

Warwick District Council

Parking Services Department

Annual Report

2011 to 2012



1. Introduction

Thank you for taking the time to read this Annual Report. The Parking Services Annual Report aims to summarise what services the department provides and give an overview to why parking enforcement is required within Warwick District, how we operate and how well we are performing.

Reporting is an important part of accountability. The transparency given by regular and consistent reporting should help our citizens understand and hopefully accept Civil Parking Enforcement. Monitoring also provides the authority with management information for performance evaluation and helps to identify where improvements are needed. It also provides a framework for performance comparisons between councils. All of our procedures are subject to annual audit checks by County and District Audit departments.

We have a responsibility as the enforcement authority to produce and publish an annual report about our on-street and off-street activities within six months of the end of each financial year. Annual returns are also required by the Government about the number and speed of payments of PCN's and by the Traffic Penalty tribunal on the number of PCN's issued.

If you have any questions that have not been answered in this report please contact us at the address below, so that we can try and answer them.

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2. Background to Parking in Warwick District

Inconsiderate parking affects everyone who uses the roads within Warwickshire. Enforcement is necessary to persuade motorists to comply with the regulations in force and achieve the benefits detailed below. To achieve this, Warwickshire County Council, in partnership with Warwick District Council introduced decriminalised parking enforcement to the District in August 2007.

This is in keeping with Warwickshire's Local Transport Plan 2006 which identifies the following benefits as resulting from introduction of decriminalised parking enforcement, and as from 31 March 2008, from the Traffic Management Act 2004.

- Better turnover of on-street spaces arises from better enforcement. Drivers are less willing to overstay as the risk of getting a PCN increases. The increase in availability of parking spaces will benefit residents, local businesses, shoppers and visitors.
- Improved traffic flow. The increased availability of on-street parking spaces reduces congestion caused by drivers searching for on-street spaces. This in turn will lead to improving the local environment.
- Improved road safety through better enforcement of contravening vehicles parking on yellow lines, at road junctions, and in designated loading bays.
- Improved accessibility for emergency services, public transport and utilities vehicles.
- Improved accessibility for people with disabilities who rely on the use of the car, through better enforcement of disabled parking spaces.
- Less parking on footways where restrictions exist, making life easier for pedestrians and wheelchair users.

The new Local Transport Plan will be produced at the start of 2012 and any alterations in benefits will be amended in the 2012-2013 annual report.

Warwick District Council and Warwickshire County Council have long been responsible for managing most off-street and some on-street parking, whether directly or indirectly. The relevant powers are in the Road Traffic Regulation Act 1984 (RTRA). The introduction of the Road Traffic Act 1991 significantly changed the way that on-street parking restrictions are enforced. Before 1991, the police and traffic wardens were responsible for enforcement and the income from fixed penalty notices (FPNs) went to the Exchequer. The police service found itself increasingly unable to resource parking enforcement and a number of forces supported the idea of another agency taking on the responsibility.

The road safety and congestion implications of this lack of enforcement were unacceptable, so the 1991 Act made it mandatory for London boroughs and optional for other local authorities to take on the civil enforcement of non-endorsable parking contraventions. When a local authority takes over this power from the police, staff employed directly or indirectly by them issue Penalty Charge Notices (PCNs) and the local authority would keep the income.

The 1991 Act was replaced with Traffic Management Act 2004, this came into force in March 2008. This is the legal framework for enforcement authorities in England and comprises Part 6 of the Traffic Management Act 2004 and the regulations to bring Part 6 into effect. The TMA and the associated regulations have given to English authorities outside London many powers already available to authorities in London, giving greater consistency across the country while allowing for parking policies to suit local circumstances. The framework aims to make the system fair as well as effective.

3. Parking Policy

1. Overview

Parking enforcement should contribute to the authority's transport objectives. Warwick District Councils Parking enforcement is carried out in line with the regulations and recommendations of the Traffic Management Act 2004. A good enforcement regime is one that uses quality based standards that the public understands, and which are enforced fairly, accurately and expeditiously. This is consistent with current national best practice and we aim to provide clarity, consistency, transparency within the enforcement process and compliance with the objectives of the Traffic Penalty Tribunal and the Local Government Ombudsman. Each of the Authorities fully support the underlying principles contained within Traffic Management Act 2004, and are working towards a common approach towards parking enforcement across the County.

It is a common misconception that schemes such as civil parking enforcement are a means of making money for the local authority, and that civil enforcement officer's work to targets. This is not true. Civil enforcement officers do not work to targets and any surplus on-street revenue is used for transport and environmental improvement purposes, thus making our roads safer and more suitable for everyone.

2. Commitment

Warwick District Council is committed to offering the best possible service to its customers, which is seen as firm but fair by the motorist. The following are our commitments;

Helpful

- Our Civil Enforcement Officers will advise where and how to park safely and within the restrictions.
- All our staff will address customers with respect and courtesy at all times and expect to be treated by them in the same way.

Firm

- Our Civil Enforcement Officers will take consistent enforcement action and encourage considerate parking.
- We will pursue penalty charge notice evaders to recover debt owed to the Council.

- We will work with the police to protect our civil enforcement officers against abuse and violence as well as to prevent crime and anti-social behaviour.

Fair

- Seek to improve how we communicate parking rules to the motorist by full use of available media options.
- We aim to take photographs in evidence of all parking contraventions to ensure clarity in any dispute over the issue of a PCN.
- We aim to monitor and replace any incorrect signs or lines on the road or in our car parks to avoid causing confusion to drivers.

Excellent

- We will fully investigate and consider all correspondence regarding PCN's
- We will reply clearly and provide full information as to how and why we have reached a decision.
- We aim to reply to all correspondence within 28 working days of receipt.
- We aim to get the issue of PCN's right every time.
- We aim to improve on line services to make interaction with the service user easier.
- We will consult regularly with our stakeholders.
- We will operate the service in a transparent manner.
- We will promote safe and considerate parking through the provision of information on our websites and through the media.

3. Responsibilities

Warwick District Council is responsible for:

- The levels and times of operation of charges within those off-street car parks managed by the District.
- The rules for off-street season ticket allocation.
- The signage and surface markings relating to off-street car parks.
- Enforcing the parking regulations on and off street.
- Dealing with disputes to the issue of a PCN for both on and off-street parking.
- Managing the resident parking schemes on behalf of WCC
- Employing the staff required to carry out the enforcement processes for both on and off-street parking.

Warwickshire County Council is responsible for:

- Making the Traffic Regulation Orders (TRO's) which are the legal basis for the parking restrictions in force throughout the county.
- The level and times of operation of on-street charges
- The rules for all types of on-street permit allocation
- Maintenance of signs and road markings relating to on-street parking restrictions

4. Parking Provision and Services

1. Overview

The provision of off-street car parking is a very important service that Warwick District Council provides. It generates a significant level of additional income for the Authority which is then used to offset the general fund and assist in keeping Council Tax levels as low as possible. The current Car Park Strategy agreed by the Executive in September 2007 is currently under review and the new strategy will be published in early 2013.

The car park strategy will aim to support the continued development of parking policies and solutions which should “Meet the individual needs of each town centre and which fit within the overall corporate strategic objective of making each town centre more accessible and attractive for business”.

The provision of the enforcement of on-street parking is a crucial service that Warwick District Council provides. Ensuring that our streets are enforced helps improve the traffic management of our town centres and residential areas and helps to reduce dangerous and inconsiderate parking. Any surplus of on-street revenue is used for transport and environmental improvement purposes, thus making our roads safer and more suitable for everyone.

The parking enforcement within Warwick District is carried out in partnership between the District and County Councils. Therefore one team patrols both the on and off-street parking locations and one team deals with all of the parking administration.

2. Car Parks

Warwick District Council owns and manages 25 off-street car parks with a total of 50 pay and display machines. We also provide the enforcement in a number of privately owned car parks such as Royal Priors multi-storey car park in Leamington Spa, Barrack Street multi-storey car park and the Brays car park at Kenilworth Castle.

All of the pay and display machines in our car parks are manufactured by Metric Group and payment to these machines can only be made by coins, 5p, 10p, 20p, 50p, £1 and £2 are all accepted and payment is pre-paid.

We also provide 2 multi storey car parks in Leamington Spa which operate pay on foot. Pay on foot is the term used for the method of payment as payment is made at a pay station before leaving the car park. This equipment is manufactured by Parkare Group Limited and payment to these machines can be made by coins, 5p, 10p, 20p, 50p, £1 and £2 or by £5 and £10 bank notes, change is available from these payment machines.

The off-street tariff charges, charging hours and number of spaces for all of our off-street car parks can be found by visiting our website at www.warwickdc.gov.uk/WDC/Roads-parking-and-transport/Parking/.

3. On-street

Warwickshire County Council has installed 162 pay and display machines to the on-street parking spaces in the core of the town centre areas of Leamington Spa, Warwick and Kenilworth. These machines are manufactured by CALE and payment to these machines can only be made by coins, 5p, 10p, 20p, 50p, £1 and £2 are all accepted and payment is pre-paid.

The on-street tariff charges can be found by visiting our website at www.warwickdc.gov.uk/WDC/Roads-parking-and-transport/Parking/.

4. The Parking Service Team

We have a team of 28 Civil Enforcement Officers (CEO's) who play a key role in the enforcement of both on and off-street parking within Warwickshire. They represent the public image of the Council, and for many motorists will be the first and only point of contact with the Parking Service. Their role comprises a number of duties such as issues directly related to enforcement, but also to be receptive to members of the public with queries relating to parking. Functioning at the "sharp end" of the enforcement process they are ideally placed to check and report any deficiencies in the infrastructure.

Civil enforcement officers are required by law to wear a uniform. The uniforms provided are in accordance with national guidance and, are easily distinguishable from police officers uniforms. The design and colours are common across Warwickshire. Epaulettes are worn which identify the wearer as a civil enforcement officer for parking and the name of the enforcing authority. A unique CEO Number is also included to identify each CEO (for security reasons CEO's are instructed not to give their names to enquiring motorists).

Personal radios and mobile phones are carried for the purposes of personal safety and maintaining contact with the base in order to report issues arising or request assistance, and to alert the police of any incidents or issues requiring their attention.

We have 6 staff dealing with challenges and/or representations made by motorists against the issue of a penalty charge. There is a clear separation between the staff that decide on the issuing and processing of PCN's and the staff that decide on challenges and/or representations. This is done to preserve impartiality in considering the representation. Only authorised staff who are fully trained to decide in a fair and consistent manner can decide the outcome of representations made by the motorist. They also control the Residents Parking Permit Scheme, Off-street Car Park Season Tickets, and the issue of Waivers and Suspensions.

5. Staff Training

Warwick District is committed to providing training to recognised national standards in order to provide a quality service. The success of CPE depends on the dedication and quality of the staff that deliver it. It is essential that staff of all levels are given the skills and training to do their job effectively if the service is to command public confidence and respect. This should also improve the self-esteem and job satisfaction of staff, resulting in higher retention rates.

All staff within the Parking Services undergo a rigorous interview process before they are appointed. A condition of their employment is that they undergo on the job training and course work provided by an external agency specialising in the enforcement and office processes involved in CPE. Different courses are provided for CEO's and notice processing staff, and all staff must pass an end of course exam which qualifies for City & Guilds Level 2 accreditation. On successful completion of the course staff serve a probation period of 6 months. CEO's who are appointed but have not yet successfully completed the course can only carry out enforcement under the supervision of an experienced CEO.

Staff members attend regular training in topics relevant to their job e.g. health and safety issues. Further training is given as required to ensure staff continue to provide a quality service, and when changes in legislation are introduced.

6. Penalty Charge Notices

Penalty Charge Notices recorded on the handheld computers are electronically transferred to the Parking Services Notice processing computer system where they are progressed until paid, cancelled or sent to debt recovery.

Anyone who receives a penalty charge notice has the right of appeal if they believe the PCN was issued unfairly or incorrectly. The motorist has up to three opportunities to dispute the issue of a penalty charge notice.

1. informally *challenge* its issue in writing to the Council
2. if the informal challenge is rejected then a formal *representation* may be made on receipt of the Notice to Owner
3. If the formal representation is rejected a further formal *appeal* may be made to the Traffic Penalty Tribunal for consideration by their team of independent adjudicators. This can be dealt with by post, telephone or at a personal hearing if requested.

7. Permits and Season Tickets

The parking administration team manage the resident parking permit scheme on behalf of Warwickshire County Council. The rules surrounding eligibility are set by WCC only the management of the system is controlled by Warwick District Council. The permits last 12 months and only 3 Residents permits can be applied for at each property, plus 1 Visitor permit per property.



The current prices for resident's permits are outlined below:

- The first Resident's permit applied for is £15.00.
- The second and third Resident's permits are £25.00 each.
- The Visitor's Permit applied for is £15.00.

For an additional £15.00 on each Resident's permit you are entitled to a Resident's overnight permit which entitles you to park on specified surface car parks within your town from 6pm to 9am.

Season tickets offer excellent value to commuters who park regularly in the town. The price of a season ticket is closely linked to the daily rate in that particular car park. In all cases the yearly season ticket “payback” is between 105 and 155 days offering a discount of up to 50% against the day rate in most car parks. Season tickets are administered through the same team that deal with resident parking permits. All rules and charges relating to season tickets are made solely by Warwick District Council.

A full list of the car parks with season tickets and the relevant charges can be found in appendix 2 at the end of this report.

8. Waivers

A Waiver is a permit which is issued to allow a vehicle to park, where parking restrictions apply, on a specified street for a specified period. There is a charge for each waiver issued. Waivers can be issued for:

- Building/maintenance/repair works where close proximity to the site is essential.
- Goods deliveries in respect of which it is reasonable to allow longer than that normally permitted by the regulations.
- Special Events
- Other circumstances in which the council may reasonably regard the requirement to be essential.

5. Statistical Information

Indicator	2010 - 2011			2011 - 2012		
	On Street	Off Street	Total	On Street	Off Street	Total
Number of Higher Level PCN's	5955	325	6280	4544	243	4787
Number of Lower Level PCN's	10836	3827	14663	9457	3556	13013
Total Number of PCN's	16791	4152	20943	14001	3799	17800
Number of PCN's paid at discounted rate	11796	2807	14603	9848	2373	12221
Number of PCN's paid at non discounted rate	2423	565	2988	1667	457	2124
Total Number of PCN's paid	14219	3372	17591	11515	2830	14345
Total Number of PCN's unpaid	291	54	345	907	159	1066
Total Number of PCN's registered with Traffic Enforcement Centre	1033	240	1273	1103	218	1321
Number of PCN's subject to an informal or formal challenge	4954	1529	6483	3489	1439	4928
Number of PCN's issued by approved devices	0	0	0	0	0	0
Number of PCN's cancelled for statutory reasons at informal or formal challenge	144	69	213	288	44	332
Number of PCN's cancelled for mitigating circumstances at informal or formal challenge	808	469	1277	959	672	1631
Total Number of PCN's cancelled at informal or formal challenge	952	538	1490	1247	716	1963
Number of challenges sent to the adjudication service	35	6	41	43	14	57
Number of PCN's cancelled for other reasons i.e. admin error, out of jurisdiction, untraceable etc.	575	152	727	366	72	438
Average Challenge response turnaround time in days			17			19
% of PCN's Challenged against Total Number Issued	30%	37%	31%	25%	38%	28%
% of PCN's Cancelled against Total Number Issued	9%	17%	11%	12%	20%	13%
Total Number of Resident Permits posted out	5719			6424		
Total Number of Season Tickets posted out		1170			1113	
Average Permit application turnaround time in days	2	2		2	2	

6. Financial Performance

Off-Street Income	2010 - 2011	2011 - 2012
Pay and Display	£1,977,516	£2,050,609
Season Ticket	£222,237	£188,425
Penalty Charge Notice	£108,472	£93,905
Total Income	£2,308,225	£2,332,939
Total Expenditure	£1,838,213	£1,962,436
Surplus	£470,012	£370,503

On-Street Income	2010 - 2011	2011 - 2012
Pay and Display	£1,415,454	£1,626,410
Resident Permit	£88,401	£96,138
Penalty Charge Notice	£504,417	£428,965
Total Income	£2,008,272	£2,151,513
Total Expenditure	£1,057,091	£1,077,366
Surplus	£951,181	£1,074,147

7. Further Information

For more details regarding the Parking Services please visit our website at www.warwickdc.gov.uk/WDC/Roads-parking-and-transport/Parking/