



Parking Services



Annual Report

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1 Introduction

Powys County Council (PCC) became a Civil Enforcement Authority (CEA) from 1st April 2011, the Council taking on responsibility for enforcing parking restrictions on the County and Trunk Roads. The Civil Enforcement Area extends to the entire county and includes the Council's off-street car parks. On the same day, the Dyfed-Powys Police Authority ceased employing traffic wardens but the police retain road traffic powers to deal with matters such as obstruction and dangerous parking.

Within the CEA enforcement is currently undertaken by 10 Civil Enforcement Officers (CEOs) based in three offices across the county, at Newtown, Brecon and Llandrindod Wells.

The CEO's are responsible for ensuring compliance with the Traffic Regulation Orders that are in place to restrict parking in some way. For example single or double yellow lines may prevent parking during part or all of the day and in restricted areas they limit the length of stay and possibly the type of vehicle that can park.

This Annual Report covers the period 1st April 2015 to 31st March 2016.

2 Civil Parking Enforcement

Demand for parking spaces can often exceed the capacity available on-street especially in our busy towns and villages. There is a need to manage safe parking spaces to ensure they are fit for purpose, allowing reasonable time for shoppers/visitors while creating a regular turnover of spaces to ensure parking becomes available at regular intervals.

2.1 Aims and Objectives

The Council's parking objectives set out to be consistent with, and contribute to, the aims of National and Local Transport Strategies and Plans, and they seek to:-

- improve road safety
- provide a more effective and efficient transport system
- increase the use of more sustainable and healthy forms of travel
- achieve a reduction in overall traffic

While taking into account the economic vitality of centres and local objectives.

2.1.1 Local Objectives:

Local objectives seek to :-

- prioritise the parking needs of disabled people, local residents, businesses and their customers
- promote more sustainable travel choices through the availability and pricing of parking
- discourage long-stay use of central parking spaces so as to maximise their availability to shoppers and other short-stay users
- ensure on and off-street restrictions are effectively enforced
- minimise impact on adjacent residential areas.

2.2 Management Strategy

The Council's parking management strategy recognises that an effective policy will have several benefits, including environmental gains and improved economic performance. It will support social (accessibility) goals and further traffic management and safety objectives

Parking management regulates demand and can be modified to reflect changing situations. Managing the availability and pricing of parking is one of the few effective ways of controlling, or restraining, car use. However, incomplete control of the available parking capacity can limit the ability to achieve policy objectives, while a strategy that focuses only on traffic restraint or revenue generation would be unacceptable and conflict with economic regeneration.

All controls will become ineffective without adequate enforcement, though most parking policies will support traffic management and road safety measures.

Particular aims of the Council's strategy are:

Short-Stay:

The on-street policy aims to provide limited waiting facilities on the highway where it is considered safe to do so without unduly interfering with moving traffic, residents or businesses. A maximum waiting period of 1 hour is generally considered appropriate to cater for the short-term visitor to a town.

Off-street provision may be limited to short stay spaces near to town centres and restrict parking to no more than 2 hours during the working day.

Priority is given to short stay visitors as they are less likely to travel at peak periods, create a high turnover of spaces, support local commercial viability and allow greater parking capacity, both on and off-street.

Long-Stay:

Longer-stay parking can be supported by differential pricing to promote the use of peripheral car parks and, where appropriate, more sustainable forms of transport. Long stay parking on-street within the central cores of towns and some villages is not generally appropriate and, if restrictions are required, they will normally be limited to short-stay only.

“Disabled” Parking:

Travellers who have to use the private car for access to essential services should receive priority when parking. Local conditions and demand are considered when determining the number and location of “disabled” spaces that are provided in off-street car parks and on-street.

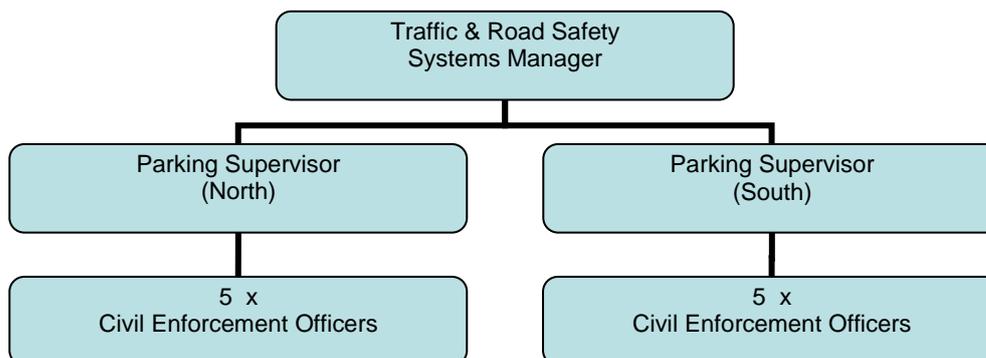
There are currently no charges made for vehicles correctly displaying a valid “blue badge” when using dedicated “disabled” or other car park bays. In support of access, any vehicles obstructing “dropped kerbs” (pedestrian crossing points) or that are double-parked will receive a Penalty Charge Notice (PCN).

Larger Vehicles: Many car parks have spaces that are suitable for trailers or may allow use by small goods vehicles or motorhomes. Separate lorry and coach parking spaces may also be available at other sites, such as bus stations or coach stops. There may be special Council provision for coach and lorry parking in main towns, e.g. as at Brecon and Welshpool, but currently there are no commercially operated facilities.

2.3 Parking Services Team

Parking Services are delivered through the Council's Traffic Management and Road Safety section, managed by the Road Safety & Traffic Systems Manager.

Within the Team there are two Car Parks & Market Officers who each supervise five Civil Enforcement Officers (CEOs). For operational efficiency the county is divided into two areas (North and South), each with a supervisor, but tasks may be undertaken anywhere in Powys.



The Supervisors ensure CEOs routinely patrol the Trunk Roads, County roads and car parks on a regular basis but to a random pattern so that different times and days of the week can be monitored. This helps to ensure there is greater compliance with the legal restrictions that are in place. Patrols may also be planned in response to specific problems, often following advice from the police, Town or Community Councils, County Councillors and the general public.

All Supervisors and CEOs have attained the (Level 2) City & Guilds qualification in Civil Parking Enforcement and which is recognised by OFQUAL, the appropriate Government regulator. The CEOs are intended to be recognised when on duty. They wear uniforms and carry identification badges and epaulettes bearing an identity number. Their badge holders also contain CCTV recorders for the health and safety of staff and the public.

When a Penalty Charge Notice (PCN) has to be issued, the "back office" processing function is provided by the Wales Penalty Processing Partnership (WPPP). WPPP is a partnership of 10 Welsh Local Authorities that is hosted by Denbighshire County Council. Working in this way has a number of benefits, including cost savings. Given the relatively few PCNs issued by the County Council it would not be cost effective to provide a separate, specialised administration.

Additionally, the CEOs follow published operational guidelines that are common to all the partners in the WPPP. These guidelines can be seen at:-

<https://www.wppp.org.uk/pdf/WPPP%20CPE%20Procedures.pdf>

Having common procedures ensures standard treatment across administrative boundaries and that CEOs comply with the statutory guidance issued by both National and Welsh Governments.

The CEOs also provide on-street support during regular local events and on special occasions across the county, assisting with traffic management and crowd control both on and off-street. These have recently included major sporting events such as the Tour of Britain cycle race, torch and baton relays for the Olympic and Commonwealth Games, the Wales GB Rally and major shows and festivals.

Additionally, CEOs investigate and take action regarding abandoned vehicles, inspect car parks, undertake street surveys, report traffic problems, maintain car park machines and provide assistance to residents and visitors.

Abandoned vehicles are a statutory duty and are reported by e-mail, telephone or on the Powys web site. Respond by doing a DVLA check on tax and mot then investigation of the vehicle condition, rust, broken windows etc. If a notice is issued and photographic evidence obtained we are then able to contact DVLA for registered keeper details.

Two letters are then sent to the keeper one letter by recorded delivery. The CEO will return to check the vehicle again and await contact. Check if the recorded letter was signed for or returned not delivered. If no contact consider removing abandoned vehicle and a letter to the keeper asking for payment.

PCC Managed Car Parks

The County Council provides 4,450 off-street parking spaces within 37 'pay and display' car parks which are predominantly located in the main towns and villages. There are an additional 36 Council car parks that are operated without charge.

PCC's Parking Services also manages 4 car parks for other Council service areas or for lessees of Council property.

2.4 Charging Policy

Charges are currently based around a tariff of 70p per hour for cars and were last changed in 2015. Short-stay car parks provide limited parking of not more than 2 hours, while long-stay sites allow all-day parking with a maximum cost of £3.20 for more than 4 hours.

Differential charges apply to different classes of vehicles and in some long-stay car parks overnight charges apply to goods vehicles. A current list of standard charges is at:- /

<http://www.powys.gov.uk/en/roads-transport-and-parking/find-a-car-park/car-park-charges/>

The charges imposed are intended to regulate use and improve the turnover and availability of central parking spaces whilst diverting long-stay parking to appropriate locations. The income derived is intended to cover operating and maintenance costs and allow for some improvement to site accessibility, the environment and security.

Regular users of PCC long-stay car parks can purchase annual or seasonal (12 or 6 month) permits which offer substantial savings. An annual permit presently costs the equivalent of £6.25 per week, which is less than the cost of buying 2 day tickets. Permits are available for different classes of vehicles and may be purchased on-line by payment card at:-

<http://www.powys.gov.uk/en/roads-transport-and-parking/buy-or-renew-a-car-park-permit>

2.5 *Permit Charging Policy 2016 – 2017 Increase*

	Permit length			
	12	6	3	1
Motorcars	325	185	100	40
Car and trailers	365	205	115	45
<3T	490	275	150	55
>3T	540	300	165	60
Bus/Coach	540	300	165	60
Bus/Coach overnight	610	340	190	70

Blue badge holders may park free of charge at any of the Council's Pay & Display car parks.

At present, no charges are made for waiting on-street. The role of each car park and the status of those that are currently not charged for may be reviewed from time to time and reconsidered in the light of the parking strategy objectives.

3 Traffic Orders

3.1 Past and Present Orders

Traffic Regulation Orders (TROs) are necessary to place a legal restriction on the use of a public highway. These Orders are governed by the Road Traffic Regulation Act 1984 (as amended), and the establishment of a Civil Enforcement Area required the consolidation of all existing parking TROs. This was achieved by making an order which brought together all previous individual TROs and replaced them with a single traffic order.

It was recognised that local circumstances may have changed and that some restrictions had been in place for several decades and may no longer be fit for purpose. In order to enable local parking reviews to take place the Council re-established a small budget in April 2013 to meet the resulting signing, lining and legal costs to be met. As it was not feasible to consider the county as a whole, a series of local consultations have taken place and during 2013-14 reviews have been completed for Brecon and Builth Wells. and 2015- 16 were completed in Newtown, Knighton, Hay on Why, Crickhowell, Presteigne, Llandrindod Wells and Talgarth.

These reviews are conducted in conjunction with the local County Councillors and representatives of the Town/Community Councils. Where necessary changes have been agreed, the proposed revisions are reported to the relevant Shire Committee for approval to commence the TRO legal procedure. Orders will be made after due consideration of any objections received during the formal consultation stages in the TRO process.

Copies of the current traffic orders that control parking in the county can be found at the following site:- <http://tro.parking-adjudication.gov.uk>

3.2 Ongoing Developments

3.2.1 Parking Reviews

The programme of reviews will continue with the remaining towns and communities.

3.2.2 Residents Parking

Following the Council's adoption of a policy for Residents Parking in 2012/13 it has been confirmed that trial schemes will take place at Hay-on-Wye and at Newtown, and this work has progressed. Consultations for the Hay-on-Wye scheme have been concluded and work is progressing to implement the permit application process and issuing system prior to an appropriate Order being made.

The Hay on Wye scheme will be a town-wide zone in which anyone living within the qualifying area can apply for a permit to park without restriction in designated sections of local streets. The Newtown scheme is in trial period and this is different in that it is to be limited to two small areas. The residential parking permit trials started in 2015 and

Should the schemes prove successful, consideration will be given to their applicability in other areas of the county.

3.2.3 Dispensations and Suspensions

The Council has adopted a policy that will temporarily allow a vehicle to park lawfully where it would ordinarily contravene a TRO. This would only be at locations where circumstances mean alternative arrangements cannot be made. An example may be where vehicle-mounted equipment is required to work outside a property but parking is for a limited time. Following reasonable safety and site checks, such parking could be authorised by the issue of a “Dispensation” permit.

In order to deal with traffic flow problems, maintenance works or special events the Council may also suspend parking places, either by way of a total suspension or by reserving places for particular vehicles and/or applicants.

Charges are £15:00 per day for a vehicle if an extra vehicle is needed £5:00 extra is charged. As permitted the charges made for these services are in order to cover the costs of Administration and monitoring. Follow the link below

<http://www.powys.gov.uk/en/roads-transport-and-parking/apply-for-a-parking-dispensation/>

3.2.4 Christmas - Free Parking

The Council’s Cabinet agreed to suspend charges at its Pay & Display car parks prior to Christmas 2015, i.e. there was “free parking” on two Saturdays 12th and 19th December, a period that included two key weekends.

The concession was widely welcomed but its impact was obscured by the general economic situation and a decline in both “high street” business and car park use. Local comment has varied, many identifying a beneficial effect, others being less certain of the outcome.

4.2.5 New car parking residential/Pay and Display 2016 - 2017

1. Ridgebourne, Llandrindod Wells
2. High Street, Llanfyllin
3. Watergate Street, Llanfair Caereinion
4. Station Yard, Talgarth
5. Station Yard, Sennybridge
6. By-pass, Presteigne

It was proposed to introduce permit holder only restrictions into the following car parks:

1. Market Street, Knighton
2. Tremont Road, Llandrindod
3. Church Place, Llanidloes
4. Orchard Street, Brecon
5. Duckham’s Yard, Brecon

4 Penalty Charge Notices

Penalty Charge Notices (PCN s) are commonly called known as “parking tickets” or “fines” and are issued when a Civil Enforcement Officer has determined that a contravention of the Traffic Regulation Order has taken place. The PCN will be issued in compliance with the WPPP Operational Guidance (see p.4 above). This ensures that CEOs act in a fair and consistent manner that is common across county borders.

4.1 Types of Penalty Charge Notice

There are two levels of PCN (Higher and Lower) to correspond with the severity of a range of offences. Higher level contraventions occur when vehicles are parked where not permitted, such as within a disabled bay without displaying a valid badge or on double yellow lines. Lower level contraventions include parking where permitted but not complying with the local restriction (e.g. parking for longer than permitted in a limited waiting area) or not parking correctly within a marked bay in a car park.

The higher contraventions attract a fine of £70, the lower band £50. Either amount may be discounted by 50% if payment is made within 14 days of issue.

4.2 Penalty Charge Notices Issued

	2014/2015			2015/2016		
	On-street	Off-street	Total	On-street	Off-street	Total
No of higher level PCNs issued	1,097	174	1,271	1,515	169	1,684
No. of lower level PCNs issued	1,522	3,622	5,144	1,889	3,639	5,528
No. of PCNs paid at full charge [£50/£70]	245	309	554	350	347	697
No. of PCNs paid at discount rate [£25/£35]	1,937	2,535	4,472	2,524	2,686	5,210
No. of PCNs against which a formal representation was made			160			155
No. of PCNs cancelled as a result of a formal representation	11	15	26	7	6	13
No. of PCNs cancelled as a result of a successful adjudication	3	6	9	5	5	10
No. of PCNs written off for other reasons (e.g. CEO error, spoilt after issue processing error)	24	62	86	53	57	110

6 The Appeal Process

Anyone receiving a PCN that they believe should not have been issued may submit an appeal. There are up to three stages to this process:

1. **Informal Challenge**

As directed on the PCN, representations should be made to WPPP within 28 days of the PCN being issued.

2. **Formal Representation –**

If a PCN remains unpaid after 28 days of issue, a Notice to Owner (NTO) is sent to the registered keeper of the vehicle. The NTO provides details of the offence and outlines the grounds on which formal representations may be made.

3. **Appeal to the Traffic Penalty Tribunal**

Should a formal representation be submitted but rejected by the Council the appellant would have a further 28 days (from the date of the letter) to make an appeal directly to the independent Traffic Penalty Tribunal (TPT).

Each appeal to the Council is considered on its merits and due consideration is given to the grounds on which an appeal is being made. In the event that a PCN has been issued incorrectly the Council will arrange for it to be cancelled.

Supporting information may be requested to verify the circumstances of an appeal. However, should the Council consider the grounds invalid an appellant may consider the advice available on the PATROL website (www.patrol-uk.info).

7 Financial Information

The table below shows the income and expenditure for the Council's Parking Services.

The expenditure covers all:

- staffing costs associated with the 10 CEOs and 2 supervisors
- payments to WPPP for administering the PCNs issued
- payments/fees to PATROL and the Courts for registering unpaid PCNs as debts
- the general maintenance of off-street car parks
- sundry items: blank "pay and display" tickets, software licences etc

Parking Services	2014-15 £	2015-16 £
Expenditure:		
On & Off-street	909,905.12	945,609.00
Car Park Pay and Display	1,021,993.15	1,226,719.00
Car Park Permits	129,244.18	158,587.00
Residents Permits	0*	4,550
Dispensations	0*	770
On-Street PCNs	94,820.34	101,725.00
Off-Street PCNs	97,834.09	92,674.00
Misc income (Adverts etc)	175.00	981.00
TOTAL	1,344,066.76	1,586,006.00
Surplus in Parking account	434,161.64	640,397.00

Section 55 of the Road Traffic Regulation Act 1984 (as amended) regulates how income derived from on-street charging and enforcement activities may be used. Powys County Council does not have any Designated Parking places on the highway to which parking charges apply. Therefore, only the income derived through enforcement of the on-street parking restrictions is governed by the Act and this does not exceed the cost of undertaking enforcement.

Income from the Council's off-street car parks is not regulated and therefore any surplus, after meeting all proper charges, may be used to support other qualifying Council activities.

8 Further Facts

8.1 How to contact us

Queries in relation to paying, or appealing against, a Penalty Charge should be directed as shown on the back of the Penalty Charge Notice.

General enquiries or correspondence regarding Civil Parking Enforcement or parking in Powys may be sent by e-mail, mail or telephoned as follows:



parking@powys.gov.uk



Parking Services
County Hall
LLANDRINDOD WELLS.
Powys
LD1 5LG



0845 602 7035

Alternatively you are welcome to raise any local issue with a Civil Enforcement Officer who would be happy to advise you.

8.2 Other useful contacts

You may also find the following contacts useful:

Contact	For	Web details
Powys County Council	Car Park maps	powys.gov.uk/en/roads-transport-and-parking/find-a-car-park
	Long-Stay Permits	powys.gov.uk/en/roads-transport-and-parking/buy-or-renew-a-car-park-permit
Wales Penalty Processing Partnership	PCN queries and challenges	wppp.org.uk
Parking and Traffic Regulation Outside London (PATROL)	General information on information relating to Traffic Enforcement	patrol-uk.info
Traffic Penalty Tribunal (TPT)	Conduct of the appeal process	trafficpenaltytribunal.gov.uk
Her Majesty's Courts and Tribunal Service - Traffic Enforcement Centre	Collection of unpaid charges	justice.gov.uk/courts/northampton-business-centre/traffic-enforcement-centre