

# SUFFOLK COUNTY COUNCIL



## ANNUAL REPORT ON CIVIL PARKING ENFORCEMENT

**APRIL 2008 - MARCH 2009**

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## **1. INTRODUCTION**

- 1.1 Operational guidance published by the Department for Transport requires that authorities with Civil Parking Enforcement powers produce an annual report about their enforcement activities. This should cover financial, statistical and performance target information.
- 1.2 The reason that a report is prepared and made publicly available is to show accountability and transparency to the public, thereby improving their understanding and acceptance of such enforcement. This report for 2008/09 is the first of its kind to be published by the Council and will be repeated in future years.

## **2. BACKGROUND**

- 2.1 The Road Traffic Act 1991 introduced powers for local authorities to enforce on-street parking and waiting restrictions under the term Decriminalised Parking Enforcement. The Traffic Management Act 2004 extended these powers to include the enforcement of other restrictions, which are now known as Civil Parking Enforcement. This transfers responsibility for enforcement of non-endorsable parking contraventions from the police to the local authority. Parking offences are classified as civil offences rather than criminal offences under civil parking enforcement. This means that rather than the police providing enforcement through traffic wardens, civil enforcement officers are directly employed by the local authority to enforce traffic offences.
- 2.2 The advantages of civil parking enforcement are that it allows the police to focus on their main priorities of tackling crime and disorder and allows the highway authority to shape its civil parking enforcement to meet wider transport strategies and objectives. A good civil parking enforcement regime is one that uses quality based standards that the public understands and which are enforced fairly, accurately and expeditiously. Enforcement authorities should aim to increase compliance with parking restrictions through clear, well designed, legal and enforced parking controls. Civil parking enforcement provides a means by which an authority can effectively deliver wider transport strategies and objectives.
- 2.3 At the present time the only area within Suffolk where civil parking enforcement is undertaken is within Ipswich. This was introduced on 1 October 2005 and has been monitored with a view to considering how it could be spread out further within Suffolk. The current view is that the enforcement in Ipswich has been successful and that, in principle, the County Council would want to see it introduced throughout Suffolk. A feasibility study has been undertaken to consider the implication of doing this. However, this cannot be taken forward in detail until the results of the Local Government Review are clear. Future different authorities may take a different view on when and how to proceed.
- 2.4 Civil parking enforcement is undertaken in Ipswich by the Borough Council acting as agents to the Highway Authority, Suffolk County Council, for on-street activities. Ipswich Borough Council has an Integrated Parking Service which manages the enforcement of both on-street and off-street activities which represents the most cost effective approach overall. To give a complete picture

of the enforcement activities both on and off-street details are subsequently reported.

### **3. POLICY CONTEXT**

3.1 The Council's guiding transport policy document is its Local Transport Plan 2006-2011, which can be viewed on [www.suffolk.gov.uk](http://www.suffolk.gov.uk). The Plan sets out the short to medium term objectives to deliver the Suffolk Transport Strategy. The overall aim is to improve the quality of life for people in Suffolk, whilst ensuring that transport improvements contribute to development and regeneration objectives. The relevant plan objectives are: -

- Relieve congestion in and around Ipswich and Bury St Edmunds town centres.
- Improve public transport, walking and cycling, particularly in Ipswich and Bury St Edmunds.
- Significantly improve bus and rail interchanges and facilities in Ipswich.
- Maintain and improve Suffolk's transport network to support businesses and communities.

3.2 The Plan also includes strategies for the priority themes:

Accessibility: Improving access to key services such as healthcare, education and leisure.

Safety: Improving levels of safety for all road users.

Congestion: Reducing the rate of congestion and its impacts on businesses and local people.

Air Quality: Managing the impacts of transport on air quality.

3.3 The Council undertakes a wide range of activities to support the objectives and strategies. One of these is clearly civil parking enforcement. The avoidance of inappropriately parked vehicles allows:

- Traffic to flow more freely supporting businesses and improves punctuality of public transport, including park and ride.
- Reduces localised congestion and thereby improves air quality and the general environment.
- Easier access to footways and cycle routes encouraging these sustainable and healthy modes of travel.
- Safer roads because illegally parked vehicles can restrict access, sight lines and lead to dangerous vehicle manoeuvres.

- Better accessibility to key services thereby supporting local communities.
- Improved response times for Emergency Vehicles.

3.4 It is not possible to accurately measure the specific input of civil parking enforcement on all of the objectives as there are a wide range of other factors that influences them. However, it is clear that well considered and implemented enforcement will support the objectives.

#### **4. ENFORCEMENT DETAILS**

4.1 Enforcement is carried out both on and off-street by Ipswich Borough Council Parking Services. A total of 15 Civil Enforcement Officers are employed and training is carried out to a minimum of City & Guilds Level 2 standards in order to guarantee the quality of service. All officers have undergone this training and receive regular top-ups. An NVQ Level 2 quality will be introduced during 2010 to further enhance the skills of the enforcement officers. Civil Enforcement Officers are salaried and are not part of any incentive scheme. Their only enforcement target is to ensure that any Penalty Charge Notice is issued correctly and that all the supporting evidence is gathered and recorded.

4.2 Enforcement is undertaken of on-street parking restrictions in the Borough, off-street Borough Council car parks and resident parking schemes. There are 11 off street car parks in which 64 designated disabled parking bays are provided. On-street provision is made for Blue Badge holders with some 73 disabled parking bays dispersed throughout streets closest to the pedestrians shopping area. In addition a further 67 on-street pay and display bays are located close to the town centre. These provide effective short-term parking to support local businesses. A total of four residents' parking schemes are operated in areas immediately adjacent to the town centre. A total of 89 streets are included in the scheme. Details of all the car parks and residents' parking arrangements, together with current charges, are available on Ipswich Borough Council's web site [www.ipswich.gov.uk](http://www.ipswich.gov.uk).

4.3 In order to manage effectively the enforcement resources priorities have to be established. These currently are: -

#### **Highway Safety**

Preventing dangers due to parking:

- Near accident locations such as junctions
- Near pedestrian crossings
- Dangerously or double parking
- On pedestrian footways

## **Aid to Movement**

Preventing obstruction and congestion on:

- Main access roads into Ipswich (Principal Roads)
- Town Centre shopping streets
- Public Transport routes
- Main traffic routes within Ipswich (Non-principal Road)
- Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)

## **Obstruction & Nuisance**

Preventing hindrance to road users at:

- Bus stops
- Vehicle accesses
- Pedestrian access routes
- Taxi ranks
- Grass verges
- Special entertainment events

## **Deliveries & Servicing**

Control and enable the conveyance of goods at:

- Servicing yards
- Permitted loading areas

## **Parking Bays**

Control effective use of permitted parking areas in:

- Borough Council Car parks
- Disabled Badge Holder Bays
- On-street Pay & Display
- Residents' parking
- Limited waiting

The priorities are set out in more detail in Appendix A.

## **5. CONSULTATION ON ENFORCEMENT**

- 5.1 Some stakeholder consultation has been done to assess the effectiveness of civil parking enforcement in Ipswich. The comments received have been as follows.
- 5.2 A number of positive comments have been made by local police officers. The general view appears to be one of positive support and overall success with the way in which parking restrictions are being enforced. Specific improvements have been noted in the manner with which parking difficulties associated with home Ipswich Town Football Club matches have been addressed. In addition, positive comments have been made with regard to the excellent support and prompt reaction shown by Civil Enforcement Officers to police officer requests for Penalty Charge Notices to be issued when the need arises. The town centre inspector has also commented that he believes there has been a general improvement in traffic flows around the town centre. The only area of concern

that has been raised relates to the problem of unauthorised vehicles that continue to breach certain restricted access streets.

- 5.3 In keeping with the comments made in the March 2007, Ipswich Buses Ltd has not reported any ongoing discernable impacts of benefits associated with the new parking enforcement powers.
- 5.4 Following brief consultation with their bus drivers, First Eastern has commented positively of a general perception of traffic conditions having improved slightly since the Council adopted the new parking enforcement powers. There is a view that fewer cars are not parking at protected bus stops and of traffic flows along the main radial routes being improved through fewer vehicles breaching parking restrictions. The single biggest problem identified by First Eastern is the continuous breach of the restricted access into Dogs Head Street and into the Old Cattle Market Bus Station by unauthorised vehicles.
- 5.5 The comments received have generally been supportive of civil parking enforcement and wider future consultation will be considered.

## **6. FUTURE ACTIONS**

- 6.1 The County Council and Ipswich Borough Council are keen to ensure that an effective enforcement regime is maintained and where possible improved. To this end a number of future actions are planned.
- 6.2 Consideration will be given to a wider and regular stakeholder consultation, possibly through the establishment of a user group either linked to an existing group or free standing. In particular this could help inform the enforcement priorities.
- 6.3 Under the Traffic Management Act 2004 a number of new enforcement powers were given to authorities with Civil Parking Enforcement. These were to issue Penalty Charge Notices to:
  - Motorists who drive away before a valid notice can be issued or threaten physical violence.
  - Motorists who park on zigzag lines, at dropped footways or who double park.

Initially the Department for Transport advised authorities not to undertake such enforcement. However, the advice is now that these can be enforced. These powers support the objectives outlined earlier and will be introduced during 2009/10. Ipswich Borough Council will arrange for suitable publicity prior to the introduction of the powers and will arrange for advisory notices to be initially issued prior to issuing Penalty Charge Notices.

- 6.4 A continuing review of Traffic Regulation Orders and road markings will be undertaken to ensure that they continue to support the transport objectives and respond to local needs identified through various consultations, including the Borough Council's local area forums.

- 6.5 During 2010 an NVQ Level 2 Qualification will be introduced for all Civil Parking Enforcement Officers to further enforce their skills and effectiveness.
- 6.6 During 2009/10 the Borough Council will be looking at options for affordable long-stay parking which will not add to congestion during peak periods.

## 7. STATISTICAL DETAILS OF ENFORCEMENT

### 7.1 Penalty Charge Notices (PCNs) - Issue 2008/2009

	<b>Total PCNs</b>	<b>On Street</b>	<b>Off Street</b>
Number of higher level PCNs issued	9548	9379	169
Number of lower level PCNs issued	5,726	3,049	2,048
Number of PCNs paid	12,052	10,012	2,048
Number of PCNS paid at discount rate	10,307	8,587	1,720
Number of PCNs against which a formal or informal representation was made	4,893		
Number of PCNs cancelled as a result of a formal or informal representation	1,468		
Number of PCNs written off for other reasons	1,444		
Number of vehicles immobilised	0		
Number of vehicles removed	0		
Percentage of higher level PCNs issued	62.5%	61.4%	1.1%
Percentage of lower level PCNs issued	37.5%	19.9%	17.51%
Percentage of PCNs paid	78.9%	65.5%	13.4%
Percentage of PCNs paid at discount rate	67.46%	56.2%	11.2%
Percentage of PCNs against which a formal or informal representation was made	32%		
Percentage of PCNs cancelled as a result of a formal or informal representation	9.6%		
Percentage of PCNs written off for other reasons	9.45%		

## Appeals 2008/09

	<b>Total</b>	<b>On Street</b>	<b>Off Street</b>
Number of Appeals to Adjudicators	29	22	7
Number of Appeals refused	0	0	0
Number of Appeals not contested	7	5	2
Percentage of Appeals to Adjudicators (of total PCNs)	0.19%	0.14%	0.04%
Percentage of Appeals Refused	0%		
Percentage of Appeals not contested	0.04%		

- 7.2 Representations and formal appeals for on and off-street penalties cannot easily be separated for reporting purposes therefore no individual statistics are available. Higher level PCNs are issued for more serious contraventions. The lower level charge is £50 and the higher level £70, both discounted by 50% if paid within two weeks.
- 7.3 The relatively low level of PCN cancelled or written off and the % of appeals would appear to indicate effective enforcement. In future years when all authorities have produced their annual reports comparisons can be made of performance and reported in future annual reports.

## 8. FINANCIAL INFORMATION

<b><u>CPE ACCOUNT 2008/2009</u></b>	<b><u>£</u></b>
Expenditure - Civil Parking Enforcement	380,717
Expenditure - On Street	67,270
<b>Total Expenditure 2008/2009</b>	<b><u>447,987</u></b>
PCN income (on and off street)	-312,665
On-Street Pay & Display Income	-156,777
Other income	-7,498
<b>Total Income 2008/2009</b>	<b><u>-476,940</u></b>
<b>Net Expenditure 2008/2009</b>	<b><u>-28,953</u></b>
Balance brought forward from previous years	307,798
<b>Deficit Carried Forward To 2009/2010</b>	<b><u>278,845</u></b>

A point where the civil parking enforcement account has a surplus has not been reached. Traffic management options and additional on-street pay and display parking will be implemented in 2009/10. These are consistent with the overall transport objectives and should mean that a break even point is reached in approximately 2013.

## 9. PERFORMANCE TARGETS

9.1 The Performance against Statutory Targets is as follows.

<b>Activity</b>	<b>Target from date of service or receipt of communication</b>	<b>Statutory Limit</b>	<b>2008/09 Performance</b>
Response to challenge or pre NTO correspondence	14 days	None given	100%
Response to representation against PCN	14 days	Must reply within 56 days	100%
Response to referral by the adjudicator for re-consideration of mitigation	21 days	35 days	None received
Despatch of postal PCN	14 days	28 days is DVLA request is sent within 14 days of the appropriate date, or longer if DVLA information is not received	100%
Despatch of Notice to Owner (except where the NTO is the PCN)	56 days	6 months from the relevant date - normally the date on which the PCN is served	100%

NTO - Notice to Owner

PCN - Penalty Charge Notice

9.2 The Borough Council met all the statutory targets set by central government.

## Appendix A – Hierarchy of Parking Enforcement

<b>Highway Safety</b>			
Preventing dangers due to parking:	Near Accident locations such as junctions.	<b>PRIORITY HIGH</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions at or close to junctions and bends particularly where visibility is poor to minimise dangers to moving traffic, pedestrians and other road users.
	Near Pedestrian Crossings	<b>PRIORITY HIGH</b>	Mainly preventing danger to pedestrians at crossing places. (This does not include the offence of stopping on white zigzag markings, which remains a police enforcement function.)
	Dangerous or double parking	<b>PRIORITY HIGH</b>	Mainly where drivers are parked on the carriageway but in a manner that is likely to cause a hazard to other drivers and road users.
	On Pedestrian Footways	<b>PRIORITY MEDIUM</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions where drivers are using the footway causing obstruction and hazard to pedestrians, wheelchair and pushchair users. This also applies where there are no yellow line restrictions in the Traffic Regulation Orders.
<b>Aid to Movement</b>			
Preventing obstruction and congestion on:	Main access roads into Ipswich (Principal Roads).	<b>PRIORITY HIGH</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by parked vehicles.
	Town Centre shopping streets	<b>PRIORITY HIGH</b>	Mainly enforcement of double yellow line restrictions and loading restrictions to enable essential traffic to access the town centre and not be hindered by illegally parked vehicles.
	Public Transport routes	<b>PRIORITY MEDIUM</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable bus traffic to flow freely and not be hindered by illegally parked vehicles.
	Main traffic routes within Ipswich (Non-principal Road)	<b>PRIORITY MEDIUM</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
	Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)	<b>PRIORITY LOW</b>	Mainly enforcement of single and double yellow line restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
<b>Obstruction &amp; Nuisance</b>			
Preventing hindrance to road users at:	Bus stops	<b>PRIORITY HIGH</b>	Enforcement of No Stopping Except Buses restriction in marked Bus Stop locations (where there is a wide yellow line marking) to prevent obstruction of bus stops.
	Vehicle accesses	<b>PRIORITY HIGH</b>	Mainly prevention of obstruction to private driveways that have yellow line restrictions. This is particularly important where residents are in the process of trying to enter or exit their premises. Dealing with obstruction of driveways without yellow line restrictions will be still be a police function.*
	Pedestrian access routes	<b>PRIORITY MEDIUM</b>	Mainly enforcement of single and double yellow line restrictions where numbers of pedestrians are walking, such as shopping areas and pedestrian prioritised streets.
	Taxi Ranks	<b>PRIORITY MEDIUM</b>	Mainly enforcement of single and double yellow line restrictions at Taxi Ranks to prevent obstruction.
	Grass verges	<b>PRIORITY LOW</b>	Mainly enforcement of single and double yellow line restrictions where drivers are using the grass verge and causing damage. This does not apply where there are no yellow lines.

	Special entertainment events	PRIORITY LOW	<i>This is primarily where large events such as football or firework displays cause short term visitors to park vehicles in side/residential streets contravention of waiting restrictions, excluding temporary No Waiting cones placed at such events, which is still a police function.*</i>  <i>For main traffic routes see AID TO MOVEMENT</i>
<b>Deliveries &amp; Servicing</b>			
Control and enable the conveyance of goods at:	Servicing yards	PRIORITY MEDIUM	<i>Enforcement of single and double yellow line restrictions to enable effective use and access to service yards.</i>
	Permitted loading areas	PRIORITY MEDIUM	<i>Enforcement of single and double yellow line restrictions to enable effective use and access to loading bays.</i>
<b>Parking Bays</b>			
Control effective use of permitted parking areas in:	Borough Council Car parks	PRIORITY MEDIUM	<i>Issue FPN for infringement of car park Orders</i>
	On-street Pay & Display	PRIORITY MEDIUM	<i>Issue FPN for infringement of on street parking Orders</i>
	Disabled Badge Holder Bays	PRIORITY MEDIUM	<i>Enforce infringement of on street disabled only parking places where there is time a restriction and where vehicle is not displaying a blue Disabled Driver Badge</i>
	Residents parking	PRIORITY MEDIUM	<i>Enforce infringement of on street residents parking places where a vehicle is not displaying a current residents parking or visitor badge for the appropriate Zone.</i>
	Limited waiting	PRIORITY LOW	<i>Enforce infringement of on street parking Orders where there is no fee but parking is time restricted.</i>