

Annual Report

on Eastleigh Borough Council Parking
Enforcement Operations **2021-2022**



Contents

Background	4
Scope	4
Parking Enforcement Objectives	4
The Services Provided	4
Financial Performance 2020/21 & 2021/22	8
Policies for the Handling of Appeals	12
Improvements and service alterations within the Parking Service	13





Introduction

1. This is the fourteenth Annual Report produced by Eastleigh Borough Council in accordance with the guidance to Local Authorities contained within Chapter 4 of the Department for Transport statutory guidance. The report also takes due regard of the requirements of the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984.
2. Eastleigh Borough Council commenced decriminalised parking enforcement under the Road Traffic Act 1991 in October 2004 which gave the Council (through an agency agreement with Hampshire County Council (HCC)) powers to enforce on-street parking regulations as well as off-street car parking where a Penalty Charge Notice (PCN) is issued for a parking contravention.

Background

3. The Council is responsible for the delivery of parking enforcement in support of the Council's Traffic Management Agency responsibilities.
4. In addition, the parking service is also responsible for the administration of the Residents' Parking Schemes, the maintenance of on- and off-street ticket machines, pay on foot systems, and Borough car parks, with close links to the Borough public realm CCTV system.

Scope

5. This document describes the performance data for the Council's enforcement and parking activities from the 1st of April 2021 to the 31st of March 2022.

Parking Enforcement Objectives

6. Parking enforcement is undertaken between 8am to 8pm, 7 days a week. Enforcement is also undertaken outside these hours for any specific parking problems. The enforcement of parking restrictions is undertaken by directly employed Civil Enforcement Officers (CEOs).
7. The Council does not set targets on the issuing of PCNs. The primary aim of parking enforcement is traffic management, and the service seeks to focus on the following key objectives:
 - To reduce traffic congestion resulting from illegally parked vehicles;
 - To contribute towards road safety;
 - Through reducing congestion, to contribute towards improvements in air quality;
 - To assist the timely operation of public transport;
 - To facilitate access and response times for emergency services;
 - To manage kerb space and access to parking in support of residents, businesses, leisure and visitors parking;
 - To ensure improved quality of residents' area, by enforcement of residents' parking schemes; and
 - To regulate and control parking both on-street and off-street.

The Services Provided

Off-Street Car Parks

8. The Council manages 17 off-street parking places of which 8 are pay and display and 2 operate via a pay on foot system. The majority are located within Eastleigh Town Centre and are listed in Appendix A.
9. The parking tariffs adopted by the Council seek to support the management of the highway network, whilst at the same time influencing the economic viability of the town centre and other parish centres. The tariffs conform to the Council's corporate charging policy.
10. The Council has invested over the years in CCTV and improved lighting to help reduce the fear of crime including vehicle crime in a number of town centre car parks. The numbers of vehicle crimes in the town centre car parks are at very low levels.

Residents Parking Scheme

11. There are 11 permit parking areas within the Borough. These have been introduced to ensure that there is a balance between the needs for residents to be able to park near their homes and the needs of other motorists.
12. There are 4 main types of permits that allow motorists to park in areas/bays where controlled parking schemes apply:
 - Residents permits
 - Business permits
 - Visitors permits
 - Professional Carers/Carers permits

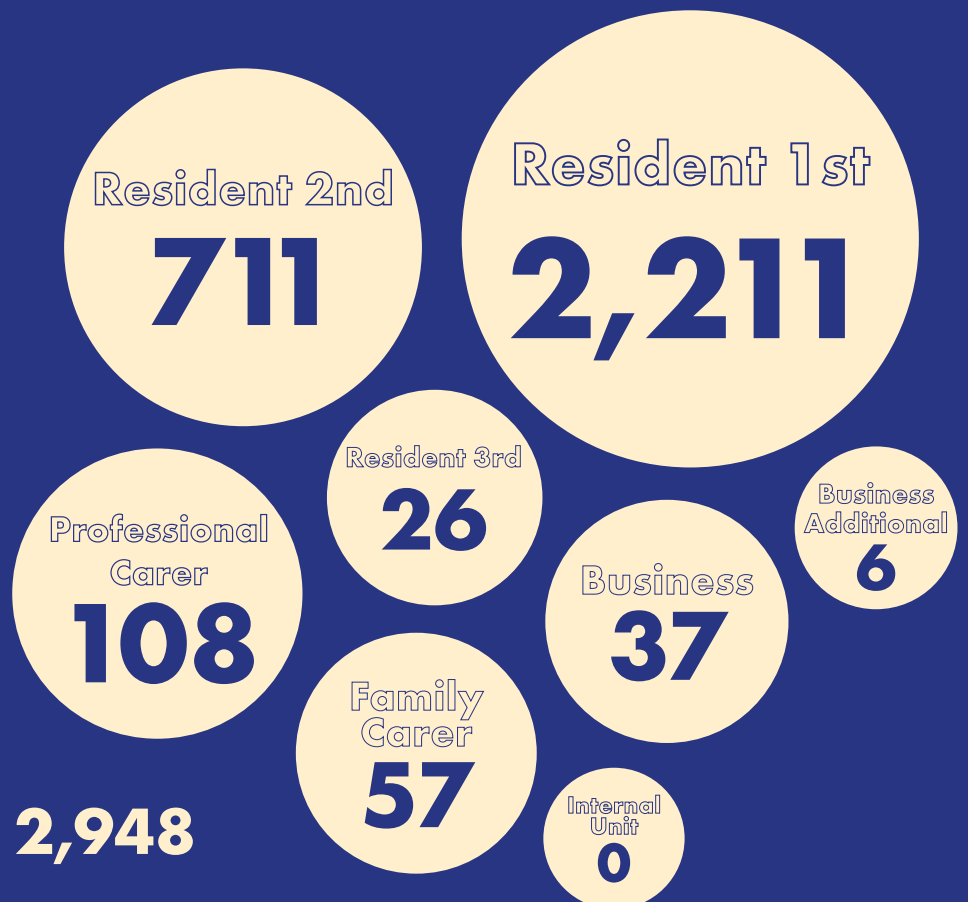
Residents Parking Permits

13. The council continues to issue digital permits for residents' use through a virtual permit system. The digital permits are managed via a third-party provider.

14. The total number of digital resident permits issued is as follows:



Total resident: 2,948
Total: 3,156



15. The cost of permits is set out below:

Permit	Charge
1st	£40.00
2nd	£80.00
3rd	£160.00 if agreed (£25 inspection fee charged to ensure the property does not have alternative off-road parking)
Visitors	No Charge
Carers	No Charge
Professional Carers	£60.00
Temporary Visitors	£42.00 for 6 days
1st Business	£60.00
2nd Business	£120.00
3rd Business	£170.00 if agreed
4th Business	£170.00 if agreed

Due to a revised Agency Agreement with the highway authority, Hampshire County Council, the charges for resident permits must meet the conditions of the Agency Agreement and are subsequently approved by the local area committee with the allocation of 3rd parking permit or three or more Business permits made by parking services subject to certain criteria being met.

Hamble-le-Rice Parking Scheme

16. The current cost for a resident's permit is £100 and for business a permit is £200.

17. A residents' zone covering Hamble House Gardens, Meadow Lane and The Bartletts came into effect on 10th May 2010.

Dispensation and Suspension

18. A parking dispensation allows a commercial vehicle to park on a waiting restriction (yellow line) during restricted hours in circumstances where the vehicle needs to be close to a specific location, for example building/shop fitting work where access is required to load and unload tools or materials.

19. The cost for the issue of a parking dispensation is £15.00 (or £25.00 if required within 7 days).

20. A parking suspension allows a motorist to park for a specific purpose in a pay and display bay or Residents Parking bay during restricted hours. For example, for carrying out works that require the driver to park close to a building to load / unload tools or materials, or for household removals.

School Enforcement

21. The regulations for enforcement of schools at opening and closing times are seen as a key priority to ensure the safe movement of children and adults.
22. Parking Services works closely with the Sustainable Transport Team in endeavouring to reduce the number of vehicle movements to and from schools and encouraging other modes of transport through School Travel Plans.
23. The council focuses more resources on school patrols due to increasing parking problems caused by parent parking and the increasing number of complaints made by residents and the public.

Disabled Parking

24. The Blue Badge scheme provides a national range of parking concessions for disabled people with severe mobility problems.
25. The council has the powers to detain and/or seize Blue Badges if they are out of date or being used incorrectly. Badges that are retained are sent to the issuing authority, for example the Hampshire County Council blue badge unit.
26. The regulations for enforcement of Blue Badge parking bays is a key priority to ensure only Blue Badge holders can park within these bays. All the Town Centre disabled bays are patrolled daily to ensure a high level of compliance.

Traffic Management Act 2004

27. On 31st March 2008, the Government replaced Decriminalised Parking Enforcement (DPE) across the country with Civil Parking Enforcement (CPE), which is carried out under the Traffic Management Act 2004 (TMA).
28. The legislation represented the largest single shift in the way parking enforcement is conducted since the Road Traffic Act 1991. The Government's aim is to provide consistency by creating a single framework for parking regulations across the country. It ensures a fair system is in place and requires Councils to be more transparent and accountable.
29. In line with the legislation, the Council has introduced many changes to the way it deals with appeals and enforces parking regulations, for example:
 - a. Challenges received prior to the issue of a Notice to Owner (NtO) or Enforcement Notice must now be dealt with; prior to TMA, this was optional. However, this practice was already adopted prior to the new legislation.
 - b. A Penalty Charge Notice no longer needs to be placed on a vehicle, or handed to a driver to be legally served, in situations where the Civil Enforcement Officer is prevented from serving the notice to the driver or vehicle.
 - c. Parking Attendants became known as Civil Enforcement Officers (CEOs).
30. Other less obvious changes also took place; the emphasis by Central Government was on the Local Authority's duty to show transparency and fairness. The Council welcomed this approach and has actively looked at how services can be further improved in line with the legislation.

Differential Parking Penalties

31. Differential parking penalties also came into effect on the 31st March 2008 as part of the Traffic Management Act.
32. The Government's aim was to make the system fairer. Higher penalties are issued to motorists who park where it is not generally permitted. For example, on yellow lines, the footway, school "Keep Clear" markings, or in residents' permit or disabled bays without displaying the appropriate permit or badge.
33. The less serious contraventions, which incur the lower charge, include contraventions such as overstaying time paid for in a pay and display bay, or parking outside bay markings.
34. In circumstances where a driver parks in a permit bay and submits evidence in the form of a visitors' permit or voucher valid for the date of the contravention, the Council will accept the evidence as confirmation that the driver was visiting a resident and the lower charge will apply.

Financial Performance 2020/21 & 2021/22

On-Street Income & Expenditure (Decriminalised Parking)

35. The table listed below gives a breakdown of the income and expenditure for on-street income and expenditure.

	2020/21 Outturn £	2021/22 Outturn £
Property	26,285	10,433
Supplies & Services (includes deferred charges)	22,749	70,878
Admin. Costs	4,314	8,200
Recharges from Service Units/Practice Accounts	243,588	376,284
Asset Rental	10,313	6,562
TOTAL EXPENDITURE	307,249	472,357
Grant	(48,079)	0
Licences/Permits	(1,547)	(1,980)
Admission	(44,915)	(141,745)
Season Tickets	(123,547)	(148,650)
Penalty Charge Notices	(89,673)	(203,756)
TOTAL INCOME	(307,761)	(496,131)
TOTAL (SURPLUS) / DEFICIT	(512)	(23,774)

Off-street Car Parks Income & Expenditure

36. The table listed below gives a breakdown of the income and expenditure for off-street parking (includes pay & display and non-pay & display).

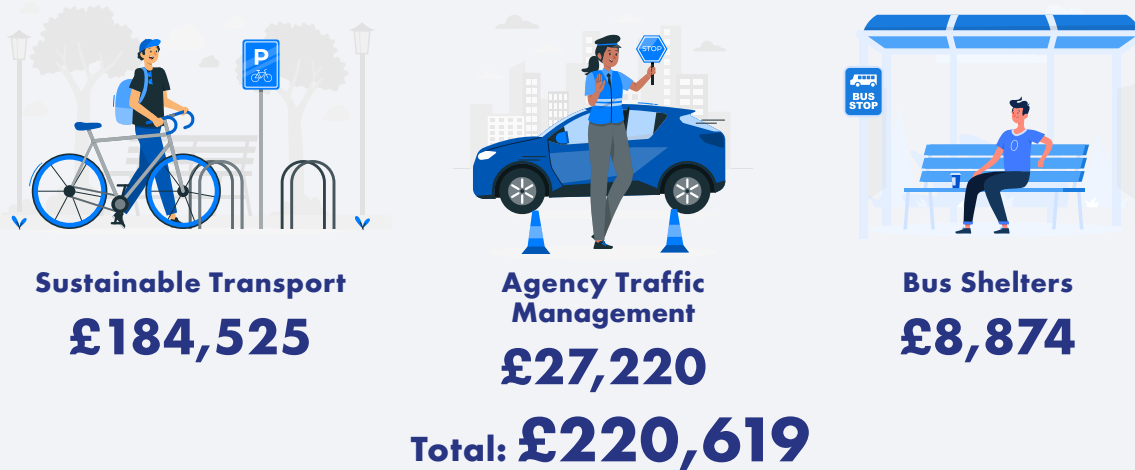
	2020/21 Outturn £	2021/22 Outturn £
Employees (IAS19 Allocation)	11,359	307,807
Property	550,972	541,591
Supplies & Services (includes deferred charges)	17,251	41,250
Admin. Costs	1,891	6,374
Transport & Plant	0	2,300
Recharges from Service Units/Practice Accounts	102,329	-248,860
Payment to Agencies	103,913	98,223
Asset Rental	251,875	176,350
TOTAL EXPENDITURE	1,039,590	925,035
Grant	(1,064,694)	(262,274)
Fees & Charges	(154,333)	(29,202)
Admission	(660,600)	(1,350,974)
Permits	(5,867)	(19,043)
Penalty Charge Notices	(21,233)	(61,617)
Misc Income	(547)	21
Rents	(8,538)	(16,438)
TOTAL INCOME	(1,921,812)	(1,739,527)
Total (SURPLUS) / DEFICIT	(882,222)	(814,492)

Spending of the Surplus

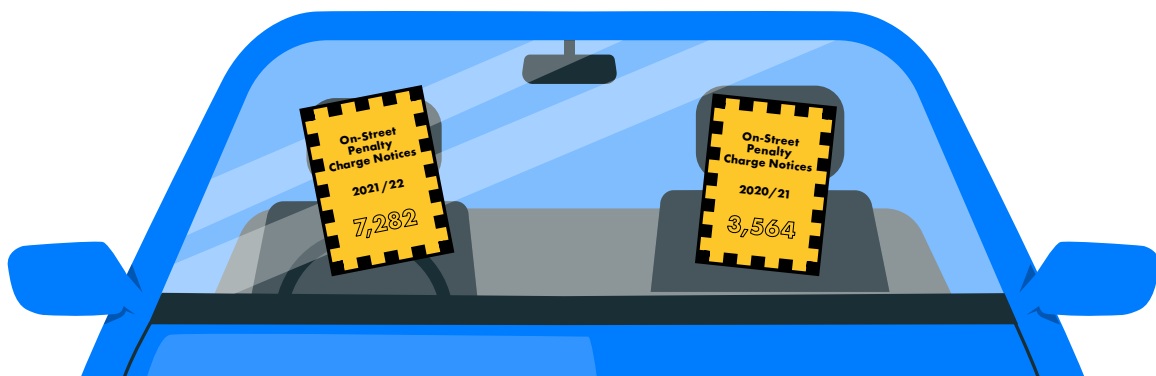
37. The expenditure of income derived from on-street parking places and PCN income is governed by the Traffic Management Act 2004, Section 88, and the Road Traffic Regulation Act 1984, Section 55(a) and confirms the specific areas for surplus expenditure as follows:

- Funding the provision of the parking service;
- Meeting all or any part of the cost of the provision of off-street car park maintenance;
- Facilitating the provision of public/passenger transport; and
- Traffic or highway improvements within the Borough.

38. The parking surplus for civil parking enforcement is transferred to the on-street parking reserve £138,784. The on-street reserve is for capital funding on residential parking schemes and the start-up costs for civil parking enforcement.
39. The on-street reserve is set aside for Capital Funding Parking Schemes such as capital set up costs for residents parking schemes and capital costs associated with setting up decriminalised parking.
40. The off-street PCN income of £203,756 contributes to the following on-going revenue costs that are funded by the Council:



On-Street enforcement – issuing of PCNs

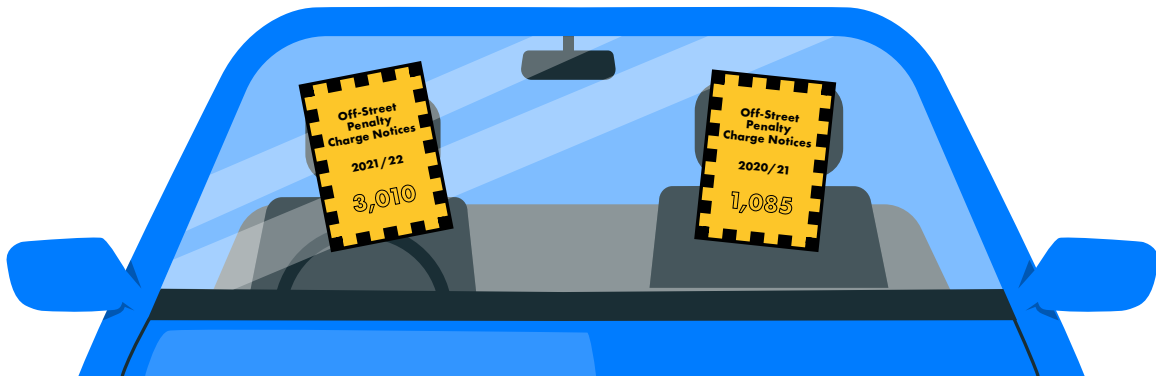


41. The table listed below gives a further breakdown of payments made at the various formal stages, adjudication, cancelled and debt registration.

TMA ON-STREET ANNUAL SUMMARY 2021/22	
Number of Penalty Charge Notices issued for parking contraventions	7,282
Number of Penalty Charge Notices paid within 14 days	3,836
Number of Penalty Charge Notices paid at full charge	546
Number of Penalty Charge Notices unpaid	2,173
Total number of Penalty Charge Notices of debt registrations	990

42. The number of on-street PCNs issued against the previous year increased, due in the main to the relaxation of COVID-19 restrictions, with more vehicles on the roads and more vehicles found by enforcement officers to have been parked illegally.

Off-Street enforcement – issuing of PCNs



43. The number of off-street PCNs has increased, due in the main to the relaxation of COVID-19 restrictions, with more vehicles parked in the car parks and more vehicles found by enforcement officers to have been parked illegally.

44. The table listed below gives a further breakdown of payments made at the various formal stages.

TMA OFF-STREET ANNUAL SUMMARY 2021 /22	
Number of Penalty Charge Notices issued for parking contraventions	3,010
Number of Penalty Charge Notices paid within 14 days	1,601
Number of Penalty Charge Notices paid at full charge	217
Number of Penalty Charge Notices unpaid	1,030
Total number of Penalty Charge Notices of debt registrations	251

Challenges and Representations Received

45. Where a parking contravention occurs, it is the “owner/registered keeper” of the vehicle who is legally obliged to pay the penalty charge. The owner means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c22) is presumed to be the person in whose name the vehicle is registered at the DVLA. It is therefore essential that any changes of vehicle ownership are immediately notified to the DVLA.

46. The only exception to this is where the vehicle was hired from a firm under a hiring agreement and the person hiring it had signed a statement of liability in respect of any penalty charge notice served in respect of the vehicle during the period of the agreement.

47. Vehicle owners may dispute the issuing of a PCN at three stages:

01. They can make an informal challenge or representation before the Council issues a Notice to Owner (NtO). As a challenge at this stage will be made by the person who has received the PCN, it may be that the person submitting the challenge was the driver of the vehicle, rather than the vehicle owner.
02. Once an NtO has been served, they can make a formal representation against the NtO. This can still be lodged if an informal challenge has previously been made and rejected. The legislation sets out specific grounds on which formal representation against an NtO may be made and are specified on the notice. Representations may also be made on the basis that, in the particular circumstances of the case, there are compelling reasons for the cancellation of the PCN.
03. If the formal representation is rejected, the Council will issue a Notice of Rejection and details how to appeal to the Traffic Penalty Tribunal. The appellant has the right to appeal within 28 days of the issue of the Notice of Rejection to an adjudicator of the Traffic Penalty Tribunal. The adjudicators have a judicial position. They are appointed with the agreement of the Lord Chancellor and they are wholly independent. Their decisions are final (subject to their own power to review a decision) and they have the power to award costs against either party. No further challenges can be made other than a point of law through an application to the High Court for a Judicial Review. Appellants may choose to appear before the adjudicator in person, opt for a telephone/video hearing or via a postal hearing where written evidence is supplied by both parties.

48. The details of the adjudication services and of the appeal process can be found on their website www.trafficpenaltytribunal.gov.uk.

Policies for the Handling of Appeals

49. Considering challenges, representations and defence of appeals is a legal process. It is necessary for the Council to keep a full and accurate record of all challenges. For this reason, the Council insists that all representations are made in writing (by letter, email or by completing one of its appeal forms either on line or at Eastleigh House). The Council has the discretion to cancel a PCN at any point in the appeals process.
50. The Council's cancellation and mitigation policies against which challenges, representations or appeals are considered can be found on the Council's website eastleigh.gov.uk
51. The Council does not immobilise or remove vehicles for parking contraventions.

Appeals to Traffic Penalty Tribunal

52. During 2021/22 a total of 5 appeals were made to the Adjudication Services. During this period the Council chose not to contest 1 appeal (this was due to new information being provided by the appellant, for example information on the keeper of the vehicle or supporting documentary evidence to confirm loading). 1 appeal was withdrawn by the appellant, and 1 appeal was dismissed by the adjudicator. A further 2 appeals were allowed.

Improvements and service alterations within the Parking Service

53. The details are as follows:

- Hedge End Station height barrier fully installed, with associated access protection equipment
- Investigation works underway to expand availability of parking spaces at Bishopstoke Road Playing Fields car park
- Height barrier installed at Bursledon Station car park to protect the site for its intended users
- Supported local community market at Hamble Square car park
- Reduced number of Pay & Display ticket machines in Hamble Square car park, from 3No. to 2No. reducing overheads and associated maintenance costs
- Re-contracted long-term parking to multiple users at Mitchell Road multi-storey car park, with a view to improve the car park into 2022/23 with redecorating and removal of graffiti and the installation of enhanced lighting in the stairwells and on the parking decks
- Installation of electric vehicle charging points in Romsey Road car park
- Redecorating at Swan Centre and Wells Place car parks, including preparatory work for a lighting upgrade and some resurfacing due 2022/23
- Car park relining work undertaken in Romsey Road car park, Swan Centre car park and Hamble Square to ensure bays and circulatory arrows are clear

Robert Saunders

Parking & CCTV Manager

Neighbourhood Services

APPENDIX A

Car Park Name	Location	Car Park Type	Control Type	Manufacturer	Gritting Priority	RingGo	Height Restriction	Total Spaces	Car Spaces
FREE CAR PARKS									
Bursledon Station	Bursledon	Surface	Free				Yes	60	60
Chandlers Ford Station	Chandlers Ford	Surface	Free		2			17	16
Mortimer Road	Botley (Hants)	Surface	Free		2		Yes	63	61
New Road	Netley	Surface	Free		2		2.05m	29	28
New Road Social Club	Netley	Surface	Free		2			24	24
Lowford Centre	Lowford	Surface	free					42	38
Sub Totals-Free Car Parks								235	227
PAY CAR PARKS (CHARGEABLE)									
Bishopstoke Road Playing Fields	Eastleigh	Surface	Pay & Display	Flowbird Cale	1	4900		79	76
Dutton Lane	Eastleigh	Surface	Permit only	Permit only	1	N/A		152	152
Hamble Square	Hamble	Surface	Pay & Display	Flowbird Cale	1	4901		65	61
Hanns Way	Eastleigh	Surface	Pay & Display	Flowbird Cale	1	4902		18	12
Hedge End Station	Hedge End	Surface	Pay & Display	Flowbird Cale	2	4903	2.10m	148	138
Leigh Road	Eastleigh	Surface	Pay & Display	Flowbird Cale	1	4904		36	29
Mitchell Road MSCP	Eastleigh	Multistorey	Pay on Foot	Designa	3	N/A	2.00m	485	463
Romsey Road	Eastleigh	Surface	Pay & Display	Flowbird Cale	1	4906		52	43
Southampton Road	Eastleigh	Surface	Pay & Display	Flowbird Cale	1	4907	1.98m	58	40
Swan Shopping Centre	Eastleigh	Roof	Pay on Foot	Designa		N/A	2.10m	690	643
Wells Place	Eastleigh	Undercroft	Pay & Display	Flowbird Cale		4909	2.10m	141	129
Sub Totals-Pay Car Parks								1,924	1,786
TOTALS FOR EBC CAR PARKS								2,159	2,013
PARISH CAR PARKS									
Hamble Parish Council									
Hamble Foreshore	Hamble	Surface	Pay & Display	Flowbird Cale	n/a			65	60
Sub Total-Parish Car Parks								65	60
TOTALS FOR ALL CAR PARKS								2,224	2,073