

# Annual Parking Report 2020/21



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## Introduction

Sevenoaks District Council manages its off-street public car parks in towns and villages across the District.

Through an Agency Management Agreement with Kent County Council, (The Highway Authority) the District Council manages on-street parking schemes and manages on street parking restrictions across the Sevenoaks District.

In December 2020, the District Council re-tendered for a two-year agreement with neighbouring authority Tandridge District Council in Surrey to manage their parking restrictions. This tender runs from April 2021 until March 2023.

## Legislation

The Road Traffic Act 1991 (RTA 91) - The RTA 91 brought in the Decriminalisation of Parking Offences which made a number of changes to traffic law and enabled local authorities to take responsibility in respect of parking offences and enforcement. The act allowed local authorities to carry out enforcement rather than the Police.

The Traffic Signs Regulations and General Directions Act 2002 - This legislation set out how lines and signs should appear on the highway and could only be amended by approval of The Secretary of State.

Traffic Management Act (TMA) 2004 - The Act sets out additional powers and requirements for Local Authorities regarding Parking and Enforcement.

It should be noted that Sevenoaks District Council does not remove or immobilise vehicles as any part of its enforcement duties and operation.

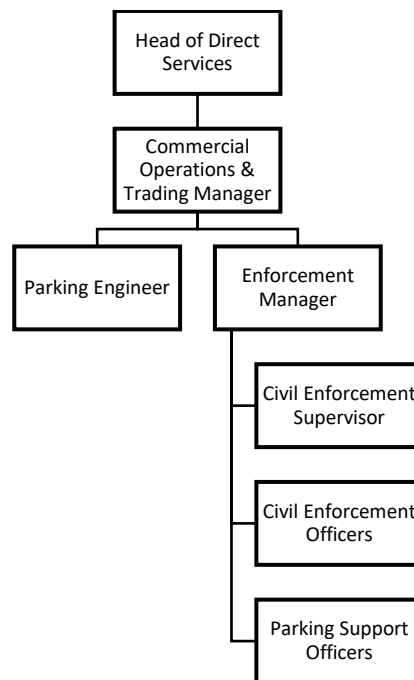
**Off-Street Car parks** - Pay and display car parks operate in the following locations:

<b>Sevenoaks, Swanley and Westerham</b>	<b>Number of Spaces</b>
Sevenoaks Town Centre	1,091 spaces
Bligh's	205 spaces
Buckhurst 1	40 spaces
Sevenoaks Town (formerly Buckhurst 2)	480 spaces
South Park	145 spaces
Suffolk Way	221 spaces
Sevenoaks St Johns Hill/St James	86 spaces
Sevenoaks Station	430 spaces
Swanley	162 Spaces
Westerham	145

“Free” car parks operate in the following locations	Number of spaces
Eynsford	21 spaces
Sevenoaks Council Offices (weekends)	146 spaces

## The Parking Services Team

The Parking Services Team consists of:



The Civil Enforcement Supervisor oversees the day-to-day operation of off-street car parks and on-street parking management. Civil Enforcement Officers carry out regular patrols of car parks and on-street controls to ensure that vehicles are parked legally.

Parking Support Officers operate the back office functions such as:

- monitoring income
- considering parking appeals
- administering debt recovery
- administering resident permits and season tickets

The Parking Engineer:

- considers requests for resident parking schemes
- carries out informal and formal parking consultations
- provides general support to the Commercial Operations & Trading Manager and the Head of Direct Services

## **Resident parking**

Under the Agency Management Agreement with Kent County Council, (The Highways Authority) the District Council:

- considers requests for parking schemes
- implements and amends parking schemes

The implementation of parking schemes involves a statutory process:

- feasibility studies and an initial design
- informal consultation on an initial design
- detailed design based on feedback from the consultation
- formal (21 day) consultation on the detailed design
- consideration of objections
- reporting to the Joint Transportation Board
- parking order making
- implementation in including installing signs and lines and processing permit applications
- review (after 6-12 months)

Under resident parking arrangements residents can generally apply for and use an annual permit and visitor vouchers for their guests.

The District Council currently operates on-street resident parking schemes in:

- Edenbridge
- Sevenoaks
- Shoreham
- South Darent
- Swanley
- Westerham

Some areas around Sevenoaks town and station have non-resident permits. Providing on-street parking for local workers and commuters, optimising kerbside capacity through the day.

## **On-street pay and display**

The District Council provides on-street pay and display parking in the following locations:

- Halstead (Knockholt station) 105 spaces
- Sevenoaks (town centre) 62 spaces
- Sevenoaks (The Vine/Plymouth Drive) 62 spaces
- Sevenoaks (St Botolphs Road) 85 spaces
- Sevenoaks (Morewood Close) 40 spaces
- Swanley (Goldsel Road/Azalea Drive) 81 spaces
- Westerham (centre) 96 spaces

“Free” limited wait on-street parking bays are provided at various locations across the District. Some areas have “dual use” resident and limited wait bays, maximising parking capacity.

The District Council operates pay and display and “cashless” parking (in partnership with MiPermit) in car parks and on street locations in the District.

## **Season tickets**

The District Council sells season tickets for its off-street car parks, generally to workers in the town centre and commuters at railway stations.

## **Parking enforcement**

Eleven full-time equivalent (FTE) Civil Enforcement Officers (CEOs) carry out regular patrols across the District, Monday to Sunday and on Bank Holidays through the year. CEOs patrol car parks and on-street locations seamlessly. They are required to issue a Penalty Charge Notice (PCN often still referred to as a parking ticket) to any vehicle that is illegally parked.

CEOs are trained to a high standard in customer services, patrolling and evidence gathering. They are not rewarded in relation to the number of parking tickets they issue.

Parking enforcement:

- Maintains revenue and it encourages responsible parking and turnover of vehicles.
- Prevents danger and obstruction caused by illegally and inconsiderately parked vehicles.
- Protects residential parking close to town centres and close to railway commuter stations.
- Protects blue badge parking.

## Penalty Charge Notices

Issuing and administering parking tickets, now known as Penalty Charge Notices (PCNs) is a legal process governed by statute.

- Lower and higher rates apply depending on the seriousness of the parking contravention, the penalty is £50 for a lesser contravention, £70 for a more serious contravention.
- A list of typical higher and lower contraventions attached as Appendix B.
- PCNs are reduced by 50% if paid promptly.
- PCNs can be served in the post if the CEO is prevented from issuing the PCN at the time.
- Supporting evidence including photographs are recorded when the PCN is issued. Video footage can also be recorded using a video badge worn by the CEO.
- The PCN is the responsibility of the vehicle owner/keeper, not the driver at the time the PCN was issued.

## Appeals

If the vehicle keeper believes that a PCN has been issued unfairly or that there are circumstances that justify its cancellation they have access to three stages of appeal:

- ‘Informal’ - they can appeal immediately after the PCN has been issued.
- ‘Formal’ - if after 28 days the PCN has not been cancelled or paid The District Council serves a ‘Notice to Owner’ on the owner of the vehicle (normally the Registered Keeper according to DVLA records).
- To the Traffic Penalty Tribunal. This is a statutory body set up to consider parking appeals. Adjudicators who consider the appeal are trained barristers and solicitors. The adjudicator’s decision is binding on both Sevenoaks District Council and the appellant.

The process is outlined in a document produced by the Traffic Penalty Tribunal, which is attached as Appendix A.

To improve customer access to the appeals process these can be accepted by: hand, post, online and by e mail. Photographs recorded by the CEO are available to view online.

In the interest of consistency, fairness and transparency Kent County Council and the Kent Borough and District Councils subscribe to a set of guidelines for carrying out enforcement and considering parking appeals.

## Finance

The income and expenditure figures for the on-street and off-street Car Parks accounts are shown in Appendix C.

### **Decriminalisation (Decrim) Budget - Agency agreement with Kent County Council (KCC)**

The Decriminalisation (Decrim) budget is a ring-fenced fund that accounts for any surplus, after reasonable expenses from the district council for carrying out the agreed duties on behalf of the Highways authority under the Road Traffic Regulation Act 1984.

Section 55 of the Road Traffic Regulation Act 1984 states “a local authority shall keep an account of their income and expenditure (Decrim) in respect of parking places (on & off-street) for which they are the local authority”.

Section 55(2) states that we must make good any deficit from our General Fund, for example if we spend more on enforcement than we receive in income.

Section 55(3) provides that any surplus can be carried over into the next financial year.

Section 55 (4) sets out what the fund may be spent on:

1. Where the council has previously used money from the General Fund to plug a deficit in parking operations, to pay back that money and applies to the previous 4 years;
2. Meeting all or any part of the cost of the provision and maintenance by the local authority of off-street parking accommodation; Including CCTV, lighting, resurfacing If it appears to the local authority that the provision in their area of further off-street parking is unnecessary they can meet the costs incurred;
3. Meeting the costs incurred for facilities for public transport services;
4. Highways or road improvements in the local authority area;
5. Environmental improvements in the local authority area;
6. Any other purposes for which the authority may lawfully incur expenditure in accordance with the Road Traffic Regulation Act 1984



**For any queries or for further information please contact:**

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## Appendix A

### Examples of higher level contraventions

- Parked in a restricted street during prescribed hours
- Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge
- Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
- Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place
- Parked in a permit space without displaying a valid permit
- Parked in a parking place or area not designated for that class of vehicle
- Parked in a loading place during restricted hours without loading
- Vehicle parked more than 50 cm. from the edge of the carriageway and not within a designated parking place
- Parked adjacent to a dropped footway
- Parked in a parking place designated for police vehicles
- Parked on a taxi rank
- Stopped on a restricted bus stop/stand
- Stopped in a restricted area outside a school
- Parked in a permit bay without clearly displaying a valid permit

### Examples of lower level contraventions

- Parked without clearly displaying a valid pay & display ticket
- Parked after the expiry of paid for time
- Parked without payment of the parking charge
- Parked in a resident's parking space without clearly displaying a valid residents parking permit
- Parked in a residents' or shared use parking place displaying an invalid permit, an invalid voucher or an invalid pay & display ticket
- Not parked correctly within the markings of the bay or space
- Parked for longer than permitted
- Parked without payment of the parking charge
- Parked for longer than the maximum period permitted

**Appendix B - PCNs issued for 2020-2021**

<b>Off street PCNs</b>	
PCNs issued for parking contraventions	2290
PCNs paid within 14 days	1194
PCNs paid after 14 days but before charge certificate	169
PCNs paid after charge certificate served	25

<b>On street PCNs</b>	
Number of PCNs issued for parking contraventions	3405
Number of PCNs paid within 14 days	1948
Number of PCNs paid after 14 days but before charge certificate	206
Number of PCNs paid after charge certificate served	44
The numbers of higher-level PCNs issued	2518
The numbers of lower-level PCNs issued	3177
The numbers of PCNs against which formal or informal representations have been made	1243
The numbers of PCNs cancelled as a result of formal or informal representation	682
The numbers of PCNs written off for other reasons	112

Appendix C - income and expenditure 2020-2021

	On-Street Parking & Enforcement	Car Parks Enforcement	Combined Enforcement Account	Car Parks Provision & Operations
	(£)	(£)	(1 + 2) (£)	(£)
Salaries	321,301	164,552	485,853	52,173
Transport	15,135	15,135	30,269	366
Maintenance	11,830	10,217	22,048	40,840
Supplies & services	53,096	29,760	82,855	41,071
Property	0	0	0	487,113
<b>Total Expenditure :</b>	<b>401,362</b>	<b>219,663</b>	<b>621,025</b>	<b>621,563</b>
Parking waivers	(26,175)	(13,720)	(39,895)	(290)
Pay & display charges	(212,453)	0	(212,453)	(560,024)
Penalty charge notices	(95,342)	(46,979)	(142,321)	0
Permits	(68,977)	0	(68,977)	(98,873)
Rent	0	0		(24,079)
<b>Total Income:</b>	<b>(402,947)</b>	<b>(60,699)</b>	<b>(463,646)</b>	<b>(683,266)</b>
<b>Balance (net income):</b>			<b>157,379</b>	<b>(61,703)</b>

Decrim surplus

For the financial year 2020-2021 there was not a surplus. However, there was a £50,000 contribution for the traffic lights junction works.