



Shropshire Council Parking Enforcement Annual Report 2012/13

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ABOUT SHROPSHIRE

Shropshire is located in the West Midlands and covers an area of 319,730 hectares, making it the largest inland county in the country. Shropshire has a population of 306,100 people. This equates to just 0.96 persons per hectare and, as such, Shropshire is one of the most sparsely populated counties in the country.

Due to its rural nature, Shropshire has a very strong dependency on car transport. The population comprises 129,700 households, 42% of which own 1 car, 31% own 2 cars and 8% own 3 or more cars. The overall number of cars owned by households in Shropshire is approximately 184,800.

Although Shropshire is a predominantly rural county and therefore has a traditional reliance on farming and associated industries, it is also a place with vibrant market towns, a small business enterprise culture and growing niche sectors in food and drink, environmental technologies and creative industries. Shrewsbury is the main town in the county and is a key employment, cultural and shopping centre for Shropshire and Mid-Wales. In addition to Shrewsbury, Shropshire has five other market towns: Oswestry, Bridgnorth, Market Drayton, Ludlow and Whitchurch, which provide a range of local shops and services.

Tourism makes an extremely important contribution to the Shropshire economy. The county borders two World Heritage sites (the Ironbridge Gorge and the Pontcysyllte Aqueduct) and encompasses the Shropshire Hills Area of Outstanding Natural Beauty. It is noted for its beautiful scenery, diverse landscape and rich natural and historic environment. Shropshire is primarily a day visitor destination, with the bulk of visitors being drawn from the surrounding Central Midlands and the neighbouring counties. Overall, more than 10 million tourists visit Shropshire each year.

PARKING IN SHROPSHIRE

The Provisional Local Transport Plan

The Local Transport Plan (LTP) sets out transport objectives, policies and programmes for the County. It covers all aspects of transport and highways with a specific emphasis on provision determined at a local level, including walking, cycling, public transport, car based travel and freight, together with the management and maintenance of highways.

A key role of the LTP is to set out how Shropshire Council plans to develop, manage and maintain its transport networks in a way which will also contribute to Shropshire's wider economic, environmental, health and social objectives.

The Shropshire Local Transport Plan is made up of a number of separate documents:

- **The Provisional LTP Strategy (2011-2026):** this is the framework document that sets out the strategic transport objectives, policies and priorities for the period 2011 to 2026.
- The core strategy is supported by a series of **LTP Evidence Base documents** and has been subject to a sustainability appraisal.
- **The LTP Implementation Plan:** this is the shorter term LTP delivery plan. It is reviewed and updated annually. The 2012/13 Implementation Plan sets out the projects and schemes to be delivered over the next 2-3 years.
- A series of more detailed **supplementary LTP strategies and plans** will be used to set out how the policies summarised in the LTP strategy will be pursued. Supplementary documents will be prepared and revised as necessary during the LTP period. One such supplementary document is the Shropshire Parking Strategy.

The LTP Strategy is divided into seven chapters which cover a range of topics, such as Economy and Growth, Accessibility and Health and Safety and Security. Within these seven chapters the LTP sets out 42 separate policies. Several of these policies underpin and support the work of the Civil Enforcement Officers, for example:

Policy E5 relates to Network Management and states "we will improve the management of the road network to reduce and prevent congestion and disruption". Some of the ways this is to be achieved by are:

- using Traffic Regulation Orders to prevent parking that would cause unacceptable traffic delays or safety concerns;
- utilising our civil enforcement powers to proactively tackle illegal parking;

- consider seeking powers to enforce moving traffic offences such as yellow box junctions, one way streets, routes restricted to certain types of vehicles, bus lanes etc. where it causes congestion, environmental intrusion or it is detrimental to road safety.

Policy E8 relates to Car Parking and Park & Ride and states “we will manage car parking spaces in a way that will make most efficient use of parking space to support local economies”. This is to be achieved by:

- encouraging the most efficient use by shoppers of prime on and off street parking spaces through the use of time restrictions and charges where appropriate.

Policy A8 relates to Improving Access for People with Disabilities and includes:

- enforcing the misuse of disabled parking bays and illegal parking which causes obstructions to pavements and dropped crossings and thereby reduces mobility for disabled people.



The Shropshire Parking Strategy

It is recognised that parking provision is an essential part of a balanced transport network and that car parking often competes for space on and off street with competing demands, such as retail space, on-street loading, pedestrians, bus stops, etc. It is therefore necessary to balance all these various needs by way of a parking strategy.

The Shropshire Parking Strategy was approved by Cabinet in December 2010. The Parking Strategy is designed to adopt a consistent approach to parking provision across the county and has involved a review of all parking activity in Shropshire.

The strategy’s aim is to manage the existing parking stock, with particular emphasis on the market towns. Any changes to parking provision, including park & ride, are being looked at in the next Local Transport Plan. The strategy does not set parking charges but does establish the relative pricing and principles for charging. Instead, charges and tariffs will be set at the annual budget rounds.

The proposed objectives for the Shropshire Parking Strategy are:

- Enhance and support local economies in all of the market towns;
- Manage the car park stock, prioritising by price the prime spaces;
- Provide an income to allow the car parks to be operated without additional requirement on Council Tax; and

- In areas where alternatives are available, such as bus and park & ride, this can be encouraged and supported by the pricing structure of parking for that town.

The availability and effective use of car parking is an important tool in managing traffic, as well as the quality of the local environment, and has a role in supporting local economic vitality. It is therefore important that a coherent approach to utilising this asset is taken by Shropshire Council, while still reflecting the local issues in market towns.

Shropshire Council reviewed all its parking areas during 2010, with a particular focus on bringing consistency to the off-street parking arrangements across the county. The resulting changes were implemented from April 2011.

At the time of implementation it was agreed to review the charging structure following twelve months of operation. Thus a consultation held in Autumn 2012 detailed the proposed changes to the charging structure and invited responses to the proposals from all concerned. All submitted comments were amalgamated, considered and addressed as part of the report and approved by Shropshire Council's cabinet on 17 October 2012.

The changes introduced on 3rd December 2012 were:

- Parking bandings for 0-2 hours, 2-4 hours, 4-6 hours and 6-10 hours in specified car parks in Whitchurch, Market Drayton, Wem, Ellesmere and Much Wenlock. This was to replace the existing bandings which allowed free parking for the first hour.
- Free Sunday parking in Market Drayton, Whitchurch, Ellesmere, Wem, Church Stretton and Much Wenlock.
- Lower charges on Sundays in Shrewsbury, Oswestry, Bridgnorth and Ludlow.
- Sunday on-street parking charges in Ludlow and Shrewsbury.
- Free parking in all car parks on bank and public holidays (excluding the Raven Meadows multi-storey car park).
- Changes to the price of residents' off-street car park permits for Bridgnorth, Wem, Ellesmere, Market Drayton and Whitchurch.



Parking Provision in Shropshire

In providing parking spaces across the district Shropshire Council tries to cater for a number of users: residents, shoppers, tourists, workers and tradesmen. This leads to the provision of a range of different styles of parking options:

- Short stay, convenient parking for shoppers.
- Park & Ride for tourists who might want to spend all day.
- Long stay parking located further out of town for commuters.
- On-street parking for residents - close to their homes if possible.
- Consideration of night time economy when there are fewer public transport options available.

The following is a list of all the off-street parking spaces provided by Shropshire Council (including free spaces).

Table 1: Car Parks managed and enforced by Shropshire Council

CAR PARK	CAPACITY	TYPE	PAY & DISPLAY?
(*coaches are free)			(Y/N)
Albrighton			
Crown Hotel	15	Long stay	N
Bishops Castle			
Auction Yard	20	Long stay	N
Harley Jenkins	21	Long stay	N
Church Street	8	Long stay	N
Bridgnorth			
Sainsbury's	230	Short stay	Y
Smithfield	200	Short stay	Y
Innage Lane	175	Long stay	Y
Innage Lane (HGV + coach*)	10	Long stay	Y
Severn Street	103	Long stay	Y
Severn Street (HGV + coach*)	6	Long stay	Y
Riverside	14	Short stay	Y
Listley Street North	93	Short stay	Y
Listley Street South	37	Short stay	Y
Westgate	124	Long stay	N
Broseley			
Dark Lane	15	Long stay	N
Library/Health Centre	44	Long stay	N
Church Stretton			
Easthope 1	19	Long stay	Y

Easthope 2	21	Long stay	Y
Easthope 3	63	Long stay	Y
Easthope 4	41	Long stay	Y
Crossways (HGV + coach*)	Un-lined	Long stay	Y
Cleobury Mortimer			
Childe Road East	39	Long stay	N
Childe Road West	50	Long stay	N
Clun			
Clun	17	Long stay	N
Craven Arms			
Corvedale Road	66	Long stay	N
Newington Way	36	Long stay	N
Ellesmere			
Cross Street	85	Long stay	Y
Talbot Street	69	Long stay	Y
Spar Bridge	24	Long stay	Y
Highley			
High Street	19	Long stay	N
Ludlow			
Castle Street	143	Short stay	Y
Galdeford – Zone A	167	Long stay	Y
Galdeford – Zone B	100	Long stay	Y
Smithfield	101	Long stay	Y
Smithfield (HGV + coach*)	6	Long stay	Y
Market Drayton			
Frogmore	71	Short stay	Y
Queen Street	128	Short stay	Y
Towers Lawn 1	138	Long stay	Y
Towers Lawn 2	70	Long stay	Y
Newport Road	107	Long stay	N
Much Wenlock			
New Road	20	Long stay	Y
Back Lane	9	Short stay	Y
St Mary's Lane	46	Long stay	Y
Falcons Court	46	Long stay	Y
Oswestry			
Beatrice Street	100	Short stay	Y
Oswald Road	33	Long stay	Y
Oswald Road (HGV + coach*)	8	Long stay	Y
Oak Street	206	Long stay	Y
Festival Square	23	Short stay	Y
Lloyd Street	10	Long stay	N

Gobowen Train Station	101	Long stay	N
Gatacre	40	Long stay	N
Eastern Oswestry	39	Long stay	N
Prees			
Church Street	25	Long stay	N
Prees Heath - cars	50	Short stay	Y
Prees Heath (HGV + coach*)	40	Long stay	Y
Shifnal			
Aston Street	101	Long stay	N
Aston Street (HGV + coach*)	10	Long stay	N
Kings Yard	45	Long stay	N
Cheapside	11	Short stay	N
Shrewsbury			
Bridge Street	54	Short stay	Y
St Austin's	48	Short stay	Y
The Tannery	44	Short stay	Y
St Julian's Friars	272	Long stay	Y
Abbey Foregate	342	Long stay	Y
Abbey Foregate (HGV)	12	Long stay	Y
Frankwell Quay	12	Short stay	Y
Frankwell Riverside	75	Short stay	Y
Frankwell Main	720	Long stay	Y
Quarry Swimming and Fitness Centre	15	Short stay	Y
Ravens Meadows Multi-Storey	856	Long stay	Pay on Foot
Tilstock			
Tilstock Lane	20	Long stay	N
Wem			
High Street	239	Long stay	Y
Leek Street	8	Long stay	Y
Mill Street	30	Long stay	Y
Whitchurch			
Castle Hill	34	Short stay	Y
Pepper Street	19	Short stay	Y
Newtown	56	Long stay	Y
Sherrymill Street	20	Long stay	N
St John's Street	37	Long stay	Y
Brownlow Street	31	Long stay	Y

For more details on the charges that apply to car parks, please check the Council's website: www.shropshire.gov.uk/parking/car-parks/

PARKING ENFORCEMENT

Civil Parking Enforcement contributes to Shropshire Council's transport objectives by aiming to increase compliance with parking restrictions by way of clear, well designed, legal and enforced parking controls.



We aim to run our Civil Parking Enforcement operations efficiently, effectively and economically. Civil Parking Enforcement is not a revenue raising scheme: there is no income target to achieve, nor is there a target for the number of Penalty Charge Notices (PCNs) issued. The purpose of issuing PCNs is to dissuade motorists from breaking parking restrictions. Ideally we would like to see 100% compliance with parking restrictions and no PCNs being issued, however we know that this is unlikely to be achieved.

In particular, the parking enforcement regime aims to :

- Help manage the traffic network to ensure good movement of traffic in our town centres;
- Improve the operation and efficiency of parking schemes;
- Reduce the impact of vehicles in residential streets;
- Reduce the risk of road accidents and injuries by improving road and pedestrian safety, particularly in town centres and around schools;
- Improve the local environment, through reduced pollution and traffic congestion;
- Meet the needs of disabled people, some of whom are unable to use public transport systems and depend entirely on the use of a car;
- Improve access to shops, services and businesses, thereby helping to improve the local economy;
- Manage and reconcile the competing demands for kerb space of residents, shops, businesses, visitors, pedestrians, delivery vehicles, buses, taxis, private hire vehicles and coaches, cars, bicycles and motorcycles.

Enforcement levels are balanced across the county to help achieve these aims.

Civil Enforcement Officers

The Civil Enforcement Officers (CEOs) are directly employed and managed by Shropshire Council. In 2012/13, the parking enforcement team consisted of 12 staff, comprising 1 Parking Supervisor, 3 Senior CEOs and 8 CEOs. They are managed by the Environmental Enforcement Team Manager. In the year 2012/13, the CEOs spent a total of 1,930 hours enforcing off-street parking restrictions and 8,119 hours enforcing on-street parking restrictions.

The Parking Supervisor has considerable in-depth knowledge, both practical and procedural, in the areas of parking legislation: including national traffic law and how it affects parking and the enforcement of Traffic Regulation Orders.

The Parking Supervisor is responsible for the day-to-day supervision and management of the CEOs. This involves ensuring the maintenance of standards and consistency of enforcement in line with our CEO Handbook, ensuring that the CEOs are organised effectively and that there are adequate staffing levels to ensure that the operational objectives of the team are achieved.

The Parking Supervisor monitors the levels of parking compliance being achieved across the district and uses this information to determine where to direct parking enforcement activity to best effect, on a monthly basis. Thus, if the levels of compliance in a town start to improve, meaning that more people are complying with the parking restrictions in that area, we reduce the level of enforcement activity that takes place in that location. This allows us to direct our resources to those locations that need it most and means that we do not 'over-enforce' an area.

The Civil Enforcement Officers are responsible for undertaking daily enforcement patrols across the district, both on and off street. They identify parking contraventions and issue PCNs and report any missing or defective lines or signs encountered to the Senior CEOs or Parking Supervisor. They are also tasked with identifying suspected cases of blue badge misuse and fraud and work closely with colleagues in other departments to investigate and enforce these offences.

The type of parking contraventions the CEOs enforce includes:

- Waiting restrictions (double and single yellow lines),
- Ensuring motorists are parked within marked bays,
- Ensuring loading bays are kept free of parked vehicles so ensuring they are kept available for vehicles that need access to them to load/unload goods,
- Ensuring that motorists pay the correct charge in Pay and Display bays and do not remain in the bay beyond the paid for time,
- Ensuring that vehicles parked in Residents' parking bays are displaying a valid permit.

The Senior CEOs have additional responsibilities of managing the CEO's daily work patterns and rotas, ensuring that all of the CEO's equipment is available and working correctly and ensuring that the vehicles used by the team are fully maintained and serviced.



Shropshire Council operates a common sense approach to parking enforcement to minimise the issuing of PCNs to motorists who make honest mistakes. For example, in most circumstances, we will:

- Carry out a minimum of 5 minutes observation of a vehicle parked on a restricted street during prescribed hours (yellow lines);
- Allow a grace period of 15 minutes after the expiry of paid for time on paid for parking places;
- Allow a grace period of 15 minutes for a motorist to purchase a ticket on paid for parking places;
- Carry out a 10 minutes observation period of a vehicle parked in a loading place during restricted hours to check whether loading is taking place;
- Allow a 10 minute grace period for vehicles parked for longer than permitted in a limited waiting bay.

The service also receives many requests asking for additional parking enforcement to be carried out in particular areas. These requests are prioritised according to the parking restrictions that exist in that location and the available staff resources. If particular situations arise during the day, the Parking Supervisor will ensure that the CEOs are redirected to support these requirements. Thus, for example, where a delivery lorry or coach parks in such a way that it interferes with the sequencing of a set of traffic lights, leading to town centre congestion, a CEO will be dispatched to deal with the parking contravention immediately.

The number of PCNs issued by the CEOs during the last three financial years is shown in the table below and the outcome of these PCNs is shown in in Table 3.

Table 2: Penalty Charge Notices issued by Shropshire Council CEOs

Code	Contravention Description: on-street	Penalty Level *	Number of PCNs issued		
			2010/11	2011/12	2012/13
01	Parked in a restricted street during prescribed hours	H	1991	2411	2395
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	H	521	730	659
05	Parked after the expiry of paid for time	L	282	460	524
06	Parked without clearly displaying a valid pay & display ticket	L	453	675	703
12	Parked in a residents' parking place without clearly displaying a permit or pay and display ticket	H	296	292	314
16	Parked in a permit space without displaying a valid permit	H	125	166	137
19	Parked in a residents' parking place displaying an invalid permit or an invalid pay & display ticket	L	232	183	167

20	Parked in a loading gap marked by a yellow line	H	1	0	0
21	Parked in a suspended bay	H	1	0	0
22	Re-parked in the same parking place	L	5	4	3
23	Parked in a parking place not designated for that class of vehicle	H	22	188	54
24	Not parked correctly within the bay markings	L	34	35	35
25	Parked in a loading place without loading	H	1250	1278	1260
30	Parked for longer than permitted	L	1526	1639	1296
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	H	827	1087	908
45	Parked on a taxi rank	H	57	90	62
47	Parked on a restricted bus stop/stand	H	256	266	328
48	Stopped in a restricted area outside a school	H	1	2	0
99	Stopped on a pedestrian crossing	H	88	96	80
Code	Contravention Description: off-street	Penalty Level *	Number of PCNs issued		
			2010/11	2011/12	2012/13
80	Parked for longer than the maximum period permitted	L	1	3	2
82	Parked after the expiry of time paid for in a pay & display car park	L	566	768	885
83	Parked in a pay & display car park without clearly displaying a valid pay & display ticket	L	1090	2310	1777
85	Parked in a permit bay without clearly displaying a valid permit	H	116	30	31
86	Parked beyond the bay markings	L	45	99	106
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	H	99	199	171
91	Parked in an area not designated for that class of vehicle	H	4	21	17

94	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	L	1	1	0
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* Higher Penalty: £70
Lower Penalty: £50

(both reduced by 50% if paid within 14 days)

Table 3: Outcomes of PCNs issued by Shropshire Council CEOs

	2010/2011			2011/2012			2012/2013		
	Total PCNs	On-Street	Off-Street	Total PCNs	On-Street	Off-Street	Total PCNs	On-Street	Off-Street
Number of higher level PCNs issued	5360	5141	219	6564	6314	250	6416	6197	219
Number of lower level PCNs issued	4530	2827	1703	6469	3288	3181	5498	2728	2770
Total number of PCNs issued	9890	7968	1922	13033	9602	3431	11914	8925	2989
Total number of PCNs cancelled	1895 (19%)	1407	488	2301 (18%)	1558	743	1312 (11%)	873	439
Number of PCNs paid at discount	6477 (65%)	5347	1130	8983 (69%)	6666	2317	8524 (72%)	6442	2082
Number of PCNs fully paid	7994 (81%)	6561	1433	10702 (82%)	8022	2680	9881 (83%)	7504	2377
Number of PCNs against which a challenge/representation was made	2302 (23%)			3292 (25%)			2485 (21%)		
Number of PCNs cancelled as a result of a challenge/representation	1145 (12%)	787	358	1491 (11%)	921	570	1021 (9%)	642	379
Number of PCNs cancelled/written off for other reasons	750 (8%)	620	130	810 (6%)	637	173	291 (2%)	231	60
Number of vehicles removed	n/a			n/a			4		

(NB: all figs correct as at 25/09/2013)

NOTICE PROCESSING

The Notice Processing team deals with any Challenges that are made to the issue of a PCN and the issuing of Parking Permits for on and off street parking areas.

Appeals

The legislation that governs the issuing and appealing of PCNs is the Traffic Management Act 2004. This legislation clearly indicates the varying stages of the appeals process from informal and then formal representation and appeal to the Traffic Penalty Tribunal Service.

On the reverse of a PCN there are full details of how to pay the PCN or what to do if the driver of the vehicle does not think the PCN should be paid and wishes to challenge its issue. The driver has 28 days from the date the PCN was issued in which to lodge a challenge. Details of our Appeals process can be found in our document 'Grounds for the Cancellation of Penalty Charge Notices' on our website: <http://www.shropshire.gov.uk/parking/parking-enforcement/>

The Council will aim to respond to the receipt of an informal representation within 21 days. When a challenge is received, the notice is put on hold until a full response is sent.

The table on page 20 provides data on the number of PCNs cancelled and the reasons behind these decisions.

For PCNs that continue through the appeals process, the final stage is an appeal to the Traffic Penalty Tribunal service (TPT). During the financial year 2012/13 a total of 24 appeals were sent to the TPT. A number of cases are not contested at TPT stage by the Council. This is often due to the Appellant providing further evidence which was not provided to the Council when a formal representation was made, making it disproportionate to continue with the case.

Table 4: Percentage of Penalty Charge Notices resulting in an Appeal

Type of Appeal	2010/11	2011/12	2012/13
Informal Challenge	20%	22%	18%
Formal Representation	4%	5%	3%
TPT Appeals	0.4%	0.5%	0.2%

Table 5: Outcome of appeals submitted to the Traffic Penalty Tribunal

	2010/11	2011/12	2012/13
Appeal Allowed	14	21	10
Appeal Rejected	10	22	10
Appeal Non-Contested	9	11	4
Awaiting outcome at 31 March	3	6	0
Total	36	60	24

Permits and Season Tickets

The Council offer a variety of residents' parking schemes that are designed to control indiscriminate parking on residential streets whilst retaining access for the emergency services. Full details of these permits are available on the Shropshire Council website: <http://www.shropshire.gov.uk/parking/residents-parking-permits/>

Residents who are eligible for on-street parking permits in Bridgnorth and Ludlow can also purchase books of visitor scratch cards from their local Shropshire Council office.

The Council also offers a variety of Season Tickets for the off-street car parks which are owned or operated by Shropshire Council. Full details of these permits are available on the Shropshire Council website <http://www.shropshire.gov.uk/parking/car-park-season-tickets/>

Waivers

The council can exercise its discretion and allow a vehicle to park on restrictions on specified stretches of road for a limited time. Waivers provide for services such as carers and essential trades people and are not designed for residents.

The circumstances in which a waiver may be available include:

- building/maintenance/repair works where close proximity to the site is essential,
- any other activity requiring a vehicle to park in contravention of the parking regulations.

Restrictions regarding dangerous parking, obstruction and footway parking will apply and will be considered on application.

A list of types of waivers and the conditions appropriate for issuing them has been established and is set out in the Shropshire Parking Strategy.

Trades persons waivers

There are two types of trades persons waiver dependent on the parking restriction involved: green and red waivers.

A Green Waiver allows the vehicle to be parked in any pay & display bay (on street), limited-waiting bay, loading bay, resident-only bay, or in a Shropshire Council surface car park. These waivers are transferable and can be used for the same vehicle for the valid date/s to move from job to job if necessary and apply county wide.

A Red Waiver allows a vehicle to be parked on double/single yellow lines or in a disabled bay. We require up to five working days' notice prior to the active start date of these waivers so that site checks can be carried out prior to authorisation being granted or refused.

The CEOs are able to check for the details of vehicles that have obtained waivers via their handheld computers, which operate in real-time. Thus they are able to immediately check whether or not a vehicle found parked on a parking restriction has a valid waiver or not. For this reason, a printed waiver is not required to be displayed in the vehicle. Should a vehicle be parked in the wrong location or type of restriction, e.g. a green waiver found in a red waiver location, or there is no valid waiver, the vehicle will be subject to the issue of a PCN and the appeals procedure will apply.

Table 6: Number of Trades persons waivers granted in 2012/13*

Green Waiver	947
Red Waiver	7

(*No. of transactions completed)

Health emergency badge

This type of waiver can be used for all non-routine visits for up to one hour for people working on behalf of the local primary care trust and engaged in urgent or emergency health care.

The waiver can be used in limited waiting, pay & display and residents' parking bays, but not disabled or loading bays. It may also be used on single or double yellow lines if a parking bay is not close by.

Professional carers badge

This waiver allows parking for up to two hours for visits to clients for those working or acting on behalf of a professional health care organisation e.g. social services, Age Concern, Meals on Wheels or a private health care organisation.

The waiver can be used in limited waiting, pay and display and residents parking bays, but not disabled or loading bays.

Carers badge

This type of waiver is suitable for those in receipt of carers allowance and have difficulty in parking close to the friend or relative that they care for because of parking restrictions. In such circumstances the council can consider allowing an exemption to the on-street parking restriction at the address of the person being cared for.

FINANCIAL STATEMENT

The income and expenditure of local authorities in connection with their *on-street charging and their on-street and off-street enforcement activities* are governed by Section 55 (as amended) of the Road Traffic Regulation Act 1984.

The following table shows the total income and expenditure in connection with our on-street charging and our on-street and off-street enforcement activities for 2012/13 as required by the Road Traffic Regulation Act 1984.

Please note, this is **not** a full income and expenditure statement for the provision and management of all parking facilities within Shropshire Council.

Financial Information	2012/13 £	
Service Income		
On-Street Penalty Charge Notice Income	243,787	
Off-Street Penalty Charge Notice Income	81,262	
On-Street parking charges	450,789	
Residents' parking permits	38,828	
Total Income	814,666	
Service Expenditure		
Enforcement Employee Costs		332,675
Enforcement Other Costs		151,514
Notice Processing Office		67,014
Cash Collectors Employee Costs		*
Total Expenditure		

It can be seen therefore that the enforcement of parking restrictions does not generate a net income for Shropshire Council: the costs of providing the enforcement service exceeds the income generated from the issuing of Penalty Charge Notices. Any parking surplus is generated from paid for on-street parking. On-street parking charges are set so as to secure the expeditious, convenient and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities on the highway. The income generated from on-street parking charges helps to support the Park & Ride contracts operated by the Council.

* This figure has been excluded from the report as we are currently in the process of tendering for delivery of this service.

CANCELLATIONS

There are many reasons or circumstances in which a PCN may be cancelled or written off. Our Notice Processing team considers every challenge against a PCN on its own merit, considering any mitigating circumstances offered, in accordance with the Council's Grounds for the Cancellation of PCNs which is available to view on our website.

Description	2010/11	2011/12	2012/13
Cancelled – Corporate Decision	19	9	13
Cancelled – DVLA CEO Error	18	22	17
Cancelled – DVLA No Trace	88	83	79
Cancelled – Foreign Driver	11	66	51
Cancelled – General (Council's discretion)	9	3	3
Cancelled – NPAS Appeal Allowed	15	21	10
Cancelled – NPAS Appeal Not Contested	4	9	4
Post NTO – Cancel – General	61	73	116
Post NTO – Cancel – Accepted on Hire	1	4	7
Pre NTO – Cancelled Blue Badge (general reason)	193	242	43
Pre NTO – Cancelled Bus Stop	6	5	1
Pre NTO – Cancelled CEO Error	24	38	10
Pre NTO – Cancelled Disabled Overstay	0	1	7
Pre NTO – Cancelled Emergency	0	3	3
Pre NTO – Cancelled General Reason	76	98	53
Pre NTO – Cancelled Humanitarian	29	5	4
Pre NTO – Cancelled Legal	0	0	1
Pre NTO – Cancelled Load Unload	12	14	22
Pre NTO – Cancelled Loading Ban	7	8	7
Pre NTO – Cancelled Loading Bay	86	52	33
Pre NTO – Cancelled Loading/Taxi Bay	16	33	3
Pre NTO – Cancelled Machine Problem	11	1	4
Pre NTO – Cancelled Medical Emergency	1	1	6
Pre NTO – Cancelled No Blue Badge Clock	4	40	19
Pre NTO – Cancelled No Pay & Display Ticket	48	174	53
Pre NTO – Cancelled Parked Out Of Bay	5	23	7
Pre NTO – Cancelled Overstayed time	108	121	41
Pre NTO – Cancelled Police incident	1	1	1
Pre NTO – Cancelled Restricted Zone	17	14	3
Pre NTO – Cancelled Taxi Bay	1	1	0
Pre NTO – Cancelled Valid Disabled Badge	64	121	177
Pre NTO – Cancelled Valid Reason	3	3	26
Pre NTO – Cancelled Valid Resident Permit	122	61	39
Pre NTO – Cancelled Valid Season Ticket	15	10	10
Pre NTO – Cancelled Valid P&D Ticket	123	157	194
Pre NTO – Cancelled Valid P&D Ticket or Permit	68	127	88
Pre NTO – Cancelled Yellow Lines	24	30	29
Write Off – Bailiff (all reasons)	438	397	107
Write Off – Outstanding Monies	100	78	17

Write Off - Untraceable	67	81	4
Write Off – Warrant Expired	0	71	0
TOTAL	1895	2301	1312

(NB: all figs correct as at 25/09/2013)

PARKING ENFORCEMENT: DEVELOPMENTS DURING 2012/2013

Blue Badge enforcement work

The Blue Badge scheme provides an almost national arrangement of parking concessions for people with severe walking difficulties and people who are registered as severely sight impaired (blind) who travel either as passengers or drivers. The badge is assigned to a person, rather than a vehicle, meaning holders are able to use it whether they are the driver or a passenger in another car.



Blue Badge holders (or those transporting a Blue Badge holder) are entitled to park in various locations that are not available to other motorists, such as disabled bays, loading bays, on double yellow lines, etc. This makes the badges very attractive to other motorists and it is therefore important that people with badges use them responsibly and do not give their badge to friends or family to allow them to park for free or in restricted places.

Using stolen or fake Blue Badges, or allowing a family member or friend to use a badge without the badge holder in the vehicle, is fraud and can lead to a fine of up to £1000.

There are currently approximately 14,250 valid blue badges issued by Shropshire Council in circulation. There are over two million Blue Badges in use in the UK as a whole.

Abuse of the scheme by those who are not entitled to its concessions can undermine the scheme's credibility by denying people who are genuinely disabled a vital service through their dishonesty. Our Civil Enforcement Officers therefore have to be vigilant for this and badges that are incorrectly displayed, tampered with, altered or photocopied warrant further investigation to ensure they are valid.

There are two main types of blue badge fraud: misuse and abuse. Misuse is covered by the Road Traffic Regulation Act 1984: an example of misuse would be where a person misuses a relative's badge by parking a vehicle without the badge holder being present. Abuse is covered by the Fraud Act 2006 and relates to anyone who uses a blue badge which is not genuine or where the badge has been altered (e.g. the expiry date has been amended).

The misuse of a Blue Badge carries a maximum fine of £1000.

In conjunction with our colleagues in the Investigations & Enforcement team, we have introduced an investigation process for cases of blue badge misuse. This has resulted in one successful prosecution, where the offender was ordered to pay a total of £537, and two simple cautions.

Vehicle removals

Under the Traffic Management Act 2004, Shropshire Council has the power to remove vehicles that have contravened a Parking Offence within a Special Parking Area (SPA). We therefore undertake to remove any vehicles that are identified as being 'persistent offending vehicles'.

Removals are only carried out after liaison with Shropshire Council's Traffic Manager and after presenting credible evidence of persistent evaders to gain written approval.

When a vehicle is removed, it is taken to a secure compound and the Police are informed.

When collecting the vehicle, the driver must take with them:

- Proof of identification
- Proof of vehicle ownership
- A valid and current driving licence for the person intending to drive the vehicle away from the compound. The owner may nominate another person to collect the vehicle.
- A valid and current Insurance Certificate. A cancelled or withdrawn insurance certificate will not be accepted and will be regarded as an intent to deceive, likely to result in the police being informed.

The person collecting the vehicle will be required to pay the penalty charge notice that was issued to the vehicle before it's removal, the release fee and any storage charges incurred. If the vehicle is not collected, there may also be a disposal charge to pay.

A persistent offending vehicle is considered to be a vehicle with three or more unpaid and unchallenged PCNs, one of which has progressed to warrant stage OR the owner or keeper detail of the vehicle is not identifiable via the DVLA and all other legitimate means of enforcement have failed.

During the course of 2012/13, we removed 4 persistent offending vehicles.

GLOSSARY OF TERMS

Appeal

The legal process of challenging a decision by a local authority to reject a motorist's formal representation against the issue of the PCN.

Challenge

An objection made against a Penalty Charge Notice **before** a Notice to Owner is issued.

Cancellations

A Penalty Charge Notice is cancelled when we believe that it would be unjust to pursue the case, or when there is an applicable exemption.

Civil Enforcement Area

An area approved by the Secretary of State for Transport within which the enforcement of most parking controls has been decriminalised and where enforcement may therefore be undertaken by the local authority.

Civil Enforcement Officer (CEO)

This is the title given to officers who used to be known as Parking Attendants, Traffic Wardens etc. They must be employed by the council or through a specialist contractor.

Civil Parking Enforcement (CPE)

This is term given to the enforcement of parking regulations by Civil Enforcement Officers (CEO) under the Traffic Management Act 2004.

Contravention

Failure of the motorist to comply with traffic or parking regulations as set by local Traffic Regulation Orders (TRO).

Controlled Parking Zone

An area where the parking restrictions are shown by signs placed on all vehicular entry points to the zone. The entry sign indicates the times when waiting is prohibited. Within the zone, signs are only required where the restrictions differ to those on entry. If there is no lower panel showing days and times, the zone operates at all times.

If loading is prohibited at the same time as the waiting prohibition, the entry sign should include the words "No loading" at the bottom of the upper panel.

Decriminalised

This means that it is not illegal to park in contravention of parking regulations as parking is a civil offence rather than a criminal offence: Enforcement of regulations within a Special Parking Area is the sole responsibility of the Local Authority and not the police. Unpaid charges are pursued through debt collection agencies and not through the courts.

Department for Transport (DfT)

This is the Government department responsible for the English transport network and transport matters in Scotland, Wales and Northern Ireland which are not devolved. The department is run by the Secretary of State for Transport.

Driver and Vehicle Licensing Agency (DVLA)

An Executive Agency of the Department for Transport with the primary aims of facilitating road safety and general law enforcement, by maintaining registers of drivers and vehicles, and to collect vehicle excise duty (car tax).

Grace period

A grace period is an unofficial period of time that a vehicle can park in contravention without receiving a Penalty Charge Notice (PCN). This should not be confused with an Observation Period.

Loading bay/place

An area of highway designated as a loading bay/place under a loading bays/places order. It may contain one or more loading bays or spaces.

Notice to Owner (NTO)

This is a statutory notice that is served by the authority to the owner of the vehicle, usually considered to be the registered keeper of the vehicle that was issued with the Penalty Charge Notice (PCN). This will be served when a PCN is unpaid for 28 days. When the registered keeper, or the person the council believed to be the keeper of the vehicle, receives this they can either;

- Make a payment of the full charge.
- Make a representation (an appeal).

Observation Period

An observation period is an allocated amount of time that a vehicle is observed to ascertain what activity is taking place and whether the vehicle is parked in compliance with the appropriate restrictions. Observation periods are split into two types: casual and constant.

Casual observation takes place when a CEO notes the times when a vehicle has been observed but does not specifically monitor the vehicle.

Constant observation takes place when a CEO remains at the location and monitors the vehicle for a specified period of time to establish whether a contravention is occurring.

Off-street parking

These are facilities provided through car parks.

On-street parking

These are facilities provided on the kerbside such as pay and display or permit parking.

Parking Bay

An individual bay within a parking place, which is provided for the leaving of a vehicle upon payment or display of a permit or voucher as required.

Parking Place

Any area of highway designated as a parking place under a parking places order. It may contain one or more bays or spaces. Where individual bays are marked, the parking place will end with double white termination markings. Where individual bays are not marked the parking place will end with single white termination markings.

Parking Space

An area or areas within a parking place provided for the leaving of a vehicle.

Penalty Charge Notice (PCN)

This is issued to a vehicle that is believed to be parked in contravention of the local Traffic Regulation Order. A PCN must contain certain information, including a description of which contravention is alleged to have occurred.

Registered Keeper

The person registered with the Driver and Vehicle Licensing Agency (DVLA) as being the legal keeper of a vehicle. The registered keeper is presumed to be the owner of the vehicle for the purposes of enforcement.

Representation

This is a challenge against the PCN **after** the Notice to Owner is issued.

Restricted parking zones

Restricted parking zones are areas where waiting and/or loading restrictions apply but where no lines have been painted. Lines are not painted, either to reduce the negative aesthetic impact on a street or because the road surface makes using paint impractical or inappropriate.

In order to advise motorists of the restrictions signage is used instead. The zone entry sign indicates the times when waiting and loading are prohibited. Where parking and loading are permitted, usually in signed bays, this should be indicated on the entry signs.

In places where parking is permitted alternative methods of demarking bays are used; for example road studs. Upright signs will give details about the use of the bays

Special Parking Area (SPA)

An area where on-street parking is subject to Civil Parking Enforcement (CPE). Local Authorities will enforce the regulations through Civil Enforcement Officers.

Traffic Management Act 2004 (TMA)

This act was passed by UK government in 2004. This law details street works and parking regulations. The Act has been implemented since 31st March 2008.

Traffic Management Act 2004, Part 6

Part of the Traffic Management Act 2004 relating to the Civil Enforcement of Parking Contraventions.

Traffic Enforcement Centre

In the event that a payment has not been made within the statutory period, the Council may register any outstanding amount as a debt with the TEC. The Tec is a County Court that deals with unpaid parking fines in England and Wales. .Once registered, if the penalty charge is not paid or a witness statement made, the council will request a warrant of recovery. .Once a warrant has been authorised by the TEC, the Council will employ bailiffs to recover the debt.

Traffic Penalty Tribunal (TPT)

An independent adjudicator who will decide if an appeal against a PCN is valid. An appeal can be made if both the challenge and representation have been rejected by the council.

Traffic Regulation Order (TRO)

This is statutory legal document necessary to support any enforceable traffic or highway measures.

Warrant of Execution

Document allowing appointed Certified Civil Recovery Agents (bailiffs) to seize goods to the value of the debt owed. The debt will include further charges incurred during the course of recovery.