

**WATFORD BOROUGH COUNCIL  
PARKING SERVICE  
ANNUAL REPORT 2018/19**



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COUNCIL**

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## FOREWORD

Welcome to Watford Borough Council's annual parking enforcement report for 2018/19.

As you will see, we are doing lots of good work in Watford to make sure parking is safe, easy and fair for our residents, businesses and visitors.

Our controlled parking zones help to improve the quality of life for local residents in areas where there is little or no on-street parking, giving people a greater chance of finding a parking space close to their home. We continue to be responsive to requests for changes and additions to parking controls across the town. Over the last year we have carried out various consultations with groups of residents about parking in their area. In deciding whether or not to introduce on-street parking controls we are guided by the views of residents most closely affected.

We have carried out improvements to the operation of controlled parking. Our residents can now order and renew their parking permits online; and purchase time for their visitors using our new virtual system.

As you will read, the aim of the Parking Service is to be self-financing, and we continue to be successful in achieving this. That means we don't need to use council tax money to fund the service.

We are always keen to hear what you think; join the conversation on Twitter **@WatfordCouncil**, email us: **parking@watford.gov.uk** or you can write to me directly here at the **Town Hall, Watford, WD17 3EX**.

***Cllr Iain Sharpe***

Cabinet Member for Place Shaping and and Corporate Performance

## INTRODUCTION

This report seeks to explain what we are doing to meet our parking policy objectives, detailing the key operational and financial information of the service.

There are huge and ever increasing demands on the limited road space within Watford, which are more comparable with London Local Authorities, as opposed to a town compacted into an area of just 21-square kilometres.

Watford is home to more than 34,000 households and 90,000 inhabitants, an expanding regional shopping centre attracting in excess of 400,000 visitors each week, a Premier League football club with a home capacity of 22,000 seats and an award winning park, Cassiobury, which receives over 1.2m visits a year.

Additionally, the town centre has a vibrant night time economy including a restaurant met quarter, Palace Theatre and Colosseum entertainment venue all bringing in a regular influx of visitors.

Businesses are equally important to the sustainability, economy and appeal of Watford and their ability to receive goods and deliveries is often essential to their operations. Similarly, residents expect to be able to park within a reasonable distance to their homes, particularly with off-street parking being at a premium in many areas throughout the town.

Inevitably, competition amongst the various groups of road users is high and their reasons for parking will often be conflicting.

The council Parking Service bears responsibility for balancing the demands and desires of the various groups against the management of the limited degree of road space available as best as possible, in order to maximise parking opportunities and improve compliance to existing parking regulations.

In accordance with the Traffic Management Act 2004, local authorities that carry out Civil Parking Enforcement (CPE) are expected to be accountable and transparent and as such are required to publish an annual report every financial year.

Further information regarding the Traffic Management Act 2004 and the Department for Transport Operational Guidance to local authorities can be viewed on the website [www.gov.uk/government](http://www.gov.uk/government) or via the following link:

[www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions](http://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions)



## BACKGROUND

Watford Borough Council adopted Decriminalised Parking Enforcement (DPE) powers in October 1997. In respect of on-street parking enforcement, Watford Borough Council acts on behalf of Hertfordshire County Council (the highway authority) under the terms of a parking agency agreement between the two authorities. As the parking authority Watford Borough Council is responsible for the enforcement of its own off-street car parks.

Following the introduction of the Traffic Management Act 2004, DPE was amended to Civil Parking Enforcement (CPE) and has been operated in Watford since the legislation came into force in April 2008.

The enforcement function is contracted out to NSL Ltd and managed by Watford Borough Council, operating in accordance with policy objectives agreed by the council. Subsequent processing of Penalty Charge Notices (PCN) is undertaken by the council, as directed by the regulations; once issued, all processing of PCNs and the investigation of challenges, representations and appeals are dealt with by Watford Borough Council officers, working in accordance with statute, regulations, guidance and council policy.

The council's Parking Service is also responsible for the operation and maintenance of all on and off-street pay display machines, lining and signage across the town and administration of the Controlled Parking Zone scheme and match day parking arrangements, which have been in place since 1997.



## **THE PURPOSE OF CIVIL PARKING ENFORCEMENT (CPE)**

**“CPE is a means of achieving transport policy objectives... but raising revenue should not be an objective of CPE, nor should authorities set targets for revenue or the number of Penalty Charge Notices they issue”**

*(Department for Transport Traffic Management Act 2004 Operational Guidance to Local Authorities)*

The primary purpose of CPE, as identified in the statutory guidance, is to support local authorities (county and district) in their delivery of their overall transport objectives in areas such as those detailed below.

- Managing the traffic network to ensure free movement of traffic, (including pedestrians and cyclists), as required under the TMA Network Management Duty.
- Improving road safety.
- Improving the local environment.
- Improving the quality and accessibility of public transport.
- Meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car.
- Managing and reconciling the competing demands for kerb space.

It is not always easy to prove that CPE has a positive effect. Driving along a free-flowing road or walking along a footway without being blocked by parked cars is rarely noted or associated with CPE. Likewise, finding space in a clean, safe, well lit car park is taken for granted. It is often noted, however, when these essential benefits are not available.

CPE in Watford is undertaken in partnership with NSL Ltd on behalf of the council under a contract that commenced in April 2018 and will expire in April 2027. NSL Ltd has extensive experience in the delivery of enforcement services and is the largest local authority partner in the sector with over 50 such contracts. The provision of this contract includes:

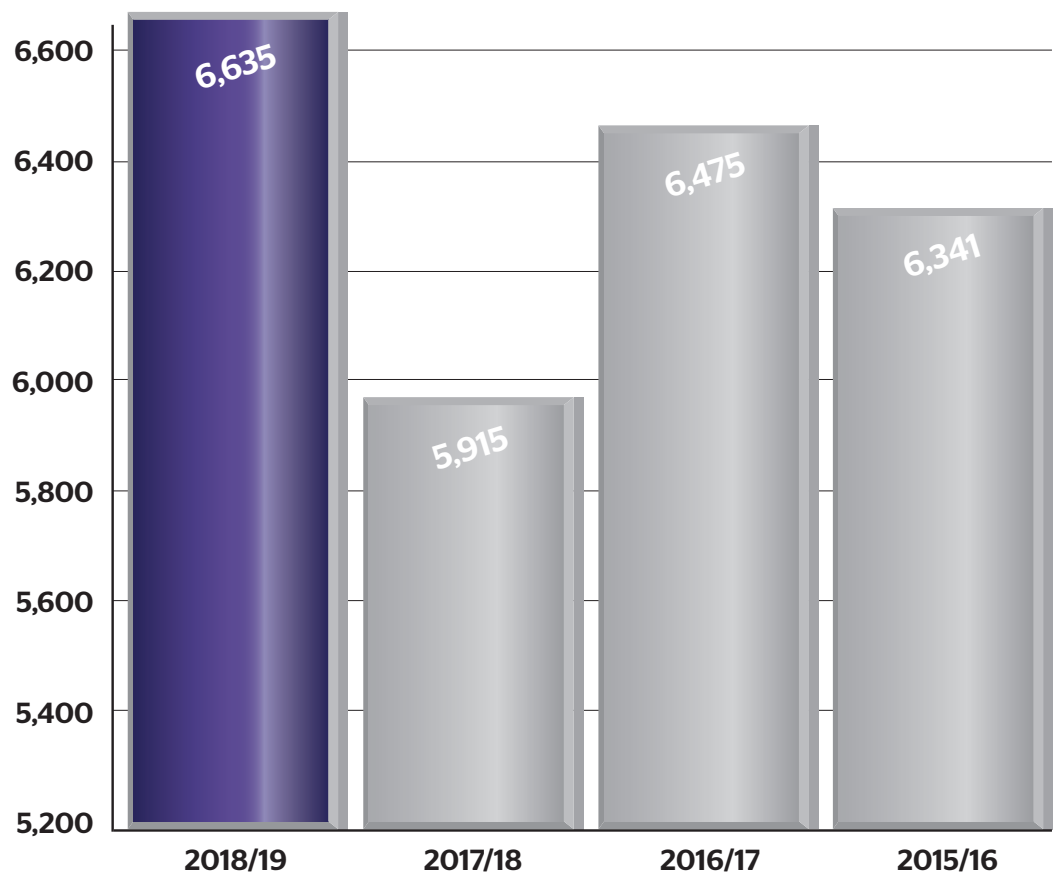
- 15 Civil Enforcement Officers
- Notice Processing staff
- Uniforms and equipment
- Maintenance and cash collection of Pay and Display machines
- Enforcement vehicles/cycles
- Suspension services
- Removal and pound services
- Stationery

## CONTROLLED PARKING ZONES

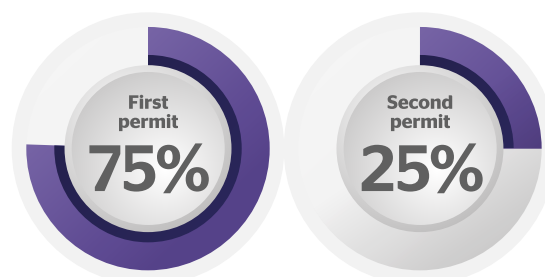
In order to fulfil our obligation to manage kerb side space effectively, Watford Borough Council has introduced a number of Controlled Parking Zones which effectively restrict all on-street space within its boundaries to particular users. There are 16 Controlled Parking Zones in Watford requiring varying hours of enforcement between 8am and 10pm, Monday to Sunday, including Bank Holidays.

### Permits

During 2018/19 the following residents' parking permits were issued across the Controlled Parking Zone scheme:



Of the 6,635 residents' permits issued during 2018/19, the following were issued as first and second permits:

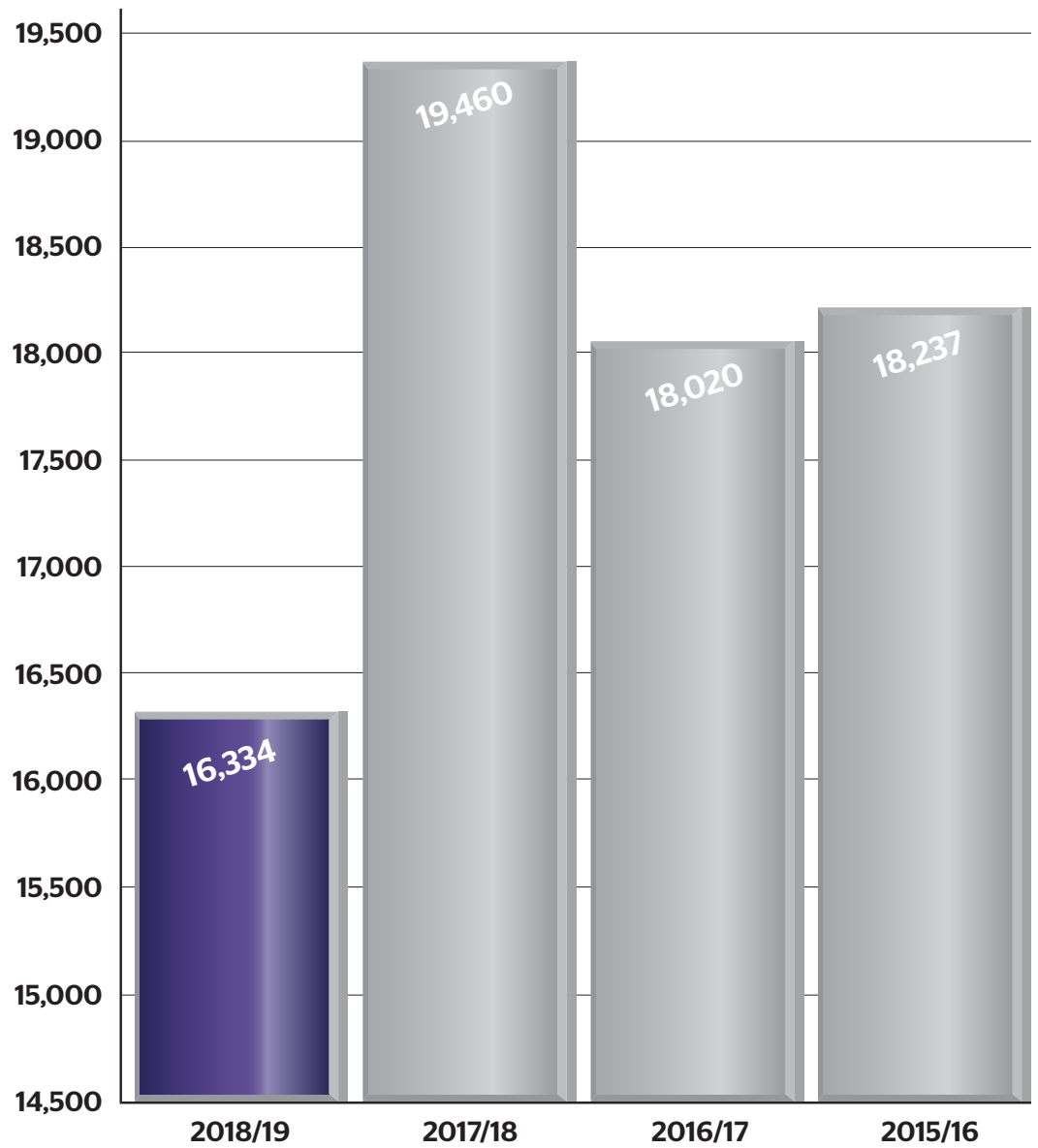


**First permits - 4,965 (75%)**  
**Second permits - 1,670 (25%)**

The cost of permits is **£25** for the first permit in the household and **£55** for the second permit, limited to one per person.

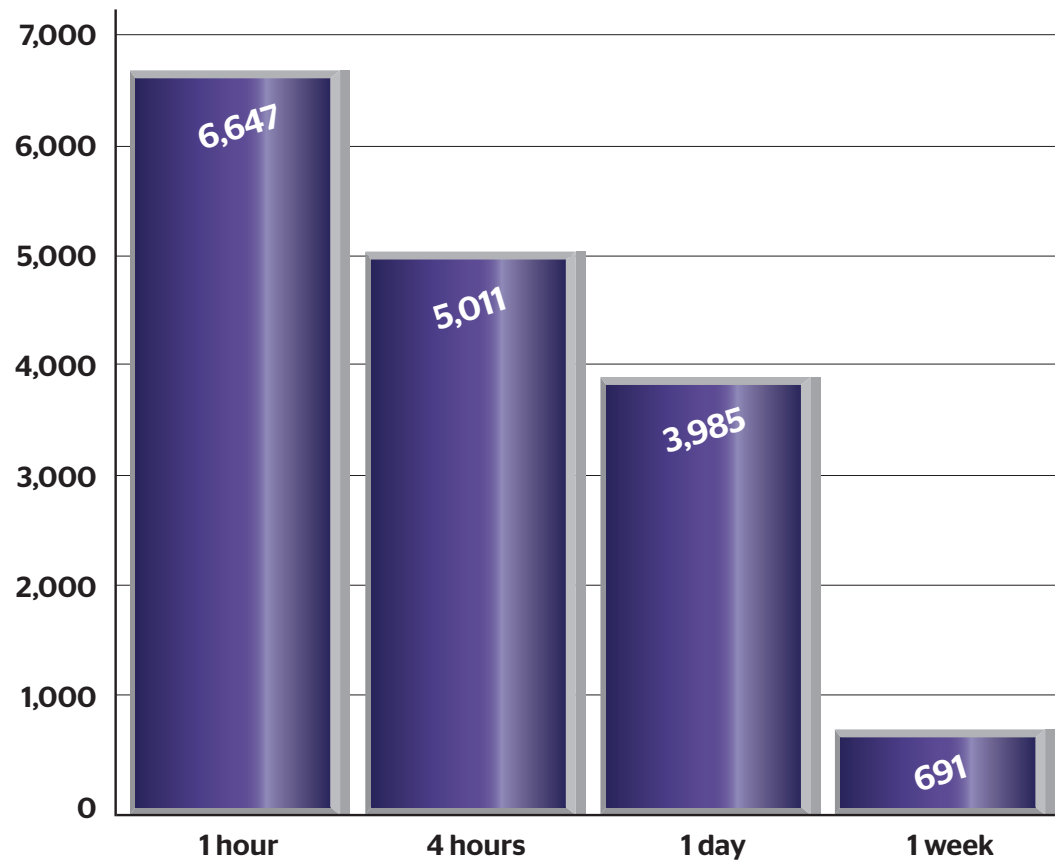
### Visitor Vouchers

During 2018/19 the following residents' parking permits were issued across the Controlled Parking Zone scheme:





Of the 16,334 residents' visitors vouchers issued during 2018/19, the following were issued as 1 hour, 4 hours, 1 day, 1 week vouchers:



Further information regarding the Controlled Parking Zone scheme, including a map of the zones throughout Watford, can be found on parking pages of the council website at [www.watford.gov.uk](http://www.watford.gov.uk) or via the following link:

[www.watford.gov.uk/info/20014/parking/68/parking\\_permits/3](http://www.watford.gov.uk/info/20014/parking/68/parking_permits/3)

## **PAY AND DISPLAY AND CAR PARKS**

### **Pay and Display**

Pay and display machines are situated throughout the Controlled Parking Zones and close to shopping facilities and local amenities. Permitted durations of stay are generally limited to 1, 2 or 4 hours and on-street charges are commonly £1.10 and £1.60 per hour commencing at 30p for 12-minutes and 40p for 12-minutes respectively. There are a total of 75 on-street pay and display machines.

Those located in the Controlled Parking Zones are highlighted on the zone map, which can be viewed on the parking pages of the council website at [www.watford.gov.uk](http://www.watford.gov.uk) or via the following link:

[www.watford.gov.uk/info/20014/parking/58/where\\_can\\_i\\_park\\_in\\_watford/6](http://www.watford.gov.uk/info/20014/parking/58/where_can_i_park_in_watford/6)

### **Car Parks**

There are 10 off-street pay and display machines situated within the council operated car parks. These are detailed below:

- The Avenue (x2)
- The Town Hall (x2)
- Town Hall visitors (x1)
- Longspring (x1)
- Central Leisure Centre (x1) (No charges apply)
- Timberlake (x1)
- Cassiobury Park car park (x2)

A further machine is located within the Harebreaks on-street car park.

Pay and display and off-street income is shown under “Financial Information” (see page 21).

## ENFORCEMENT

**“The Secretary of State considers that the exercise of discretion should, in the main, rest with back office staff as part of considering challenges against penalty charges and representations that are made to the local authority. This is to protect civil enforcement officers from allegations of inconsistency, favouritism or suspicion of bribery. It also gives greater consistency in the enforcement of traffic regulations.”**

*(Secretary of State’s Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions)*

The council and NSL Ltd have entered into a partnership using the British Parking Association model contract, which encourages best practice by ensuring that performance is measured on the quality of the service delivered. All Civil Enforcement Officers are salaried staff and do not work on any form of commission or ticket quota basis. Civil Enforcement Officers are not afforded discretion to ignore a vehicle parked in contravention. The initial objective of a Civil Enforcement Officer is to encourage compliance to the parking regulations or to move a vehicle on and a penalty charge will only be issued where it is evident that no alternative form of action can be taken.

During 2018/19 the following level of enforcement was carried out by our contractor, NSL:

- 28,389 enforcement hours  
Average of 2,366 hours per month
- 141,488 visited locations  
Average of 11,790 visits per month

This enforcement included coverage of over 500 roads, 16 Controlled Parking Zone’s, 44 schools, 11 car parks and 16 match days, including bank holidays, Sundays and evenings.

**“Enforcement authorities should aim to increase compliance with parking restrictions through clear, well designed, legal and enforced parking controls.”**

*(Secretary of State’s Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions)*

An intensive lining and signing program is maintained in Watford, in line with the requirements of the Traffic Signs Regulations and General Directions 2016, to ensure that restrictions are communicated to motorists as clearly and concisely as possible so that the receipt of Penalty Charge Notices can be avoided, further achieving the objectives of the CPE regime.

## **PENALTY CHARGE NOTICES**

“The purpose of penalty charges is to dissuade motorists from breaking compliance... the objective of CPE should be for 100 per cent compliance, with no penalty charges.”

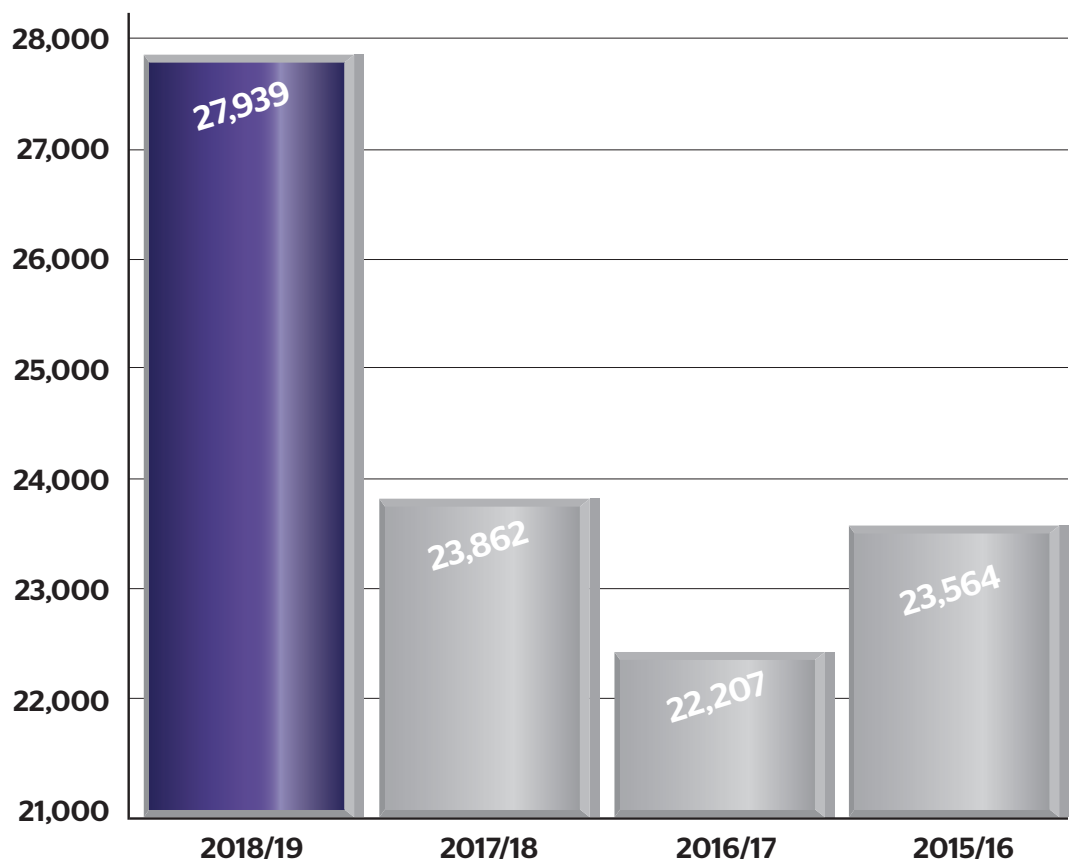
*(Department for Transport Traffic Management Act 2004 Operational Guidance to Local Authorities)*

The Traffic Management Act 2004 became operational in April 2008 and introduced differential penalty charges. The intention being to create a perception of fairness through proportionally applying a lower (£50) or higher (£70) charge according to the perceived seriousness of the contravention i.e. parking on a double yellow line or within a disabled bay (without the required blue badge) attracts a higher penalty than overstaying paid for time in a pay and display bay.

Details of parking contraventions enforced in Watford during 2018/19 and their associated penalty charge are detailed in The Penalty Charge Notice Cancellation and Guidance Policy, which can be found on the parking pages of the council's website at [www.watford.gov.uk](http://www.watford.gov.uk) or via the following link:

[www.watford.gov.uk/info/20064/reports\\_and\\_policies/153/parking\\_reports\\_and\\_policies/2](http://www.watford.gov.uk/info/20064/reports_and_policies/153/parking_reports_and_policies/2)

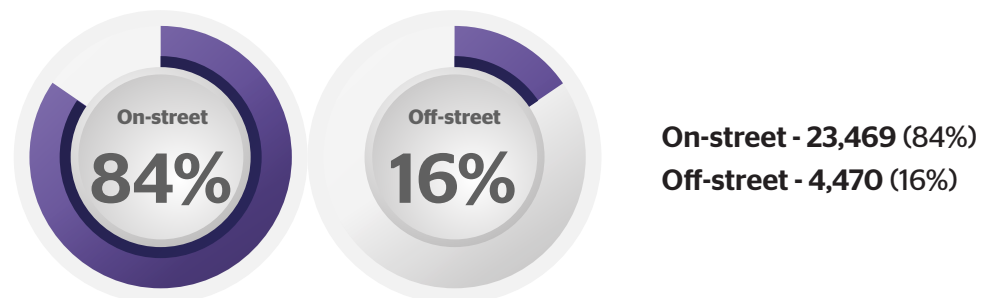
During 2018/19 the following Penalty Charge Notices were issued:



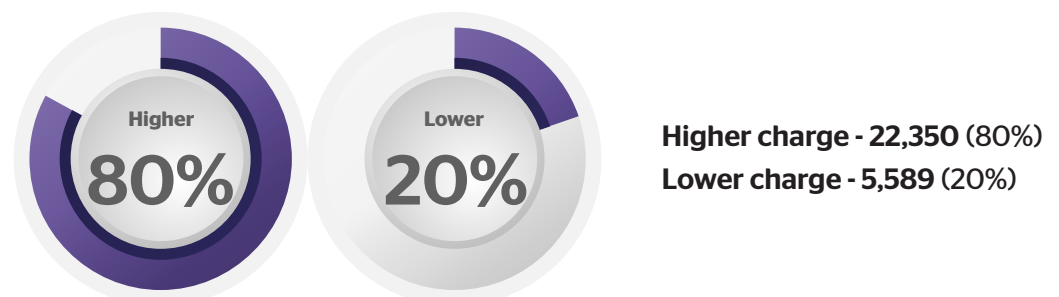
Following the award of the new enforcement contract in April 2018 and the appointment of NSL, we have seen a 17% increase in the number of Penalty Charge Notices issued. This increase is attributed to a new enforcement regime, paired with new equipment, making the issuing process quicker for staff, and the introduction of intelligence led enforcement, allowing trends and hotspots where illegal parking takes place to be better identified and targeted.

Additionally, there has been regular evening and Sunday enforcement carried out as a matter of course. In line with the primary objective of encouraging compliance to the restrictions, it is expected that the level of penalties issued will fall as motorists become used to the hours of control and subsequent enforcement. Any such decrease is only anticipated to be countered by the further introduction of new schemes, such as new controlled zones, or the extended hours of existing zones.

Of the 27,939 penalties issued during 2018/19, the following were issued on and off-street:

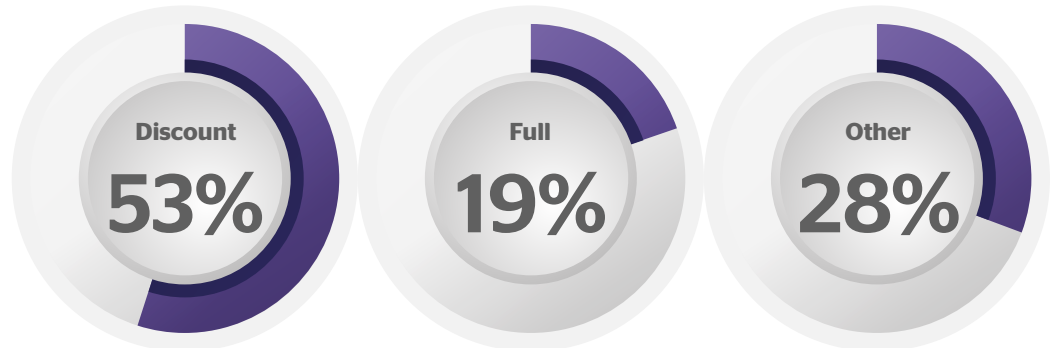


Of the 27,939 penalties issued during 2018/19, the following were issued as lower or higher charge contraventions:



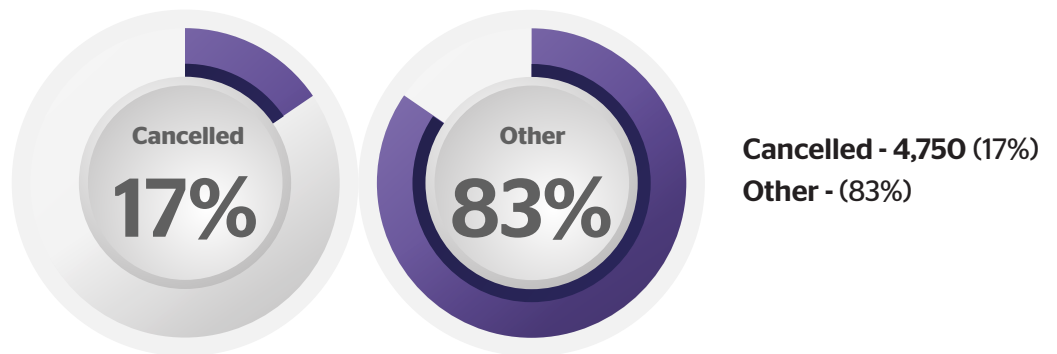


Of the 27,939 penalties issued during 2018/19, the following were paid at the discounted or the full charge:



**Discounted - 14,808 (53%)    Full - 7,823 (19%)    Other - (28%)**

Of the 27,939 penalties issued during 2018/19, the following were cancelled:



**Cancelled - 4,750 (17%)  
Other - (83%)**

Penalty charge levels are set by a specific Order outlined by regulation for inside and outside of London. Watford has adopted the Band 2 level.

PNC levels outside of London from 31 March 2008		
Band	Higher level penalty	Lower level penalty
1	£60	£40
2	£70	£50

PNC levels in London from July 2007		
Band	Higher level penalty	Lower level penalty
1	£120	£80
2	£100	£60
3	£80	£40

## Penalties Issued by Contravention

The number of PCNs issued during 2018/19 for the main on-street and off-street parking contraventions is shown below:

On-street contraventions and codes	Number
01 - Parked in a restricted street (yellow lines)	10,781
02 - Parked where loading/unloading is not permitted	995
05 - Parked after expiry of pay and display ticket.	720
06 - Parked without a valid pay and display ticket/voucher	1,180
12 - Parked in a permit/shared use bay without permit/voucher/ticket	5,219
19 - Parked in permit/shared use bay with invalid permit/voucher/ticket	2,299
25 - Parked in a loading place without loading	1,337
27 - Parked adjacent to a dropped kerb	236
30 - Parked for longer than permitted	458
40 - Parked in a disabled bay/space without valid blue badge	588
47 - Parked at a bus stop or stand	207

Off-street contraventions and codes	Number
82 - Parked after expiry of paid for time	212
83 - Parked in a car park without a valid ticket/voucher	3,033
84 - Parked with additional payment to extend stay (meter feeding)	4
85 - Parked in a permit bay without displaying valid permit	274
86 - Parked beyond bay markings	501
87 - Parked in a disabled bay without a valid blue badge	221
91 - Parked in area not designated for that class of vehicle	135

## CHALLENGES, REPRESENTATIONS AND APPEALS

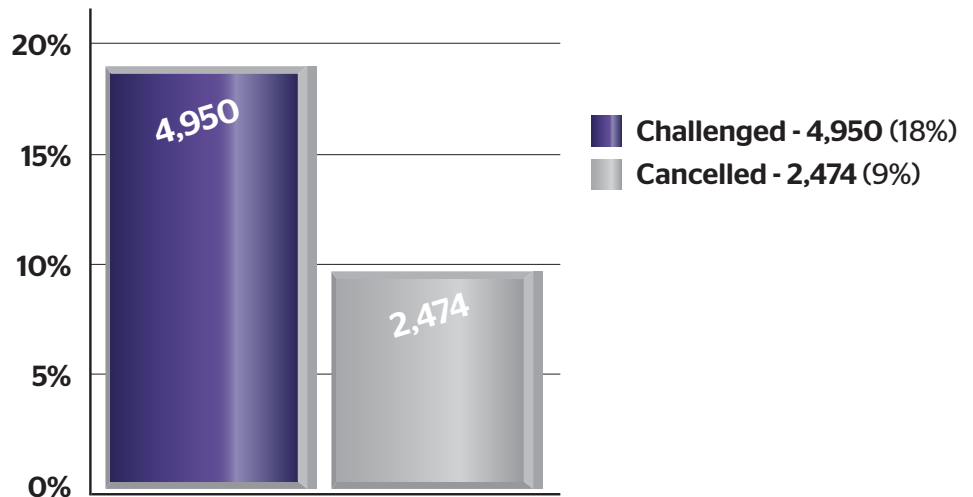
“The process of considering challenges, representations and defence of appeals is a legal process that requires officers dealing with these aspects to be trained in the relevant legislation and how to apply it.”

*(Department for Transport Traffic Management Act 2004 Operational Guidance to Local Authorities)*

### Informal Challenge

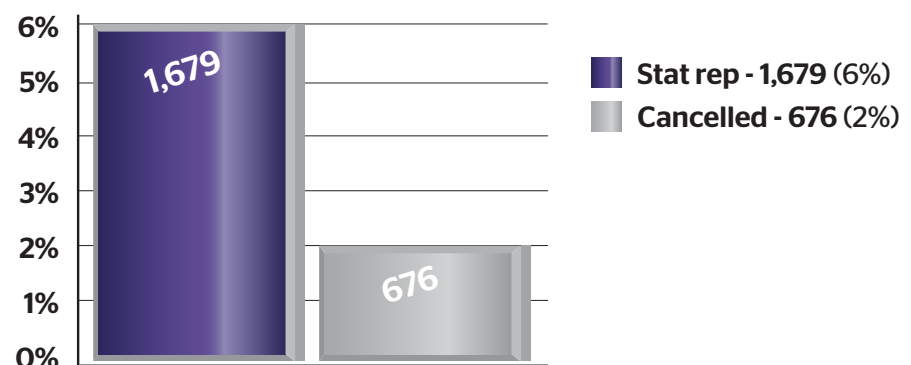
Written correspondence received following the initial issue of the penalty, usually within the first 14 days, is regarded as an “informal” challenge.

Of the 27,939 penalties issued during 2018/19, the following were subject to informal challenge and cancellation:



### Statutory Representation

Motorists are served with a Notice to Owner document if the initial penalty charge is not paid or challenged. This document allows “formal” representations to be made against the issue of the penalty on a number of statutory grounds, or where other mitigating circumstances may apply.



## Traffic Penalty Tribunal Appeals

Motorists are issued with a statutory Notice of Rejection when formal representations made to the council are not accepted. At this stage motorists may refer their case to the Traffic Penalty Tribunal in order to appeal against the council's decision. A final binding decision will be made by an independent adjudicator.

The Traffic Penalty Tribunal may allow or dismiss an appeal and recognises that local authorities may not contest appeals on occasion, primarily when additional evidence comes to light during the appeals process.

Of the 27,939 PCNs issued in 2018/19:

1. 13 were the subject of an appeal to the Independent Parking Adjudicator - an appeal rate of 0.04%.
2. Of these 13 appeals, 6 (46%) were upheld by the adjudicator and 6 (46%) were rejected (won by the council).
3. 1 (8%) appeal was not contested by the council.

The following tables illustrate Watford Borough Council's performance at appeal in 2017/18 and 2018/19:

Appeals 2018/19	No. of appeals	Rate of appeal per PCN	Not contested by council	Allowed by adjudicator	Allowed by adjudicator inc. not contested	Refused by adjudicator (council win)	Awaiting decision
<b>Watford</b>	13	0.04%	8% (1)	46% (6)	54% (7)	46% (6)	0%

Appeals 2017/18	No. of appeals	Rate of appeal per PCN	Not contested by council	Allowed by adjudicator	Allowed by adjudicator inc. not contested	Refused by adjudicator (council win)	Awaiting decision
<b>Watford</b>	24	0.10%	12.5% (3)	29% (7)	41.5% (10)	58.5% (14)	0%

### Cancellation by reason

Principle reasons for cancellation of Penalty Charge Notices during 2018/19 are shown below:

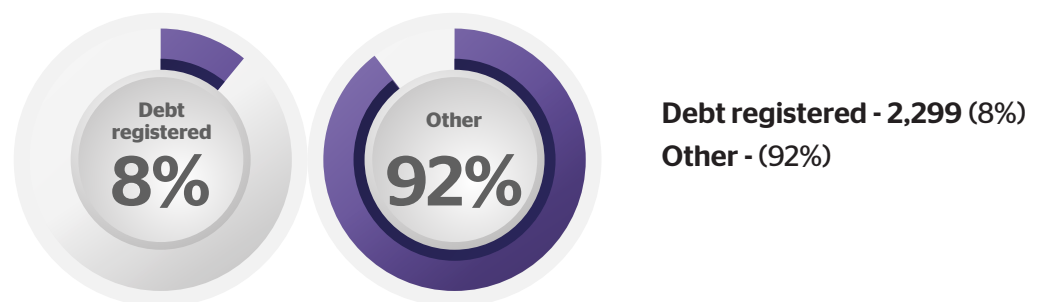
Reason for cancellation	Number of penalties cancelled
Disabled badge - first contravention	404
Council decision	132
Valid Pay and Display ticket produced	305
CEO error	144
Valid permit/season ticket produced	621
Processing errors	29
Loading evidence provided	11
Other evidence provided	189
Signs and lines defects	8



## DEBT RECOVERY AND BAILIFFS

If a penalty is not paid or successfully challenged the statutory process allows for the case to become registered as a debt at the Traffic Enforcement Centre (Northampton County Court). The motorist is served an Order for Recovery and is liable for full payment of the outstanding penalty and the additional court registration fee. Alternatively, a witness statement may be filed only if one of the four outlined grounds is applicable.

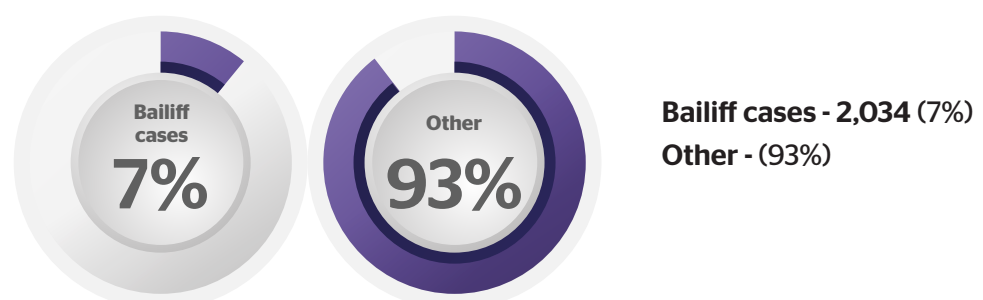
Of the 27,939 penalties issued during 2018/19, the following were registered as a debt:



The final stage of the Traffic Management Act 2004 statutory process allows Local Authorities to apply to the Traffic Enforcement Centre for the authorisation of a warrant to enable Enforcement Agents (formerly bailiffs) to recover the debt. By the time that a case is passed to an Enforcement Agent the following statutory notices will have been served to the motorist:

- Penalty Charge Notice (14/28 days to respond)
- Notice to Owner (28 days to respond)
- Notice of Rejection (28 days to refer case to independent Traffic Penalty Tribunal)
- Charge Certificate (14 days to respond)
- Order for Recovery/Witness Statement (21 days to respond)

Of the 27,939 penalties issued during 2018/19, the following were referred to Enforcement Agents (formerly bailiffs):

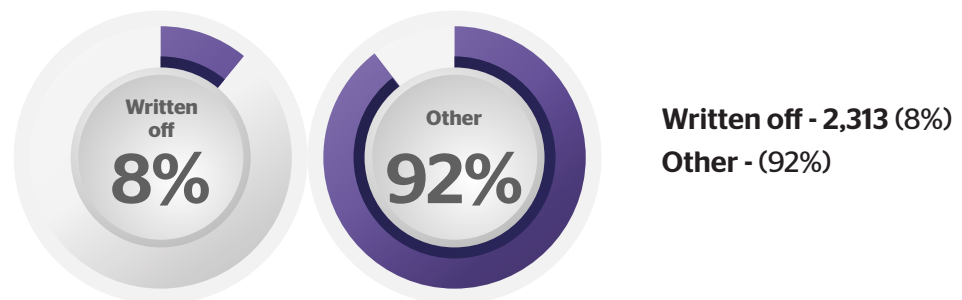


A total of £94,454 has been recovered through Enforcement Agent action in 2018/19.

At the stage that a case is passed to the Enforcement Agent for recovery the motorist becomes additionally liable for the payment of their fees, which are set and capped by statute (Taking Control of Goods (Fees) Regulations 2014), as outlined below:

- Compliance stage - £75
- Enforcement stage - £235
- Removal stage - £110

Of the 27,939 penalties issued during 2018/19, the following were written off:



It is generally expected that 30% of cases subject to Enforcement Agent action will be recovered. The recovery rate in Watford during 2018/19 was an average of 35%.

The council currently instructs Newlyn PLC and Marston Group to act on its behalf as enforcement agents in the recovery of unpaid Penalty Charge Notices.

Further information regarding the governing requirements applicable to Enforcement Agents can be found at the following websites and links:

[www.gov.uk](http://www.gov.uk) (Bailiff and Enforcement Agents: National Standards 2014)

[www.gov.uk/government/publications/bailiffs-and-enforcement-agents-national-standards](http://www.gov.uk/government/publications/bailiffs-and-enforcement-agents-national-standards)

[www.legislation.gov.uk](http://www.legislation.gov.uk) (Taking Control of Goods (Fees) Regulations 2014)

[www.legislation.gov.uk/uksi/2014/1/contents/made](http://www.legislation.gov.uk/uksi/2014/1/contents/made)

## FINANCIAL INFORMATION

**“CPE is a means of achieving transport policy objectives...but raising revenue should not be an objective of CPE, nor should authorities set targets for revenue or the number of Penalty Charge Notices they issue”**

*(Department for Transport Traffic Management Act 2004 Operational Guidance to Local Authorities)*

The income from on-street charging, which includes all Controlled Parking Zone scheme permits and vouchers etc. and all on and off-street Penalty Charge Notices is ring-fenced and must only be used in accordance with the provisions of section 55 of the Road Traffic Regulation Act 1984 (as amended). This restricts the use of any surplus generated strictly to re-investment in the service or other transport related purposes, which commonly includes the improvement, extension and maintenance of the existing parking schemes, car parks and infrastructure as well as funding new parking restrictions that are requested by residents, members and the emergency services.

The aim of the Parking Service is to ensure that it is self-financing and sustained by the revenue that it raises so that it does not seek support from local taxpayers. However, it is intended that the charges remain proportionate and are not set at unreasonable levels.

### On-Street

Year	Contract costs - (net of income recovered from TRDC and Dacorum)	Staffing, supplies and other costs	PCN income	Permit Income	Pay and Display income On Street	(Surplus) / Deficit
	£	£	£	£	£	£
2006/07	677,984	386,765	(602,007)	(214,197)	(416,633)	(168,088)
2007/08	681,459	444,684	(592,963)	(199,699)	(473,335)	(139,854)
2008/09	672,341	442,956	(625,518)	(209,322)	(482,494)	(202,037)
2009/10	683,393	605,736	(773,374)	(214,943)	(470,230)	(169,417)
2010/11	686,486	564,079	(559,381)	(213,127)	(446,739)	31,318
2011/12	696,052	459,509	(544,471)	(221,034)	(461,413)	(71,357)
2012/13	758,432	521,468	(558,314)	(244,982)	(482,471)	(5,867)
2013/14	751,926	603,780	(627,455)	(261,920)	(499,914)	(33,583)
2014/15	815,158	508,522	(673,969)	(272,858)	(282,673)	94,180
2015/16	780,485	654,329	(609,604)	(299,570)	(313,862)	211,778
2016/17	724,746	661,435	(835,022)	(312,319)	(287,620)	(48,780)
2017/18	906,382	565,846	(694,197)	(326,810)	(266,370)	184,851
<b>2018/19</b>	<b>663,401</b>	<b>504,301</b>	<b>(976,607)</b>	<b>(314,092)</b>	<b>(189,547)</b>	<b>(312,544)</b>

**Off-Street**

Year	Contract costs	Staffing, supplies and other costs	PCN income	Three Rivers and Dacorum	Pay and Display income Off Street	(Surplus) / Deficit
	£	£	£	£	£	£
2009/10	152,324	33,007	(67,250)	(92,898)	incl in on street	25,183
2010/11	256,359	29,756	(48,642)	(196,665)	incl in on street	40,808
2011/12	183,370	23,669	(47,346)	(122,843)	incl in on street	36,850
2012/13	167,175	24,658	(48,549)	(101,224)	incl in on street	42,060
2013/14	164,534	23,365	(40,050)	(116,538)	incl in on street	31,311
2014/15	146,549	21,372	(43,019)	(94,518)	(260,318)	(229,934)
2015/16	140,143	28,584	(45,884)	(81,397)	(241,905)	(200,459)
2016/17	152,507	21,305	(53,299)	(106,247)	(219,970)	(205,704)
2017/18	159,613	28,459	(60,365)	(80,797)	(217,274)	(170,364)
<b>2018/19</b>	<b>56,803</b>	<b>37,682</b>	<b>(84,922)</b>	<b>884</b>	<b>(234,405)</b>	<b>(223,958)</b>

It is a commonly held belief that parking enforcement is a purely revenue raising exercise; however it will be seen that (in common with many smaller local authorities) Watford Borough Council does not break even on its enforcement activities, alone.









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