

Annual Parking Report 2017/18



SOUTH BUCKS
District Council

PNALTY
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INTRODUCTION

Welcome to South Bucks District Council (SBDC) second Annual Parking Report.

The report has been introduced in line with Part 6 of the Traffic Management Act 2004 and compliments the information submitted in accordance with the Local Government Transparency Code 2014.

The purpose of the report is to provide factual information regarding our parking enforcement operations, up to date information on the parking facilities, and general information on parking throughout the South Bucks District.

One of the priorities of the Department for Communities and Local Government is to ensure that the enforcement of parking restrictions is transparent, consistent, and fair. SBDC recognises that openness and accountability is critical to gaining public support and by publishing our Annual Parking Report, we hope that our customers will be aware of our dedication to improving the parking regime for residents, businesses, and visitors to the District.

We thank you for taking the time to read this report. We hope you will find the contents interesting, and that it will give you a better understanding of the parking service we provide.

CIVIL PARKING ENFORCEMENT

The Legal Background

In 2012, South Bucks District was designated as a Civil Enforcement Area for parking contraventions, which meant that parking enforcement transferred to Civil Parking Enforcement (CPE). This was with the exception of all off-street parking places provided by SBDC pursuant to section 32(1)(a) of the Road Traffic Regulation Act 1984(b). SBDC followed suit on 4 April 2017 and consequently, CPE is now consistently applied throughout the District.

This means that SBDC is able to enforce regulations on the car parks to minimise illegal parking in accordance with the Traffic Management Act 2004. The notices issued are no longer breaches of the criminal law enforceable through the criminal justice system, but instead Penalty Charge Notices (PCNs) are a civil debt owned by the Authority. There are a number of differences, which include, but are not limited to:

Road Traffic Regulation Act 1984

- Criminal law - commit an offence
- One penalty charge of £80 discounted to £40
- Enforcing officers are PAs
- Driver liable for the charge.
- Dealt with at Magistrates court.

Traffic Management Act 2004

- Civil law - contravene a parking restriction.
- Parking penalties appropriate to seriousness of the contravention. £70 (higher) £50 (lower) discounted £35/£25
- Enforcing officers are Civil Enforcement Officers (CEOs)
- Keeper at date of event (otherwise classed as registered/owner unless proven otherwise) is liable for the charge
- Three stage appeal process with option to appeal to the Traffic Penalty Tribunal (TPT). This is a judicial process which enables the third stage appeal to be reviewed by an independent adjudicator
- Power to inspect blue badges.
- Powers to serve PCN by post if CEO commenced issue but is unable to serve due to aggressive/ threatening behaviour or the vehicle is driven away.
- Warrant of control enforceable by Enforcement Agents

Parking Enforcement

SBDC has a team of CEOs enforcing the car parks across the whole of the District. Shift rotas ensure that CEOs are on duty seven days a week.

Enforcement Officers not only provide advice and assistance to those wishing to park in the District but also a key role in assisting visitors with signposting and general information.

To protect the CEOs from allegations of inconsistency, favouritism or suspicion of bribery, they do not have the powers to exercise discretion. All appeals in relation to the issue of a PCN are dealt with by specially trained appeal officers who are knowledgeable and experienced in CPE. This promotes greater consistency in the approach taken to enforce the parking regulations.

Enforcement does not affect drivers who park their vehicle correctly, pay the correct parking tariffs or display valid season tickets/badges where applicable.

A PCN can be served by affixing it to the windscreen of the vehicle, handing it to the driver of the vehicle, or by post subject to the following:

- If the CEO has been prevented, for example by force, threats of force, obstruction or violence, from serving the PCN either by affixing it to the vehicle or by giving it to the person who appears to be in charge of that vehicle; and
- If the CEO had started to issue the PCN but did not have enough time to finish or serve it before the vehicle was driven away and would otherwise have to write off or cancel the PCN.

Once a PCN has been issued, the Notice can either be paid or disputed by following the appeal process.

Parking Contraventions

All SBDC controlled car parks have signs within or at the entrance to each car park. These signs provide details of the tariff and restrictions that are in place. Motorists are advised to read these signs to ensure they are aware of the restrictions before they park their vehicle and leave the car park.

Some of the car parks within the District have a maximum stay parking restriction. The parking time available in each of the car parks is displayed on the tariff board. For example, if the maximum parking time that can be purchased is three hours, then three hours is the maximum stay on that car park on any given day. If appealing against a PCN issued for this reason you will need to prove that you did not park for longer than the maximum period.

THE APPEALS PROCESS

Where a parking contravention occurs, it is the 'owner' of the vehicle involved 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 (c.22) is presumed (unless the contrary is proved) 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.

When allowing other persons to use their vehicles, vehicle owners should bear in mind that it is still they, the vehicle's owner and not the vehicle's driver who will be liable to pay any penalty charges incurred in respect of parking contraventions.

The only exception to this is where the vehicle was hired from a firm under a hiring agreement and the person hiring it had a signed statement of liability in respect of any Penalty Charge Notice served in relation to the vehicle during the currency of the agreement.

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

1. Informal

An informal 'challenge' or 'representation' can be made before the Council issues a Notice to Owner (NtO). (This does not apply in the case of a PCN issued by post, as the PCN then also acts as the 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.

The PCN number should be included in the challenge along with reasons why the Notice has been incorrectly issued or compelling reasons why the PCN should be cancelled. Where applicable, include documentary evidence to enable the challenge to be fully considered.

If the challenge is rejected and it was received within 14 days from the issue of the PCN, a further 14 days in which to make payment at the discounted rate will be given. Once the 14 days have expired the full charge will be applicable. If the challenge is rejected and it was received after the 14 day discount period, the full penalty charge will be due.

2. Formal

If payment is not received within 28 days of the PCN issue date, the Council will make an enquiry to the DVLA for the Keeper at date of event. An NtO will then be served requesting payment of the PCN. At this stage the owner has 28 days in which to make formal representations to the Council. The NtO sets out specific grounds on which formal representations may be made. However, 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 penalty charge.

If the formal representation is accepted the case will be closed and payment will not be required. If the representation is rejected, the full charge will be applicable and a 'Notice of Rejection of Representation' will be sent.

Statutory grounds on which a formal representation may be made to the Council and where, in the instance of supporting evidence, the PCN is likely to be cancelled:

- The contravention did not occur.
- The recipient has never owned the vehicle in question.
- The recipient had ceased to be the owner before the contravention date or, became the owner after that date. (Proof of sale or purchase will be required). If the vehicle has been sold, the name and address of the person buying the vehicle must be supplied in order that the Council can redirect the Notice and serve a Notice to Owner to the new owner. The Council is not able to accept an explanation that the vehicle has been sold without proof. A letter from the DVLA, which confirms you were not the owner at the date of event may assist the Council in making a decision).
- The vehicle is a hire vehicle, on hire under a formal hire agreement. (A copy of a signed hire agreement, which includes the start and end dates is required).
- The vehicle was parked without the owner's consent. (This does not cover cases such as lending the vehicle to a friend who then parks illegally; or to a vehicle which is parked illegally whilst in the hands of a vehicle repair or service business). If the vehicle has been stolen a crime reference number and the name of the police station to which the crime was reported is required or a letter from an insurance company.
- The penalty charge exceeded the amount properly due (i.e. the amount is more than you are legally liable to pay - not that you feel the charge is too much).
- The Order was invalid (i.e. the Council had not followed the proper statutory steps in making the order). If the basis of the challenge is that the terms and conditions of a car park are unclear, Ground 1 above should be used.

Representations may also be made on compassionate grounds or "compelling reasons" and councils have a duty to act fairly, proportionately and apply discretion where appropriate. Each case will therefore be considered on its own merits and all mitigating circumstances will be taken in to account.

Mitigating Circumstances which may apply:

- Pay and display ticket face down in the vehicle. Copy of the valid ticket is required.
- Pay and display machine faulty. This is subject to another pay and display machine not being available on the car park and our maintenance records supporting the claim.
- RingGo - payment made for the incorrect car park. If a PCN has not previously been cancelled for a similar reason, a first offence waiver is likely to be given.
- You became unwell while driving or whilst parked. Evidence of having a medical condition that is consistent with the symptoms described is required.
- The vehicle had broken down. Evidence of breakdown is required such as, an authenticated garage repair/vehicle recovery bill.
- A Blue Badge displayed incorrectly (badge can partly be seen in the vehicle). Copies of both sides of the badge will be required to check against our records. If a PCN has not previously been cancelled for a similar reason, a first offence waiver is likely to be given.

- The vehicle was on police, fire brigade or ambulance duties. Supporting evidence by a senior officer on letter headed paper is required.
- The owner liable for payment of the PCN is said to have died or the motorist claims to have been recently bereaved. The circumstances will be confirmed by sensitive enquiry.
- Circumstances that fall into the category of a statutory exemption due to provisions within South Bucks District Council Off Street Parking Places Order.

The above list is not exhaustive and there can be many reasons to take into account when considering challenges or representations.

A PCN is unlikely to be cancelled on the following grounds:

- You had only parked for a few minutes.
- You had gone to get change for a pay and display machine.
- You were not causing an obstruction.
- There was nowhere else to park.
- Pay and display ticket / permit not on display.

The above list is by no means exhaustive.

The process of dealing with challenges and representations against the issue of a PCN is well documented and will be carried out in a fair, unbiased and consistent manner. These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator; the Traffic Penalty Tribunal (TPT).

To preserve the integrity of these procedures, they will be managed and carried out by the administration and processing staff in Parking Services and no undue external pressure shall be brought by either Members or senior officers of the Council, designed to unduly influence the decisions by virtue of their position alone.

3. Appeal to TPT

Following a 'Notice of Rejection of Representation', the owner (or hirer, if the vehicle was on hire when the PCN was issued) may, within 28 days from the date of issue of the 'Notice of Rejection of Representation' appeal to TPT. Details of how to appeal will be included in the Council's rejection letter. The adjudicators have a judicial position and are appointed with the agreement of the Lord Chancellor. They are independent of the Council and their decision is final (subject to their own power to review a decision).

The appellant has the choice of a postal decision, a personal hearing at the town or city of his/her choice, or a telephone hearing. If the appeal is accepted, the case will be closed and payment will not be required. If the appeal is dismissed the full penalty charge is payable.

General information on associated rules and regulations, which may assist motorists in deciding whether to pay or to challenge a PCN, can be found on the PATROL website www.patrol-uk.info.

Outstanding PCNs can be quite upsetting for some motorists and we are sensitive to these needs. SBDC's Parking Services Team are experienced in parking issues and customer care and are able to address any concerns motorists may have whilst progressing through the appeal process.

As a Local Authority, we recognise that customer expectations change and therefore to ensure we continue to successfully deliver a quality service that is both effective and efficient, we regularly monitor our working methods and frequently review our staff training requirements.

PARKING IN SOUTH BUCKS

Car Park Provision



We provide public parking facilities to assist with traffic management, environmental improvements, and to support our community by ensuring sufficient availability of space to meet the demands of residents, shoppers, visitors, and local businesses.

The tables below outline all of SBDC's public car parks, along with their tariffs (as of September 2018) and the maximum length of stay. Also provided is information specific to a given area.

Beaconsfield

Located in the North of the District with good transport links into London, the surface level car parks serves tourists, local workers, shoppers, and commuters. The two larger car parks operate at an average 80% occupancy peaking to 92% on some days. Careful monitoring of the parking provision is required with additional parking capacity to be considered if land opportunities arise.

Charging period Monday to Sunday 08:00 to 20:00

Car Park	No. of Spaces	Tariff	Max Stay
Altons	170	1hr-£1.50; 2hr-£2.10; 3hr-£3.70; 4hr-£4.50; 9.5hr-£6.00; 12hr-£8.00	12hr
Penncroft Rd	101	1hr-£1.50; 2hr-£2.10; 3hr-£3.70; 4hr-£4.50; 9.5hr-£6.00; 12hr-£8.00	12hr
Warwick Rd	49	1hr-£1.50; 2hr-£2.10; 3hr-£3.70; 4hr-£4.50; 9.5hr-£6.00; 12hr-£8.00	12hr
Total Spaces	320		
Sunday and Bank Holiday Charges - £1.40 all day across all car parks			

In a bid to prevent commuters from being the all-consuming customer on SBDC car parks in Beaconsfield and enable parking space to be available for shoppers and visitors, a restriction has been placed on the different payment methods. Consequently, payment for parking cannot be made before the charging period starts at 08:00.

Burnham

There are a number of surface car parks providing ample parking provision for local workers, shoppers, and parents dropping off/picking up children from nearby schools where there is little or no on-site parking. The most frequently used car park operates at an average 78% occupancy peaking to 90%. The most underused car park operates at an average 36% occupancy.

Charging period Monday to Sunday 08:00 to 20:00

Car Park	No. of Spaces	Tariff	Max Stay
Jennery La	65	30mins-£0.80; 1hr-£1.30; 2hr-£1.50	2hr
Neville Ct	25	2hr-£0.60; 4hr-£0.80; 24hr-£1.30	24hr
Summers Rd	58	1hr-£1.00; 2hr-£1.20; 3hr-£1.60; 24hr-£2.40	24hr
Total Spaces	148		
Sunday and Bank Holiday Charges - £1.40 all day across all car parks			

There is a public convenience on Jennery Lane Car Park, which is open to members of the public to use.

Farnham Common

Located centrally in the South Bucks District the surface parking provision, which serves local workers, shoppers, and visitors, has an average occupancy rate of 55% with a peak occupancy of 67%.

Charging period Monday to Sunday 08:00 to 20:00

Car Park	No. of Spaces	Tariff	Max Stay
The Broadway	73	30mins-£0.70; 3hr-£1.30; 24hr-£1.70	24hr
Sunday and Bank Holiday Charges - £1.40 all day			

The car park has a public convenience, which is available for customers.

Gerrards Cross

Located in the North East of the District with good transport links into London, the car parks serve tourists, local workers, shoppers, and commuters. Parking pressures exist on all of the car parks with the largest car park regularly operating at 100% occupancy. This has an effect on the high street and therefore, in an attempt to reduce the parking pressure on a temporary basis the charging structure has been amended to deter long stay customers. Long stay customers are a combination of commuters and local workers. In addition, a number of bays on the car park have been designated to a maximum stay of one hour bays only.

Charging period Monday to Sunday 08:00 to 20:00

Car Park	No. of Spaces	Tariff	Max Stay
Bulstrode Way	32	1hr-£1.50; 2hr-£2.10; 3hr-£3.70	3hr
Packhorse Rd	67	1hr-£1.50; 2hr-£2.10; 3hr-£3.70; 4hr-£4.50; 9.5hr-£8.00; 24hr-£10.00	24hr
Station Rd	122	1hr-£1.50; 2hr-£2.10; 3hr-£3.70; 4hr-£4.50; 9.5hr-£8.00; 24hr-£10.00	24hr

Total Spaces	221		
Sunday and Bank Holiday Charges - £1.40 all day across all car parks			

Recent car park studies show there is a need for additional parking in the town to meet future parking demands. To address the parking pressures and continue to support local businesses and residents the aspiration is to increase the car parking capacity on Station Road car park. This will enable the supply and demand issues to be met and help to protect the vitality of the town. The additional capacity would also help to support seasonal peaks and local event days.

General

Height restrictions are in place on some car parks.

The car parks are unsuitable for motorhomes, coaches, and lorry parking, as overnight parking is not permitted and the parking bays are the standard 4.8 x 2.4 bay sizes. The height restriction barriers also restrict access.

Rising demand in electric vehicles and electric vehicle owners brings forth the increase in demand for electric charging points across South Bucks. To contribute towards the government's commitment to drive forward the market for ultra-low emission vehicles, whilst also addressing the carbon consequences of motoring, we endeavour to consider provision of charging points for electric vehicles, where funding permits.

Motorcycle parking is free on all SBDC car parks. Motorcycles must be parked in a marked bay or a designated motorcycle bay (if applicable).

Pay and Display Machines

All of our pay and display machines are supplied by Cale Briparc. Each machine is serviced regularly and checked on a daily basis to ensure it is in full working order.

Should any problems occur, faults are logged and rectified as soon as possible. To report a fault please contact Parking Services on 01494 732252 or email parking@chiltern.gov.uk

Payment is by coins only. The machines do not give change.

RingGo Pay by Mobile

Each car park has a unique reference number provided on the signage. This number is required to ensure you purchase parking for the correct location. Please note; the following charges apply when purchasing parking using this payment option.

- Service charge per session £0.15p
- Text confirmation £0.10p / Text reminder £0.10p

Additional services are available to the customer, such as;

- VAT receipts on line.
- Text confirmation that parking has been purchased.
- Text to remind that the time purchased is about to expire.

- Parking time may be topped up providing any maximum stay for that car park is not exceeded.

Car Park Suspension

SBDC may at times have cause to close a car park or part of for a period of time. A minimum of 7 days' notice will be given unless the nature of the closure is due to essential works and consequently, delaying the suspension could present a safety risk.

The Blue Badge Scheme

The Blue Badge Scheme provides a national arrangement of parking concessions for people with limited mobility that travel as either drivers or passengers. The Scheme also applies to registered blind people, and people with severe upper limb disabilities who regularly drive a vehicle but cannot turn a steering wheel by hand.

The concessions of the scheme apply to on-street parking only and it is important that all badge holders carefully read the contents of the Blue Badge Scheme booklet before attempting to use their badge. Off Street parking concessions vary from District to District and it is up to the car park owner as to whether concessions of the Blue Badge are available. Blue Badge holders are therefore advised to always check the prevailing parking conditions of the area to which they are visiting.

SBDC has designated off street disabled parking bays and the concessions of the Blue Badge apply in all SBDC car parks, providing a valid Disability Badge is correctly displayed. For information on the number of designated disabled bays in each car park, please see the list below:

Location	No. of Bays	Location	No. of Bays
<u>Beaconsfield</u>		<u>Burnham</u>	
Altons	5	Jennery Lane	4
Penncroft Road	3	Neville Court	1
Warwick Road	2	Summers Rd	4
<u>Gerrards Cross</u>		<u>Farnham Common</u>	
Bulstrode Way	2	The Broadway	3
Packhorse Road	4		
Station Road	8		



Blue badges in Buckinghamshire are issued by Buckinghamshire County Council:

Social Services Department, County Hall, Aylesbury, Bucks, HP20 1YU

Tel: 01296 382902

Fax: 01296 383182

Email: disabledcarbadges@buckscc.gov.uk

Website: [Apply for Blue badge](#)

To help eliminate the potential misuse of Blue Badges, The Traffic Management Act 2004 introduced the “power to inspect”. This means that should a CEO ask to see your badge, you must show it to them. If you do not, you could be fined up to £1,000.

Please ensure your badge is clearly displayed to avoid the risk of being issued with a Penalty Charge Notice.

Season Tickets

Season ticket prices vary depending on the location and the car park. The discount levels for 3th and 6th season tickets regardless of the car park or location are set at 15% for a 3mth season ticket and 20% for a 6mth season ticket. The discount for the 12mth season ticket is consistent with local competitors.



Season tickets for any particular car park are issued to a maximum of 50% of the capacity of the car park. This is to maintain the short stay/long stay ratio and enable availability of space for daily paying customers.

2018/19 season ticket prices for each car park can be seen below:

		3mth	6mth	12mth
<u>Beaconsfield</u>				
	Altons	293	552	1,035
	Penncroft Road	322	607	1,138
	Warwick Road	293	552	1,035
<u>Burnham</u>				
	Jennery Lane	133	250	468
	Neville Court	72	135	254
	Summers Road	133	250	468
<u>Farnham Common</u>				
	The Broadway	94	177	332
<u>Gerrards Cross</u>				
	Bulstrode Way	317	598	na
	Packhorse Road	351	662	na
	Station Road	317	598	na

Season ticket terms and conditions

The terms and conditions for the season tickets are listed below. They must be read in conjunction with the car park conditions of use, which are stated on the tariff boards in the car parks. Failure to comply with the conditions could result in a Penalty Charge Notice being issued.

- Season tickets are issued at the discretion of SBDC. If the scheme is abused the Council reserves the right to withdraw the ticket.
- Season tickets issued shall be marked with the nominated car park and are only valid for the car park for which they have been issued.
- Season tickets are not transferable.
- A lost season ticket will only be replaced on receipt of a £5.00 fee. If a season ticket is later recovered no refund will be given
- Whilst every effort is made to maximise car parking space availability, purchase of a season ticket does not guarantee a parking space.
- Season tickets are issued and registered against a specific vehicle registration. They are not transferable. Up to two registration numbers allowed on one season ticket, however only one vehicle can be on park at any one time.
- Season tickets should be displayed on the left hand side of the windscreen in clear view so they can be seen by the CEOs (unless a courtesy car at which point SBDC must be informed immediately).
- For change of vehicle season ticket holders are required to contact SBDC's Parking Services. A copy of the new V5 document is required to enable a new season ticket to be issued.
- Season tickets that are no longer valid due to change of vehicle **must** be returned to Parking Services within 7 days of the new season ticket being issued.
- Payment must be received in full for a season ticket to be issued.
- Season tickets will only be cancelled when surrendered to Parking Services.
- SBDC reserves the right to amend the terms and conditions of the season ticket. Should any changes occur we will advise accordingly.
- The onus is on the season ticket holder to apply for a renewal at least 7 days prior to the commencement date of the new season ticket.
- The Season ticket is issued under the various regulation, bye laws and orders relating to car parks and the Council accepts no liability or responsibility for personal injury, (whether fatal or otherwise) or for loss or damage to property unless caused by negligence of the Council or its employees.

Season tickets can be renewed on line.

Please visit: <http://www.southbucks.gov.uk/article/6823/Season-tickets>

To apply for a season ticket please contact Parking@Chiltern.Gov.uk for an application form.

Resident Parking

Resident Permits are available to purchase for any of the car parks to be used Monday to Friday between 6pm and 8am and all day Saturday, Sunday, and bank holidays. These permits help to support local residents who have no off-street parking facilities, as they avoid the need to make a specific payment when arriving home in the evening and at weekends.

The cost of a 2018/19 12 month Resident Permit is:

Beaconsfield		Burnham	
Altons	£275	Jennery Lane	£168
Penncroft Road	£297	Neville Court	£54
Warwick Road	£282	Summers Road	£146
Gerrards Cross		Farnham Common	
Bulstrode Way	£298	The Broadway	£48
Packhorse Road	£312		
Station Road	£282		

The application and renewal process is the same as a standard season ticket. Please note that the V5 document must state that the vehicle is registered to an address in the relevant area in order for a residential season ticket to be issued.

Park Mark



Park Mark, the safer parking award is an initiative of the Association of Chief Police Officers (ACPO) designed to reduce criminal behaviour within the parking environment. The scheme is managed by the British Parking Association and is supported by the Home Office and all the Police Forces in England, Scotland, Wales and Ireland

To obtain the award an investigation is carried out by the police to assess the facilities in place and to ensure the parking area is of a high standard in relation to cleanliness, signage, surveillance and lighting. Once the police are satisfied that the parking area sufficiently meets the appropriate standards and that it is correctly managed and maintained, the safer park mark status will be awarded. To ensure car parks continue to meet the required criteria the award is renewed on a yearly basis following a re-assessment.

The Council is pleased to announce that all SBDC's pay and display car parks have been awarded the safer park mark status.

STATISTICAL PERFORMANCE

Penalty Charge Notices Issued

There is a national list of parking contraventions with two levels of charging. The more serious contraventions are charged at the higher level of £70.00 (£35.00 if paid within 14 days of issue) and the less serious contraventions are charged of the lower level of £50.00 (£25.00 if paid within 14 days of issue). The table below shows the number of PCNs issued against each contravention during 2017/18.

Higher Level Contraventions		
Code	Contravention Description	PCNs 2017/18
81	Parked in a restricted area in a car park	6
87	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	57
	Total	63

Lower Level Contraventions		
Code	Contravention Description	PCNs 2017/18
80	Parked for longer than the maximum period permitted	6
82	Parked after the expiry of paid for time	354
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	2278
84	Parked with additional payment made to extend the stay beyond time first purchased	2
86	Parked beyond the bay markings	151
95	Parked in a parking place for a purpose other than the designated purpose for the parking place	1
	Total	2792

Representations and Cancellations

The table below shows that 711 PCNs were cancelled as a result of an informal or formal representation in 2016/17. This is approximately 16% of the overall PCNs that were issued, compared to 18% for 2015/16.

Description	Total PCNs 2017/18
PCNs Issued	2,855
Number of PCNs against which an informal or formal representation was made	738
Number of PCNs cancelled as a result of an informal or a formal representation	501
Number of PCNs cancelled for other reasons (driver untraceable, foreign vehicle)	28

The main reasons for cancelling PCNs were:

- 50% Pay by mobile customer paid/logged incorrect vehicle registration/location.
- 29% Pay and display ticket/season ticket in vehicle but not fully displayed to allow validity to be checked.
- 9% Disabled badge displayed incorrectly/partly obscured.
- 11% Discretion exercised due to mitigating circumstances.
- 1% Vehicle Breakdown

PCNs cancelled in 2017/18 for other reasons are mainly due to the 'Keeper at Date of Event' not being able to be obtained from the DVLA within the specified time, or the Keeper at Date of Event cannot be traced. These account for 0.8% of the total number of PCNs issued. Foreign vehicles account for 0.1%.

Traffic Penalty Tribunal (TPT)

Included in the statistics above are 8 cases that were registered with TPT. Of these, five were allowed and three were dismissed.

At regular intervals, the TPT publishes local authority statistics on their website. This allows members of the public to view information regarding the enforcement of parking tickets and to compare a set of national statistics for all local authorities.

The data available at the moment shows that the average rate of appeal per PCN is 0.33%. SBDC's rate of appeal is 0.28%.

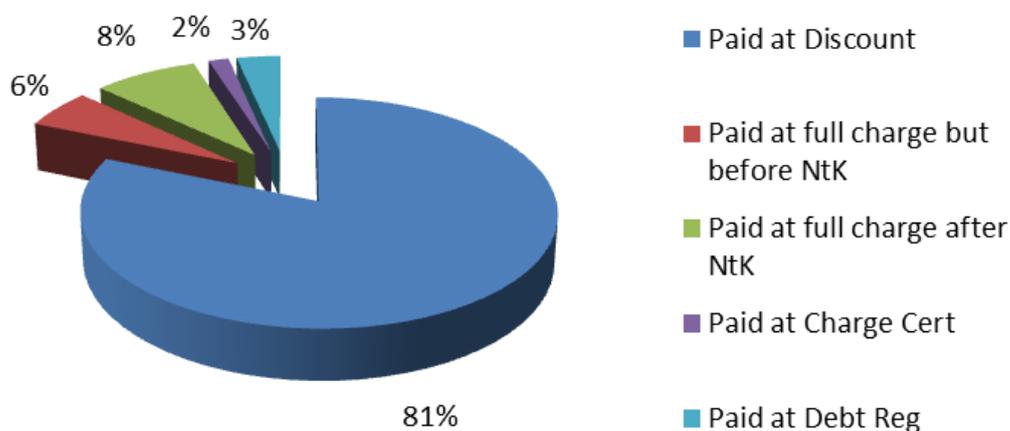
Where an Adjudicator has found in favour of the motorist the Council reviews all feedback from TPT to ensure SBDC continually delivers a robust enforcement regime that is fair, transparent and meets the needs of the community.

In some instances, the evidence supporting an appeal is not submitted until the case has been referred to TPT. This prevents the Council from taking the mitigating circumstances into account, which could have resulted in discretion being exercised at a much earlier stage.

Recovery of Penalty Charge Notices

The pie chart below outlines the percentage of payments received at the various stages and the actions taken to recover the PCNs, which were issued throughout 2017/18.

Collection Rates



The overall collection rate for 2017/18 was 80%. Of the remaining 20%, 18% of PCNs were cancelled as a result of an appeal, 1% were cancelled as a result of other reasons, and 1% are currently live in the system and are being pursued

FREQUENTLY ASKED QUESTIONS

How do I pay a PCN?

Online:

www.southbucks.gov.uk/parking

Cheque/Postal Order:

Please make payable to South Bucks District Council and send to: Parking Services, C/O King George V House, King George V Road, Amersham, Bucks, HP6 5AW. Please quote your PCN number and vehicle registration on the reverse of your payment.

Can I pay in instalments?

To be eligible for the 50% discount, payment must be received within 14 days from the date the PCN was issued. It would therefore not be in your best interest to enter into a payment plan at this stage.

Can I pay in installments once the discounted period has expired?

A payment plan will be considered if you can provide evidence that you are in receipt of a means tested benefit.

Can I pay at the discounted rate to stop the charge progressing and then still appeal?

No, once payment has been received it is deemed that liability has been accepted and the case is closed.

How do I appeal a PCN?

All appeals must be in writing:

- **Online:** www.southbucks.gov.uk/parking
- **Post:** South Bucks District Council, C/O King George V House, King George V Road, Amersham, Buckinghamshire HP6 5AW

My vehicle would not fit in the bay

Parking outside the bay markings causes inconvenience to other car park users. It is not acceptable to state that your vehicle was too large or the vehicle next to you was parked out of bay, so you did. It is a driver's responsibility to ensure the vehicle is parked correctly.

I was only just parked over the bay markings. Do I still have to pay?

Bay markings are in place to ensure safety and prevent inconvenience to other users of the car park. When vehicles are parked over the bay markings valuable parking space is lost. In addition, access could be restricted for emergency vehicles.

I am new to the area and did not know what the charges are / how to pay for parking

Tariff boards are displayed in all of the car parks detailing the terms and conditions of the car park along with the relevant charges and different payment methods. This information is also provided on the Council's website. It is the motorists' responsibility to ensure they check the conditions of use in the car park and adhere to them.

My meeting / doctor's appointment over ran

It is a motorist's own responsibility to ensure enough parking time is purchased to cover the length of stay.

My disability badge fell to the floor when I closed the car door / I forgot to display my badge.

When Blue Badges are not on display and forwarded at a later date, it leaves the scheme open to abuse. Blue Badge holders are required to display their badge as stated in the 'The Blue Badge Scheme: rights and responsibilities in England', which is to display the badge on the dashboard or fascia panel, where it can be clearly read through the front windscreen.

I was not the driver, am I still liable?

Under TMA04, the registered owner/keeper of the vehicle is liable for any PCN that is issued, unless the vehicle has been stolen, or a signed hire agreement is in place.

I sold the vehicle but do not know the name and address of whom I sold it to.

When you sell/dispose of a vehicle, you have a legal obligation to inform the DVLA. In order for the notice to be redirected written confirmation is required from the DVLA stating you were not the registered owner/keeper of the vehicle at the date of event. Failure to obtain and provide this information could result in the charge being pursued with you.

What happens if I ignore the PCN?

Please do not ignore. A PCN is a civil debt, which could result in bailiff action being taken if the Notice progresses and is then successfully registered as a debt at county court.

Where does the money from parking enforcement go?

The law states that parking enforcement must be self-financing. Any surplus income after the costs of administration and enforcement are deducted, goes back into the Council's overall reserves, which is allocated as required to benefit the needs of the community

Where can I obtain further information on CPE

Useful links have been provided on page 20.

A hardcopy of TMA04 can be obtained from Her Majesty's Stationery Office.

USEFUL LINKS

Buckinghamshire's Local Transport Plan 4

<http://www.buckscc.gov.uk/media/4063873/BCC-Local-Transport-Plan-4.pdf>

DATA.GOV.UK

<https://data.gov.uk/>

PATROL

<http://www.patrol-uk.info/>

South Bucks District Council - Car Parks

<http://www.southbucks.gov.uk/carparks>

South Bucks District Council - Policy Documents (Abandoned Vehicle)

http://www.chiltern.gov.uk/policy_documents

Traffic Advisory Leaflet 5/95 April 1995 - Parking for Disabled People

<http://www.ukroads.org/webfiles/TAL%205-95%20Parking%20for%20Disabled%20People.pdf>

GLOSSARY

CEO	Civil Enforcement Officer
CPE	Civil Parking Enforcement
NtO	Notice to Owner
PATROL	Parking and Traffic Regulations outside London
PCN	Penalty Charge Notice
SBDC	South Bucks District Council
TMA04	Traffic Management Act 2004
TPT	Traffic Penalty Tribunal

CONTACT DETAILS

If you would like to comment on the content of the report or, if you have any unanswered questions, please let us know.

Email: Parking@Chiltern.Gov.UK

Write to: Parking Services, South Bucks District Council, C/O King George V House,
King George V Road, Amersham, Bucks, HP6 5AW

Tel: 01494 732252

J Rushton
Parking Manager