45%	2018/19	14,965 (57%)
2019/20	48%	52%	2019/20	18,672 (59%)

Year of issue	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%)
2019/20	7,393 (23%)

Year of issue	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%)
2019/20	3,079 (10%)

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 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
2019/20	£702,369	£811,084	£108,715

It is sometimes suggested that parking enforcement is regarded by local authorities as a revenue raising exercise. As you can see from the above table, 19/20 is the first financial year since CPE has been introduced that PCN income has exceeded contract costs.



Financial Information

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

2019/20

Total Income	1,257,257.88
Total Expenditure	1,233,858.37
Net Position	23,399.51

Breakdown of income by source

PCNs	811,084.00
Residents Parking Schemes	123,268.00
Section 106	0.00
Cont. from other Authorities	317,782.65
Dispensations	5123.23
Misc. Income	0.00
Total Income	1,257,257.88

Annual & Cumulative Surplus (Deficit)

To 31/03/19	-3,850,960.11
2019/20	23,399.51
Cumulative Surplus (deficit)	-3,827,560.60



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 single 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.

