

Herefordshire Council

Civil Parking Enforcement Annual Report April 2015 – March 2016



**Herefordshire
Council**

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Introduction

Herefordshire Council is responsible for the enforcement of the on-street parking restrictions throughout Herefordshire and also the enforcement of all off-street car parks controlled or managed by them.

Parking is an emotive subject which often receives adverse publicity in the media and although parking restrictions are rarely popular with the motorist, without them there would likely be more congestion and even gridlock. The majority of motorists comply with the parking restrictions and park sensibly but unfortunately some pay little heed and park wherever they like because it is convenient for them. This can then cause inconvenience to others such as delivery vehicles and disabled motorists.

No one likes to receive a Penalty Charge Notice (PCN) but for parking restrictions to be effective there has to be some kind of deterrent to discourage people from parking in contravention of them, and a sanction when they do. Some drivers who receive a PCN will have just taken a chance, but others may not have intended to park illegally or may have misunderstood the signs and lines. Precautionary action may avoid that unwelcome penalty charge. For example, a few extra seconds to check the signs and lines before leaving the vehicle will in most cases reduce the risk of getting a parking ticket. Additionally most people have a mobile phone which could be set to sound a warning before their limited waiting or pay and display ticket is about to expire.

In general terms the parking policy seeks to support the council's aim to encourage the use of alternative forms of transport to the private car. However, it is recognised that, in a predominantly rural county like Herefordshire, many journeys will continue to be undertaken by car and as such the overall supply of parking needs to be sufficient to support the economic vitality of Hereford and the market towns.

Herefordshire Council carries out its Civil Parking Enforcement under powers contained in part 6 of the Traffic Management Act 2004 (TMA) which came into effect on 31st March 2008. The operational guidance that complements the TMA encourages transparency and accountability in parking operations and in furtherance of this it advises that all enforcement authorities should produce and publish an annual report of their enforcement activities within six months of the end of each financial year.

This report is Herefordshire Council's seventh annual parking report. It is intended to give the reader a clearer picture of what the council is trying to achieve through its parking enforcement activities, and how it carries out those activities in a fair and consistent manner, and in accordance with the relevant legislation.

In furtherance of this the report contains a link to the council's parking enforcement protocols. Taking a moment to look at and understand these could assist in avoiding inappropriate parking and thereby reduce the likelihood of receiving a PCN. All road users should also be aware of the meaning of the various on-street signs and lines and can check or refresh their memory by reading the latest Highway Code guide.

There is also a link to a page on the council's website where people can go to for advice on what to do if they have received a PCN, for example how to challenge or how to pay it. It is a requirement of the TMA that the council follows a strict but fair and consistent enforcement procedure for issuing PCN's, dealing with challenges/appeals and the recovery of unpaid PCN's.

Finally the report provides some statistical and financial information with regards to parking enforcement activities over the 12 month period to 31st March 2016.

Parking policies

As a part of the Local Transport Plan Herefordshire Council published a Parking strategy which can be viewed at: - <https://www.herefordshire.gov.uk/planning-and-building-control/planning-policy/local-transport-plan-201314-201516/parking-strategy>.

A strategy can play a major role in supporting the development of a sustainable and integrated transport system. The availability of a parking space is a key factor in determining people's choice of mode of transport for a particular journey. Together with improvements in alternative modes to provide the "carrot", strategies for parking supply and control can offer an important tool to manage demand to encourage a modal shift away from the private car towards more sustainable modes.

The strategy acknowledges that car travel is the most important form of transport in what is one of the most rural counties in England and that parking issues are very different in different parts of the county.

Parking Enforcement supports the strategy by aiming to ensure that motorists comply with the parking restrictions that are in place thereby minimising disruption and congestion, and by applying a sanction to those who contravene the restrictions.

To assist motorists a Parking Enforcement Protocols Policy and an Appeals and Representations Policy has been written for the purpose of clarification so that the motorist can avoid parking inappropriately and being likely to receive a PCN. Should a motorist receive a PCN which they do not agree with, the Parking Enforcement Protocols should help to explain why it was issued. These policies can be found at <https://www.herefordshire.gov.uk/transport-and-highways/parking/roads-street-parking-enforcement>

Appeals and Representations Protocols are written to ensure that the motorist understands the rules, policies and procedures used by the council in administering the parking policy. Should the motorist decide to challenge the issue of a PCN how they are treated in making any objection or representation is important, and this document sets out how appeals and representations against the issue of a PCN are dealt with.

By publishing the policy and protocols it is hoped that the motorist will see that Herefordshire Council is committed to dealing with parking enforcement in an open, fair and consistent manner.



Civil Enforcement Officers

The primary objective of a Civil Enforcement Officer (CEO) is to ensure that parking restrictions are observed and enforced in a fair, accurate and consistent manner.

Herefordshire Council's fifteenth CEO's, seven of whom work part time, are employed directly by the council and are paid a monthly salary. They do not receive any performance related bonuses or other performance related incentives. Although the council will monitor their performance at work, as with any other council employee, it does not set any targets in regard to the number of PCN's issued. Herefordshire Council has a very low turnover of CEO's and the experience that this brings helps deliver a consistency to enforcement activity.

Each new CEO is given on the job training by going out and working alongside an experienced CEO until they are competent to work alone.

CEO's are unfortunately often subject to verbal abuse and occasionally physical assault whilst carrying out their duty. This is totally unacceptable and Herefordshire Council will always support officers in reporting such incidents to the police, and in any subsequent court proceedings. To try and help protect CEO's they are instructed to give their ID number to members of the public if requested but not their names.

PCN's are issued to vehicles that are parked in contravention of the parking restrictions. This is done by inputting relevant information into a handheld computer and then attaching the printed PCN to a vehicle or by giving it to whoever appears to be in charge of it. Any relevant information is recorded in a handbook and photographs are taken. This further information and photographs may be used when considering representations and appeals.

Once a PCN has been issued a CEO is unable to cancel or withdraw it. This is to protect them from allegations of inconsistency, favouritism or any suspicion of bribery. A PCN is considered as issued once the CEO has started to enter details of the vehicle and contravention into their handheld. If a motorist wishes to dispute a PCN they must follow the appeals process which is detailed on the information leaflet accompanying the PCN.

CEO's have the authority to allow a driver to park in a place that they would not normally be allowed to park in, for example if they believe that a vehicle is essential for work being carried out and if there is no practical or reasonable alternative, or if a vehicle has broken down etc. In most cases this will apply only to unplanned events and if permission is granted it applies to that day only. In other cases the person responsible for the vehicle should apply and pay in advance for a parking dispensation <https://www.herefordshire.gov.uk/transport-and-highways/parking/parking-dispensations>

Certain vehicles have exemptions from the on-street parking restrictions, for example 'Statutory Undertakers' if their visible work is being carried out within a reasonable proximity of the highway, emergency service vehicles, cleansing and refuse vehicles collecting rubbish. More information can be found in the Parking Enforcement Protocols www.herefordshire.gov.uk/transport-and-highways/parking/roads-street-parking-enforcement

CEO's are instructed to ignore notes left in vehicles, such as "working at number 20" or "broken down" (unless visually obvious), as they cannot be sure of the validity of the note. In such circumstances details of the note will be recorded if a PCN is issued and any mitigating circumstances will be taken into account during the appeals process.

CEO's also enforce the regulations in respect of off street parking in the council's car parks (see page 11).

Civil Enforcement Officers

As well as enforcing the on and off-street parking restrictions CEO's also:

- Act as the first point of contact for the public giving help and advice such as directions, advice on parking queries and enforcement matters.
- Checking and carrying out minor repairs to pay and display machines.
- Checking and reporting defective traffic signs and road markings.
- Reporting any car park defects.
- Reporting suspected abandoned vehicles.
- Inspecting blue badges and seizing any that they suspect of being fraudulent or being used fraudulently.
- Report incidences of environmental crime such as littering fly posting, fly tipping and stray dogs/dog fouling to the council's enforcement team.

Penalty charges

The Secretary of State requires that authorities set 2 levels of Penalty Charge, with a higher level for the more serious contraventions. . For example, parking in a place that it is always prohibited (such as on double yellow lines or in a disabled bay without a valid blue badge) is considered more serious than overstaying where parking is permitted.

In line with this requirement Herefordshire council parking contraventions are dealt with by the issue of either a £70 PCN for a higher level offence or £50 PCN for a lower level offence. A reduced amount of £35 or £25 respectively will be accepted in full and final settlement, if payment is received within 14 days of the date the PCN was issued.

The TMA also gave authorities the power to serve PCN's by post (known as a 'Regulation 10' PCN) in certain circumstances as listed below:-

1. Where the contravention has been detected on the basis of evidence from an approved device. This is where an authority uses devices such as CCTV for parking enforcement purposes. Herefordshire Council does not carry out any parking enforcement in this way.
2. 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 the vehicle.
3. 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.

Herefordshire Council will only serve a PCN by post if it cannot be served in the 'normal' way because the officer is prevented from doing so in either of the circumstances described in points two and three above.



Appeals process

The process of considering PCN challenges is a legal process. Herefordshire Council has prepared an appeals and representations guidance

(<https://www.herefordshire.gov.uk/transport-and-highways/parking/roads-street-parking-enforcement>)

in respect of Civil Parking Enforcement which is intended to inform the public and provide guidance to council employees working in the enforcement of parking regulations.

This is consistent with best practice and aims to provide clarity, consistency and transparency within the enforcement process and comply with the Traffic Penalty Tribunal and Local Government Ombudsman guidance.

When a PCN is issued the motorist can make an informal challenge at any time within the first 28 days after the PCN has been issued. If a challenge is to be made it is advised that it is made within the 14 day discount payment period. This means that if the challenge is rejected the PCN can still be paid at the 50% discounted rate. If the challenge is successful, the PCN will be cancelled and no further action will be necessary.

If a motorist neither pays or challenges a PCN within the first 28 days after it has been issued then the council will send a 'Notice to Owner' (NtO) to the registered keeper of the vehicle. This notice will advise there is a further 28 days to either:

1. Pay the penalty charge at the full rate; or
2. Make a formal written representation to the council.

On receipt of a representation, the council will carefully consider all the relevant facts. If the representation is accepted the PCN will be cancelled and the case closed. If the representation is rejected a formal 'Notice of Rejection' together with an appeal form will be sent out. The PCN can either be paid at the full rate

On-street parking

There are over 1600 on-street parking spaces available in the main centres of the County, all of which are currently free and generally controlled by means of limited waiting restrictions. Within Hereford there are over 400 spaces, representing around 15% of publicly available parking provision for the City centre. The approach to the management of on-street parking across the county seeks:

- To ensure the safe and free flow of traffic that is essential to economic vitality and business growth;
- To provide access for serving businesses;
- To provide residents parking in appropriate locations;
- To ensure effective and sensitive enforcement of restrictions;

- To provide suitable parking including disabled bays and effective enforcement to prevent obstructions that can impact upon disabled people, bus services and effective loading/unloading by business; and
- To ensure that on-street parking is controlled by the use of limited waiting restrictions to ensure the efficient turnover of short stay parking for shoppers and visitors in the centres of towns.

Residents parking scheme

Near town centres and employment areas it is not always possible for residents to find a parking space due to use of limited on street parking by commuters and shoppers. The availability of such spaces for commuters and shoppers can also undermine the overall Parking Strategy that seeks to manage the supply and cost of parking to make best use of available space and promote a shift to more sustainable forms of transport.

To overcome these problems, Residents Parking Schemes have been introduced in a number of areas, particularly in Hereford, in consultation with residents.

<https://www.herefordshire.gov.uk/transport-and-highways/parking/roads-street-parking-permits>

Even in residents parking scheme areas however it is necessary to cater for parking for visitors, deliveries, and carers, in addition to residents. The simplest way of achieving this balance is to restrict waiting to a short duration with an exemption to the time limit for Residents Permit Holders.

In some locations pressure on space is so great that this arrangement does not reserve sufficient space for residents, and in such cases a 24 hour parking restriction with exemptions for resident permit holders only may need to be considered.

The Council introduced a new residents parking policy (2013) for all new schemes introduced after 1 October 2013. All existing schemes remain under the 'old' policy that was introduced in 1999.

The 2013 policy allows up to a maximum of five permits (including a visitor's permit) per dwelling, such as five vehicle specific permits or four vehicle specific permits and one visitors permit. If, from a traffic management point of view (with the local councillor's support), it is considered that five permits per dwelling is too many and would create problems, the maximum number of permits allowed per dwelling may be restricted to less than five. The actual number of permits allowed in each individual zone will be detailed in the Traffic Regulation Order for that area.

If a resident within a resident parking scheme would like the zone that they live in to transfer over to the terms and conditions of the new 2013 policy, they can take their proposal forward to their local councillor for consideration. Any change will require a change to the Traffic Regulation Order (TRO) as the number of permits allowed is detailed within the TRO. This is not a short process and would involve a consultation.

The annual price of a permit, in new and existing schemes, increased from 1 October 2013 from £25 to £30 for the first two permits. This was the first increase in the price of the permits since 1999.

Where more than two permits are allowed the cost of the 3rd permit is £75 and the 4th and 5th permits cost £100 each. These permits are priced higher than the first two to act as a deterrent to residents having multiple vehicles and to support the Parking Strategy.

The working group that reviewed the resident parking policy initially proposed that the visitors permit be replaced with scratch cards but during the consultation process there were significant objections to this proposal. Therefore the visitors permit was retained rather than introducing scratch cards.

Visitor permits should only be used by people visiting or living at a property and should not be sold or given to people such as friends and relatives to use for commuting or shopping purposes. If a resident is proven to have misused a visitor's permit the council will consider withdrawing the permit. The Council does from time to time receive allegations that visitor permits are being misused by commuters. Such allegations are investigated and where appropriate a warning letter will be sent to the permit holder's address. Continued misuse will result in the cancellation of the permit.

Parking dispensations

Herefordshire Council recognises that sometimes it is necessary for a member of the public to park a vehicle in contravention of a Traffic Regulation Order in order for the driver to perform a task or carry out a job. The TMA allows authorities to issue special waivers (also called dispensations) to allow these vehicles to park without attracting penalties.

An example of this is where the parking time is limited to 30 minutes, there are no car parks nearby and the vehicle is essential for the work to be carried out, such as a plumber who needs to go back and forth to their vehicle for parts or tools. The parking team will consider any request to ensure that the vehicle is essential for the work to be carried out

and check to see that there is no reasonable or alternative parking nearby. Permission will not be granted if it is considered that the vehicle is only to be used for convenience, or if the request will cause a hazard or danger to others.

Following a successful trial the council introduced a formal dispensation policy in January 2014 with charges being introduced to cover the administration costs and to deter applications from motorists simply seeking convenient parking in contravention of the parking restrictions. For more information on parking dispensations go to <https://www.herefordshire.gov.uk/transport-and-highways/parking/parking-dispensations>.

Blue Badge scheme/misuse

The Blue Badge scheme is designed to promote mobility and inclusion for the most severely disabled individuals, both in the UK and the wider European Union.

www.herefordshire.gov.uk/transport-and-highways/parking/disabled-people-parking-permits-blue-badge

Concessions for disabled people wishing to park on-street are set nationally, exempting those displaying a valid blue badge from the time limits in limited waiting places and allowing parking of up to three hours on double yellow lines providing it does not cause a danger/obstruction to other road users and there is not a loading restriction in operation.

The council's CEO's are authorised to inspect blue badges and when doing so they should produce an identification badge with their photograph on it to prove who they say they are. If an enforcement officer asks to inspect a blue badge, it must be shown to them. If it is not, the person to whom the request is made will be breaking the law and could be fined up to £1000.

In order to raise public awareness around the misuse of blue badges the council's parking section ran a publicity campaign in November 2015 called "Respect my Space" which included staff manning a stall in the centre of Hereford and market towns.

On 8 October 2013 new legislation was introduced which gave local authorities the power to seize blue badges that are found to be misused or no longer valid. Until then the enforcement officers were only able to inspect a blue badge and only the police could seize badges.

The council treats the misuse of a blue badges very seriously and seized 120 badges between 1 April 2014 and 31 March 2015. The 120 badges were seized for the following reasons:

- 61 – The badge holder was not part of the journey.
- 58 – Expired badges
- 1 – Badge holder deceased

During this period 10 people were summoned and prosecuted in court for misusing the badges.

Many cases of blue badge misuse are by family and friends of the badge holder who are using the badge whilst the badge holder is at home, and when questioned they don't feel that they are doing anything wrong, even when parking in a disabled person's parking space!

Dropped kerbs

The TMA provides powers for local authorities to enforce the issue of motorists parking adjacent to kerbs that have been lowered to the road, or roads that have been raised to the kerb.

In November 2013 the Council introduced a formal policy of enforcing dropped kerbs following a number of complaints from members of public who found it difficult to cross from one side of the road to the other side whilst pushing a

pushchair or using a disabled person's mobility vehicle due to a vehicle parked across the dropped kerb. The council's enforcement officers will also enforce a dropped kerb where a vehicle has parked alongside the dropped kerb and across a resident's driveway preventing the resident from accessing their property. In such cases the enforcement officer would require the resident to sign their pocket book confirming that they had not given permission for the vehicle to park across the front of their driveway.

Local on-street issues

Herefordshire like many other authorities has problems with motorists who ignore the parking restrictions in the vicinity of a school during dropping off and picking up times. Whilst drivers may argue that they have only stopped for a minute or two, it only takes a second for a child to step out from behind a parked vehicle. In areas where the council has received requests from schools, parents, and local residents for higher levels of enforcement outside their respective schools, the council has initially carried out a program of education by handing out letters to motorists close to the schools and by talking to parents, followed up by enforcement action where necessary. Unfortunately drivers collecting and dropping off children soon revert back to their 'old ways', ignoring the parking restrictions when enforcement officers are not present.

Some shared parking bays provide for limited waiting for any vehicle in the day time but become taxi ranks in the evening to enable taxis to drop off and pick up customers from the pubs and nightclubs. The council therefore carries out evening patrols in these areas to enforce vehicles parked in contravention of the evening restrictions. Many motorists appear to not check the signs and assume that as they can park there in the day time they can also park there in the evening. As mentioned elsewhere in the report those few extra seconds to understand the signs may avoid a PCN.

The parking office receives many calls from residents complaining about vehicles (often their neighbours) parked in contravention of the parking restrictions. One of the biggest areas of frustration for residents, and one which generates many calls to the council, is the growing number of vehicles per household and the often very limited residential parking available. This can lead to neighbourhood disputes. Where there are no parking restrictions in these locations the council can only advise the resident to contact the police if they feel that an obstruction is being caused.



Off-street parking

Across the county there are approximately 5000 council provided public off-street spaces available in Hereford and the five Market Towns of Bromyard, Kington, Ledbury, Leominster and Ross-on-Wye. Hereford has the largest number of spaces (approximately 3600) all of which are covered by a charging regime. Outside Hereford charges are made in most car parks in all of the five Market Towns.

The approach to the provision and management of off-street car parking seeks:

- To maintain an adequate parking supply for long and short stay users to enable and encourage economic growth.
- To achieve value for money.
- To manage long stay parking supply (for commuters) to reduce peak hour congestion.
- To manage short and long stay parking supply to reduce vehicle impacts in our market towns and city centres.
- To manage the supply and pricing of parking to encourage the use of sustainable modes (walking, cycling and public transport) particularly for shorter trips of less than 5km.
- To support longer term growth proposals in Hereford through the delivery of longer term parking provision such as park and ride and to reduce the supply of commuter parking in the centre of the city.
- To maintain revenue stream which will fund the on-going provision of parking services and contribute to sustainable transport provision.

The council operates the greater proportion of the off-street car parks within Herefordshire with a number of other public car parks run privately. Details of all of the council car parks which include parking fees and spaces are shown on the council's website.

<https://www.herefordshire.gov.uk/transport-and-highways/parking/car-parks-council/>

Herefordshire council has forty two public car parks of which thirty five are pay and display (three of which are weekend only car parks), one pay on exit car park, three are private rented space car parks and three are free of charge. Peak and off-peak season tickets are available at selected car parks and offer a considerable saving for daily users.

From a transport perspective, cheap all day commuter parking provides little incentive for drivers to consider alternative modes of transport such as walking, cycling and public transport, especially for those who undertake shorter journeys of less than 5km. The parking strategy indicates a move to incrementally increase the price of commuter parking, particularly in Hereford, to encourage more sustainable travel options being considered.

In order to go some way to support this, the tariffs on the all-day commuter car parks were significantly increased on 1 February 2016 with a cheaper tariff on two car parks for those who pay for their parking before 8am.

All of the council's car parks are patrolled by the council's civil enforcement officers, who as well as carrying out enforcement activities also respond to numerous enquiries from members of the public and also report any car park defects to the parking services section.

The council is committed to work with town councils when considering parking options and tariffs. Whilst there is a need to maintain income levels from parking, within this broad income parameter, town councils are probably better placed to determine charges in their town, taking into account local needs, the local economy and traffic issues. An example of this working in practice is in 2015 where the Leominster and Ross-on-Wye town councils developed alternative proposals in order to have free car parking after 6pm. This was achieved by slightly increasing the day time tariffs slightly above what was initially proposed to ensure the required level of income would still be achieved.

The council's policy on providing some free off-street parking in the market towns has come under scrutiny as this is seen as being no longer affordable and does not encourage people to use alternative means of transport. Therefore charges will apply for all off-street parking, unless there is a clearly defined economic reason for providing free parking.

Payment by phone

The council introduced payment by phone in all of its off-street public pay and display car parks on 28th January 2013. This allows car park users to pay for their parking by phone using a credit or debit card. Customers can choose to have a text message reminder before their parking time expires to avoid the risk of running late and getting a PCN. The customer can then choose to either return to their vehicle, or extend their parking time by phone without the need to return to their vehicle. The customer pays a small charge for this service which goes directly to the company (RinGo) who provides the service rather than to the council who only receive the charge for parking. The number of payment by phone transactions has gradually increased since it was introduced in January 2013 as people realise the many benefits of paying by phone.

The service provider was changed from PaybyPhone to RinGo on 29th January 2015 following a procurement process and although there is an initial service charge, there is no additional service charge for a text reminder reminding motorists that their parking session is close to expiring or to extend a parking session.

For more information on how to pay for car parking by phone in the council's public car parks go to:- <https://www.herefordshire.gov.uk/transport-and-highways/parking/pay-by-phone-parking>

Electric car charging points

In partnership with 'Plugged in Midlands' the Council has developed a network of electric vehicle charging points at a number of selected council car parks throughout the county.

This partnership offers electric car users free electricity for three years, provided they are registered with 'Plugged in Midlands'. As an added incentive for people to use an electric vehicle, the council introduced free car parking for electric vehicles in June 2014, providing they are charging up in the designated electric charging spaces.

Whilst the Council appreciates that there are only a limited number of electric cars at the present time this project is intended to help promote and facilitate the use of electric vehicles in the County. This forms part of the Council's Carbon Management Plan and the Government's 'Carbon Plan' which sets out electric vehicles as a key part of de-carbonising motor vehicles.

For more information on the electric charging points go to <https://www.herefordshire.gov.uk/environmental-protection/conservation-and-sustainability/electric-car-points>



New developments

The council's off-street car park tariffs in Herefordshire were changed as from 1 February 2016 with many tariffs increasing although there were some reductions. The all-day commuter parking tariff significantly increased in Hereford with a discount to those who paid to park before 8am on two car parks as an incentive to encourage some drivers to travel earlier in order to reduce peak time congestion. The evening charges in Hereford were reduced and the charges on the car park adjacent to the leisure facilities were reduced for motorists parking after 3pm in order to help those bringing in young children for swimming lessons.

In Leominster and Ross-on-Wye parking charges were made free of charge after 6pm with a single fee of £1.00 to park all day on Sundays. The Leominster Town Council were keen to encourage a greater turn-over of parking spaces on the Central Area car park so the maximum stay was reduced down from four hours to two hours. Ross-on-Wye Town Council were keen to have cheaper tariffs in the car parks slightly further out of town with higher charges in the car parks nearest to the town centre along with a new 30 minute charge on the Maltings car park for those who only wanted to stay for a short while. Ledbury Town Council were keen to have free parking on Bank Holidays and the introduction of season tickets on St. Katherine's car park which were all negotiated as part of the tariff consultation.

A big proportion of the largest commuter car park (Merton Meadow) in Hereford is due to be temporarily closed for the construction of a new link road. The main work is scheduled to commence in summer 2016 and will see the number of parking spaces reduced from around 760 to 350 for around 6 months. Following the construction of the link road it is likely that ultimately the car park will be closed to facilitate the building of an urban village on the land.

Following a tender process the council awarded a contract to Metric Group to replace the councils pay and display machines in its off-street car parks over a three year financial period with the first batch of replacement machines installed in March 2016. The new machines should reduce downtime due to faults and therefore reduce inconvenience to people using the car parks and will also protect the

council's important source of income. The new machines will be linked to a computer back office system which will allow staff to be able to see live reports of the status of the machines along with the ability to be able to run off various statistical reports.

Tenbury Road car park in Bromyard was transferred over to the Bromyard Town Council on 31 March 2016 as part of a transfer under the program of devolved services. By devolving some services and transferring the assets, Herefordshire Council can concentrate its efforts and resources on corporate priorities and statutory requirements. This process also provides opportunities for the town council to run additional services and facilities, safeguarding their use for local benefit and providing more local input and control in how they are run.

As Civil Enforcement Officers are subject to regular incidences of verbal and occasional physical abuse the council issued all of the officers with body worn cameras in April 2015. This enables them to record audio and video footage of any conflict with the aim of deterring any aggression in the first instance, and should a physical or verbal attack take place it can be used by the police as required.

The video and sound recording can also assist in the investigation of any complaints against officers whilst at the same time also protecting the officers of any allegation of wrong doing as it is difficult to establish the facts where it is one person's word against another's.

The council's Civil Enforcement Officers were followed by an ITV camera crew on various days over several months in 2015 and subsequently featured in one of the episodes of ITV "Parking Wars", which gave viewers an insight into the role of a Civil Enforcement Officer and the level of abuse they are subjected to.

Statistical information

Penalty Charge Notices Issued

The tables below show different statistics relating to the Penalty Charge Notices issued by the councils CEO's during the 12 month period 1st April 2015 to 31st March 2016 and the totals for the previous four years.

Description	Total PCN's 2015/16	On-Street	Off-Street	Total PCN's 2014/15	Total PCN's 2013/14	Total PCN's 2012/13	Total PCN's 2011/12
Number of Higher Level (£70) PCNs issued	7,303	6,679	624	5,387	5,231	4,560	5,137
Number of Lower Level (£50) PCNs issued	14,979	4,550	10,429	15,208	14,097	14,800	16,204
Total number issued	22,282	11,229	11,053	20,595	19,328	19,360	21,341
Number of PCNs paid	15,230	8,664	6,566	14,756	13,481	14,546	15,846
Number of PCNs paid at discounted rate (50% if paid within 14 days)	12,809	5,418	7,391	12,440	11,389	12,181	13,400
Number of PCNs against which an informal or formal representation was made	7,571	4,746	2,825	6,880	7,058	7,909	7,781
Number of PCNs cancelled as a result of formal or informal representation	5,130	1,455	3,675	4,024	4,146	3,699	3,979
Number of PCNs cancelled for other reasons (e.g. CEO error or driver untraceable)	705	416	289	1,042	815	930	1,043
Number of PCNs outstanding due to various reasons such as with the bailiffs, at Order for Recovery stage	803	508	295	1,070	886	660	750
Number of appeals to adjudicators	4	2	2	6	13		

Description	Total PCN's 2015/16	On-Street	Off-Street	Total PCN's 2014/15	Total PCN's 2013/14	Total PCN's 2012/13	Total PCN's 2011/12
Number of adjudicator appeals allowed	1	1	0	4	8	1	1
Number of adjudicator appeals refused	0	0	0	1	2		
Number of appeals non-contested	3	1	2	1	1	1	1

Description	2015/16	2014/15	2013/14	2012/13	2011/12
Percentage of Higher Level PCNs issued	32.8%	26.2%	27.1%	23.6%	24%
Percentage of Lower Level PCNs issued	67.2%	73.8%	72.9%	76.4%	76%
Percentage of PCNs paid	68.3%	71.6%	69.7%	75%	74%
Percentage of PCNs paid at discounted rate	57.5%	60.4%	58.9%	63%	63%
Percentage of PCNs against which formal or informal representation were made	34%	33.4%	36.5%	41%	49%
Percentage of PCNs cancelled as a result of formal or informal representation	23%	19.5%	21.4%	19%	19%
Percentage of PCNs cancelled for other reasons (e. g. CEO error)	3.2%	5.1%	4.2%	5%	5%
Percentage of PCNs written off for other reasons (e. g. keeper untraceable)	0.52%	1.9%	4.5%	2%	4%

Parking PCN's – reasons for cancellation

The table below shows how many PCNs were cancelled in the 12 month period and the reason for cancellation.

Reason for Cancellation	Number Cancelled	Reason for Cancellation	Number Cancelled
Permit holder	515	Mitigating circumstances	796
Valid P + D Ticket	2505	General cancellation	324
Disabled badge	477	Machine fault	2
CEO error	72	Traffic Penalty Tribunal decision	2
Loading/Delivery/collection	175	Other reasons (e.g. keeper untraceable, yellow lines, taxi bay)	952
Unmarked police cars on duty	0		
Breakdown evidence	15	Total cancellations	5,835

PCNs Issued by Contravention

There is a national list of the parking contraventions for which all CEO's throughout the country are empowered to issue PCN's. Each parking contravention is given a code number such as 01 for being parked in a restricted street during prescribed hours. The table below shows a detailed breakdown of the number of PCN's issued by the councils CEO's in respect of each contravention during 2015/16 and also the previous four years for comparison. They are separated into on-street and off-street (car parks) and by higher and lower level contraventions.

Higher Level Contraventions Issued (£70 PCN)

On-Street						
Code	Description	Total 2015/16	Total 2014/15	Total 2013/14	Total 2012/13	Total 2011/12
01	Parked in a restricted street during prescribed hours	1,671	1,237	1,171	920	1,058
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	532	440	339	360	398
12	Parked in a resident's or shared use parking place or zone without clearly displaying either a permit or a voucher or pay and display ticket issued for that place	96	76	106	85	107
14	Parked in an electric charging space during restricted hours without charging (wrong code)	1	1	0	0	0

Code	Description	Total 2015/16	Total 2014/15	Total 2013/14	Total 2012/13	Total 2011/12
16	Parked in a permit space without displaying a valid permit	14	1	21	13	10
23	Parked in a parking place or area not designated for that class of vehicle.	2,035	1,678	1,465	1,476	1,629
25	Parked in a loading place during restricted hours without loading	564	24	29	40	35
26	Parking in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	1	0	0	0	0
27	Parked in a special enforcement area adjacent to a dropped footway	71	34	9	0	0
40	Parked in a designated disabled persons parking place without displaying a valid disabled person's badge in the prescribed manner	1,152	946	818	866	1,035
45	Parked on a taxi rank	371	275	379	204	224
47	Stopped on a restricted bus stop or stand	133	132	119	105	81
49	Stopped wholly or partly on a cycle track or lane	0	2	0	0	2
62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway. (Wrong code)	1	0	0	0	1
99	Stopped on a pedestrian crossing or crossing area marked by zigzags	37	25	20	20	21
Total		6,679	4,871	4,476	4,089	4,601

Higher Level Contraventions Issued (continued)

Off-Street						
Code	Description	Total 2015/16	Total 2014/15	Total 2013/14	Total 2012/13	Total 2011/12
70	Parked in a loading area	43	0	4	1	1
81	Parked in a restricted area of a car park	14	27	25	24	14
85	Parked in a permit bay without clearly displaying a valid permit	234	197	380	61	36
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in a prescribed manner	287	262	285	332	404
89	Vehicle parked exceeds the maximum weight or height or length permitted in the area (Wrong code)	1	1	1	1	1
91	Parked in a car park or area not designated for that class of vehicle	27	23	51	42	70
92	Parked causing an obstruction	18	6	9	10	10
Total		624	516	755	471	536

Lower Level Contraventions Issued (£50 PCN)

On-Street						
Code	Description	Total 2015/16	Total 2014/15	Total 2013/14	Total 2012/13	Total 2011/12
10	Parked without clearly displaying two P+D tickets when required (wrong code)	1	1	0	0	0
19	Parked in a resident's or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay & display ticket	0	3	3	2	4
22	Re-parked in the same parking place or zone within one hour (or other specified time) of leaving	18	20	47	29	168
24	Not parked correctly within the markings of the bay or space	34	51	86	74	82
30	Parking for longer than permitted	4,497	5,177	4,663	5,087	6,046
Total		4,550	5,252	4,799	5,192	6,300

Lower Level Contraventions Issued (continued)

Off-Street						
Code	Description	Total 2015/16	Total 2014/15	Total 2013/14	Total 2012/13	Total 2011/12
71	Parked in an electric vehicles charging place during restricted hours without charging	4	3	2	0	0
80	Parked for longer than the maximum period permitted	60	66	83	131	298
82	Parked after the expiry of paid for time	3357	3505	3272	3550	3402
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	6658	5917	5609	5584	5725
86	Parked beyond the bay markings	349	465	331	320	440
90	Re-parked within one hour (or other specified time) of leaving a bay or space in a car park	1	0	1	23	39
Total		10,429	9,956	9,298	9,608	9,904

Progression of PCNs

The following table details the ways in which PCN cases had progressed by the 2nd August 2016 subsequent to the end of the respective reporting year and also the totals from the previous four years.

Progression of cases	2015/16	2014/15	2013/14	2012/13	2011/12
Total Number of PCNs issued	22,282	20,595	19,328	19,360	21,341
Number of PCNs paid at the discount rate (within 14 days)	12,809	12,440	11,314	12,181	13,400
Number of PCNs paid after 14 days but before issue of charge certificate	1,382	1,386	1,204	1,285	1,342
Number of PCNs paid after issue of charge certificate	1,039	930	206	559	217
Total number of PCNs paid	15,230	14,756	12,724	14,025	14,959

Number of PCNs against which informal or formal representations (appeals) were made	7,571	6,880	7,058	7,909	7,781
Number of Notice to Owners issued	3,998	3,861	3,407	3,280	3,730
Number of Charge Certificates issued	2,162	1,994	1,349	1,765	2,013
Number of PCNs registered at the Traffic Enforcement Centre	1,684	1,488	1,237	1,308	1,334
Number of Warrant of Executions issued	1,277	1,263	1,003	1,050	1,172



Financial information

As a local authority which operates Civil Parking Enforcement the council is required to keep an account of all of its income and expenditure in connection with its on-street charging (such as resident permits) and its on-street and off-street (car parks) enforcement activities.

The income and expenditure for Parking Services (excluding income from car parks) for the financial year 2015/2016 with the previous four years for comparison was as follows:

Description	2015/16 Value (£)	2014/15 Value (£)	2013/14 Value (£)	2012/13 Value (£)	2011/12 Value (£)
Income					
PCN income off street (car parks)	211,575	210,113	185,677	206,926	204,000
PCN income on-street	347,563	295,756	277,423	269,319	329,000
Resident parking permits	55,625	48,040	47,572	38,210	35,000
Parking dispensations	5904	4,505	650		
Total Income	620,667	558,414	511,322	514,455	568,000
Expenditure					
Employee costs	511,009	483,300	434,809	471,856	486,518
Premises costs	154,084	78,159	72,768	19,584	21,087
Transport	20,218	22,338	14,991	16,574	16,579
Supplies and services	48,708	70,702	39,208	47,704	62,113
Support services	75,472	114,883	204,304	214,466	137,640
Total expenditure	809,491	769,382	766,080	770,184	723,937
Net deficit	188,824	210,968	254,758	255,729	155,937

Civil Parking Enforcement should ideally be self-financing; many people believe that the council uses its enforcement activities as a way of raising revenue. Most authorities outside of London, especially those who do not charge for on-street parking, do not have a surplus on their account, most have a deficit. Herefordshire Council's deficit is met through the council's overall budget.

Although there is a deficit the financial information that has to be provided for this report does not include the car park income which totalled £3,667,930 in 2015/16. If the CEO's did not patrol the car parks and carry out basic front line repairs to the pay and display machines, it is likely that income would be much lower as there would be no incentive to pay the car park charges.



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