

Report of the
PATROL Annual Report Award
Review Group
2008/09

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(1) Foreword

I was pleased to accept the invitation from PATROL to Chair the Review Group for this award.

The Traffic Management Act 2004 (TMA) came into force on 31st March 2008 and brought with it an expectation for local authorities to produce an annual report about their enforcement activities within 6 months of the end of each financial year.

'Reporting is an important part of accountability. The transparency given by regular and consistent reporting should help the public understand and accept Civil Parking Enforcement (CPE). Monitoring also provides the authority with management information for performance evaluation and helps to identify where it needs to improve its CPE regime. It provides a framework for performance comparisons between councils.' (The Secretary of State's Guidance to Local Authorities on the Civil Enforcement of Parking)

Given that this was the first year of reporting by Local Authorities, the standard of the shortlisted entries was extremely high and demonstrated that these councils had sought to provide comprehensive information to the public about civil parking enforcement in their areas. In turn, these entries will help to promote best practice in reporting amongst councils generally. 35 reports were considered by the Review Group and 5 were shortlisted. Following detailed consideration of the shortlisted reports, the group selected Brighton & Hove City Council as the winner of this inaugural award.

What came through loud and clear was the wide variety of circumstances in different areas and these annual reports provide the perfect opportunity for local authorities to set out their local circumstances and explain the way they deal with the particular parking issues in their areas.

I am grateful to fellow members of the Review Group, David Leibling, Karen Naylor and Colin Eaketts and all award entrants who have helped to establish a benchmark for future awards.

David Marklew

Chair of the Review Group

(2) Biographies

David Marklew – David is a retired City Engineer for Winchester City Council. Under his guidance, in 1996 Winchester was the first Local Authority outside London to adopt powers under the Road Traffic Act 1991 to decriminalise parking enforcement within its area. He was subsequently involved in setting up the National Parking Adjudication Service (now known as the Traffic Penalty Tribunal).

Karen Naylor - Karen developed her knowledge of the industry with experience in outer London as Parking Manager for Waltham Forest, inner London as Residents Advocate at Islington Council and outside of London in Manchester. This has given her a good insight into the importance of local area context, demographics and the value of local influences as well as the requirement to meet the conflicting demands of the user and the local environment.

Karen developed and implemented the first Residents' Parking Advocate role. For this innovative contribution to the parking industry she won the British Parking Award, 'Parking Person of the Year 2009'.

David Leibling - David is a transport consultant focusing on motoring issues following a career in motor retailing. He is member of the RAC Foundation Public Policy Committee and has written a number of reports for them including one on parking. David is also a board member of Passenger Focus and London Travel Watch.

Colin Eaketts – Colin is Head of Integrated Transport in the Welsh Assembly Government and is responsible for civil parking enforcement in Wales.

(3) Evaluation Framework

i) Introduction

In order to judge the award it was necessary for the Review Group to draw up an evaluation framework (see appendix). The basis of the assessment criteria was drawn from various sources including 'Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions' and the 'Operational Guidance to Local Authorities; Parking Policy and Enforcement. Traffic Management Act 2004' (published by the Secretary of State and Department for Transport in England and the Welsh Assembly Government in Wales) as well as the Review Groups own extensive experience's within Civil Parking Enforcement. Foremost, the Review Group wanted to put the local reader at the centre of their assessment to promote clarity and understanding.

The Review Group produced an assessment criteria based on what they believed to be six key headings including presentation, local context, customer service, performance, statistics and finance. Each heading incorporates various criteria from the relevant aforementioned guidance documents and from the Review Group themselves.

ii) Presentation

The Review Group placed a strong emphasis on the value of good presentation. As essentially the aim of a strong parking report is to "help the public understand and accept CPE (operational guidance)". This is, first and foremost a document for the public, and as such should be made as easy to read and as accessible as possible with a clear summary available, and explanation of any jargon and abbreviations as well as a clear and appropriate use of graphs and tables. It is also essential for Authorities to be conscious when producing this report that both electronic and hard copies should be made available.

On the whole the Review Group felt that the majority of authorities missed the opportunity to present an attractive, informative and easy to read report. It was felt that many of the reports followed a committee report structure, thus missing the opportunity to engage with members of the public. The group found many reports contained long, unbroken streams of text which was often difficult to read. It was felt large amounts of text could have benefited from the use of sub-headings, graphs or tables to illustrate points made within the text. This way of presenting is more attractive and accessible to a member of the public.

Although it was felt there were areas for improvement in the presentation of many reports there were also particular examples of good practice. Many reports used tables and graphs to successfully illustrate their reports. Stoke on Trent's report adopted a very clear and uncomplicated approach to presenting their parking information

(iii) Local Context

The Review Group felt it was very important that the reports placed a strong emphasis on local context. Parking is a local issue and affects most people in their day today lives. The Review Group considered that parking reports provided the

perfect opportunity for Local Authorities to engage the public, address any issues or queries which may consistently arise, discuss anything they feel they do well, as well as identifying areas for improvement and examples of localised policy and objectives. Member foreword's were viewed positively by the Review Group as 'scene setters'. In many cases reports detailed local joint working to achieve shared traffic management goals e.g. tackling parking issues outside schools.

It is widely recognised that different areas of the country are faced with differing challenges when it comes to parking, for example rural parts of England and Wales face differing parking issues to that of a major city. This report allows each authority to discuss the challenges faced in their local area and provide the reasoning behind their enforcement objectives. For instance, Torbay's report includes a list of local events which may have an impact on parking availability.

(iv) Customer Service

The Review Group felt that the reporting of CPE by Local Authorities provided the perfect opportunity to explain the customer service processes and initiatives which underpin CPE in each local area as well as any contractual agreements which may be in place with external service suppliers.

The Review Group considered it important that reports explained how parking information is provided to the public, and what arrangements are made for members of the public to contact the parking department. This section also assesses how well the local authority is able to explain to the public what benefits their customer service initiatives have, and how the Local Authority attempts to meet the public's customer service needs effectively and what problems they may have encountered.

One of the criticisms the Review identified with many of the reports is that they often focus overly on the mechanics of the Traffic Management Act 2004, much of which will not engage the public due to its complexity. Although important to mention the introduction and implementation of the Act, the Review Group considered it more important that the report addresses what impact this was likely to have on the customer and any changes which are likely to directly impact on their parking experience.

Examples of particular good practice in this area can be seen with those authorities whose reports clearly outline the processes which members of the public may have to engage in particularly the challenge, representation and appeals process and the relevant time scales which accompany this as well as any civil duties undertaken by the Civil Enforcement Officer (CEO).

Other positive initiatives engaged in by local authorities include East Sussex included their 'parking charter' in the report detailing what the public can expect from the local authority and also what the authority expects from the public.

This section of the report also gives the local authority the opportunity to address what positive initiatives they have undertaken or plan to undertake to improve the customer's experience such as car park renovations as well as any awards for good practice which have been received, for example park mark awards.

(V) Performance

Addressing performance in their report gives Local Authorities the opportunity to assess how far they have met their CPE objectives, any areas of best practice which have been developed as well as any areas which have been identified for improvement. Local Authorities also have the opportunity to analyse their contribution not just to CPE but to overall traffic management measures such as congestion and public transport.

One of the benefits of annual reporting is that it gives authorities an opportunity in future years to measure any trends which may be emerging, whether in identifying enforcement issues, highlighting successful schemes or monitoring financial and back office processes,

Some local authorities have chosen to benchmark their performance against other authorities from available data, this provides a good comparative tool, however it is essential to remember that authorities differ in size and enforcement structure and it is important any comparison is done against similar authority types.

(vi) Statistical Information

The Guidance issued to local authorities identifies various statistical criteria for inclusion in a local authority's annual report. The Review Group considered that this provided an excellent basis for local authorities to provide statistical information to the public. However, authorities could go further in breaking down this information and making it more accessible to the public through the use of percentages, graphs and tables. The Review Group pointed out the importance of including Statistics about their own appeals process as well as those appeals submitted to the Traffic Penalty Tribunal.

(vii) Financial information

Again, the guidance sets out what is expected of local authorities in respect of presenting their financial information within their CPE report. Although the Review Group highlighted the importance of reports providing a clear breakdown of the parking department's finances. It was suggested that a greater emphasis should be placed on the explanation of these figures for benefit of the public. For example, the council should make every effort to explain whether their parking account shows a deficit or surplus and detail how any surplus may have been invested to benefit the community in its wider traffic management Issues. Many councils missed this opportunity to clarify what is often seen as quite contentious subject matter by the public. Particular examples of good practice can be seen in Brighton & Hove City councils report.

4) Shortlisted Councils

Following the submission of the reports by the Local Authorities the Review Group decided upon a shortlist of five local authorities, whose reports were of particularly high quality and warranted recognition. The following councils were shortlisted for the Annual Report Award 2008/09:

- Brighton & Hove City Council
- Colchester Borough Council
- Sheffield City Council

- Torbay Council
- Weymouth and Portland Borough Council

Colchester Borough Council

This report starts with a member foreword and introduction to a very informative report. The Review Group considered this report to be very strong at portraying a 'sense of place', discussing many issues which would be of concern to much of Colchester's general public such as links with the Local Transport plan and wider objectives as well as the issue of school enforcement.

The report was particularly strong at reporting their statistics, it included various informative tables and different types of graphs with brief, yet informative explanations to represent the information which much of the general public will find easy to digest. The report also included various images and illustrations to support any points which were being made; this positively added to the report and gave another welcome dimension.

Many authorities in England operate in a 'two tier' authority system, where by off-street parking is the responsibility of the borough or district council while on street parking is the responsibility of the County Council. Different authorities may have different enforcement arrangements in respect of this issue and it is essential that authorities make this clear. Colchester's report gives a clear structural overview and explanation of the authority's parking enforcement.

Sheffield City Council

Sheffield produced an interesting, customer focused report. A clear contents page and enthusiastic member foreword provides the foundations for a successful report. The report gave a real sense of place detailing the various parking provisions both inside and outside of the city centre as well as informative discussion around the different types of permits and parking schemes used.

Sheffield should be commended for engaging in discussion around wider traffic management issues and overall council objectives such as road safety, changing travel behaviour and air quality issues. The report also gave examples of where public consultations have been used to improve customer service as well as providing helpful links to external websites and organisations.

The report successfully outlines the staffing structure within the parking services department as well as clearly outlining the training which is given to its staff to promote continued improvement.

The report should also be commended for identifying problems which the authority has encountered as well as the measures taken to address these issues.

In respect of statistical information, Sheffield's report sets out its own parking statistics and makes comparisons with other City's. It suggested that the report may have benefited from a greater use of graphs to illustrate any statistical data being presented as well as a greater breakdown as to where any financial surplus may have been spent and how this may have improved the public's overall experiences within traffic management.

Torbay Council

Again, a contents page and introduction from the Deputy Mayor provide a sound introduction to this positive, well structured report. It was felt this report was particularly strong at engaging with the public and giving a sense of place. The 'Meeting Community Needs' section was particularly well illustrated and highlighted many of the issues which face residents and visitors to Torbay. The report also excelled in detailing the provision of on-Street and off-Street parking. The report was particularly strong in detailing the specific features of local car parks, such as the number of spaces, lifts, and CCTV. This information may be particularly useful for disabled drivers or older people. The report also outlines car parks which have received the Park Mark Award.

Many authorities enter into contractual arrangements with external companies to supply parking enforcement services. Torbay's report has been particularly transparent in detailing this arrangement and ensuring the public are made aware that both the council and its external suppliers work closely to achieve best practice. Staffing structure, contract monitoring and achieved added value are all useful additions to this section of the report.

The positive theme of the report is continued into the 'Milestones' and 'future development' sections of the report detailing any development work which may have been carried out, as well as any future plans such as multi-storey car park maintenance, the introduction of new enforcement powers and the use of innovative systems in terms of parking payment systems and back office developments.

The report makes excellent use of tables to display its statistical information; however it was felt the use of graphs may have enhanced its effectiveness in communicating its messages to the reader.

It is worth noting that the report makes specific mention as to its format and availability from various locations within Torbay as well as online.

Weymouth and Portland Borough Council

Weymouth and Portland have produced a very detailed and informative report providing invaluable customer information. Again, this report has been introduced with an enthusiastic member foreword and contents page.

The report gives an excellent overview of the authority's parking policies and restrictions, many of which are detailed in numbered or bullet point format, allowing greater accessibility. Much of the text is broken up with informative explanations of signage, which is successfully used to illustrate many of the points being made.

The report provides a clear and informative explanation of how and why Penalty Charge Notices are issued. It also includes giving a detailed code of practice for its CEO's laying out the guidelines and standards which the local authority expects. This section of the report should be particularly commended as it leaves members of the public in no doubt as to the roles, responsibilities and enforcement objectives of CEO's. An informative explanation of the appeals process, the handling of appeals and the recovery of unpaid penalties is also outlined within the report.

Weymouth and Portland provide a comprehensive overview of their own performance crucially outlining positive steps made in relation to problematic traffic management

issues as well as giving explanations for teething problems encountered during the inception of the TMA 2004. Photographs used within this section of the report are particularly successful in highlighting many of the subjects raised and make the document more reader friendly. Weymouth and Portland also give a detailed account of their financial performance as well as setting out how their surplus has been re-invested into the local area.

An inventive use of graphs and tables along with the written explanation provides an excellent, comprehensive breakdown of statistical information. Displaying statistics in this way makes the document much more accessible to members of the public who may not be entirely familiar with civil parking enforcement.

(5) Winning Report

Of the five councils shortlisted for the inaugural PATROL Annual Report Award, the Review Group were unanimous in selecting Brighton & Hove City Council as the overall winner.

Brighton & Hove City Council

From the front cover to the back, the Review Group considered that Brighton & Hove City Council has produced an attractive and easy to read report, well structured into relevant chapters, well illustrated and portraying a positive message to the public about the role of the parking department and Civil Parking Enforcement.

The report is introduced by an enthusiastic member foreword which details the challenges and benefits of producing such a report as well as openly inviting feedback from the public.

The report clearly outlines the council's parking policy objectives including keeping traffic moving, providing safe access to those who need it and to deliver excellent customer service. The report links parking to the council's corporate policy objectives as well as to wider transport and council objectives such as road safety, school enforcement and environmental issues, all of which are at the forefront of local community issues. The report's positive message and inventive use of statistics, such as those used in discussion around schools parking enforcement, gives the public a clear understanding as to why parking restrictions are so necessary within Brighton.

This is an exceptionally customer service focused report, the challenge, representations and appeals process is clearly and simply outlined. This is coupled with information about the Traffic Penalty Tribunal and detailed information around the reasons why Penalty Charge Notices have been cancelled. The report also includes in detail the various parking permit schemes available, including business permits, visitor permits as well as other innovative schemes including car club permits.

One of the main themes of the report is how parking enforcement is linked to other wider traffic management and council objectives. Again this is displayed through the comprehensive evaluation of partnership working which the council undertakes including working with the police, DVLA and Trading Standards.

The Review Group considered it was also helpful to the public to include information about the councils Civil Enforcement of Bus Lanes.

The report includes detailed and relevant financial and statistical parking data in a clean, easily interpreted and inventive manner making use of graphs, charts and colour to convey messages to the reader. As well as looking attractive the content addresses many of the criteria laid out in all the relevant guidance notes. The local authority should be commended in particular for its detailed account of how the local authority's surplus has been spent and the benefits this will have for the wider community. The report also clearly conveys that the authority is keen to demonstrate, not only what it has done well, for example the renovation of off-street car parks but also its commitment to finding new and innovative ways for providing services to its customers.

In presenting the award to the Parking Team and Councillor Geoffrey Theobald OBE in Brighton, Councillor Phrynette Dickens on behalf of the PATROL Joint Committee said that 'the winning report had demonstrated how it is possible to provide clear and accessible information to the public on a wide range of parking issues.'

Brighton & Hove City Council's Policy and Development Manager Paul Nicholls said 'We are delighted with the result as it really was a team effort in bringing the report together.'

6) Next year's award

Following on from the success of the 2008/09 award it is hoped PATROL will receive entries from all Local Authorities for the 2009/10 award.

The aim of this document is to provide examples of best practice which other authorities may use to develop a more user friendly and informative report. It is hoped this report outlines not only the benefits the parking annual report can have for the reader but also the many benefits for the Local Authority.

(7) Glossary

Adjudicator

An independent lawyer - unconnected with any PCN-issuing council - who has practised for at least five years. Their appointment is sanctioned by the Lord Chancellor. Appointed for bus lanes under Regulation 11 of Part 5 of the Bus Lane Contraventions (Penalty Charge, Adjudication and Enforcement) (England) Regulations 2005 to consider appeals against Penalty Charge Notices issued under the terms of those Regulations.

Appeal

The act of referring a dispute concerning a Penalty Charge Notice (PCN) (and possibly the towing-away or clamping of a vehicle) to an independent Adjudicator at the Traffic Penalty Tribunal. A motorist may only appeal after the council that issued the PCN has rejected formal representations - and appeals may only made on specified statutory grounds

Civil Enforcement Officer

A uniformed officer employed by - or on behalf of - a council to issue PCNs for parking contraventions under the civil enforcement scheme.

Civil Parking Enforcement (CPE)

Control of parking contraventions by a council that is empowered under the Traffic Management Act 2004

Challenge

An informal appeal to a council by a motorist against the issue of a parking or bus-lane PCN. A challenge against a Notice to Owner (see below) is called Formal Representations

Department for Transport (DFT)

The Government department which is responsible for the English transport network and transport matters elsewhere in Britain which are not devolved.

DVLA

The Driver and Vehicle Licensing Agency, based in Swansea

Formal Representations

The formal arguments made by a motorist who challenges a penalty charge after they have received a Notice to Owner (see below) following the issue of a PCN

Notice to Owner (NTO)

A statutory notice to be served by the council on the person believed by them to be the owner of a vehicle that has been issued with a Penalty Charge Notice, in respect of a parking contravention, that remains unpaid after 28 days.

On-Street Parking

Kerbside parking facilities

Off-Street Parking

Parking facilities provided by off-street car parks.

Penalty Charge Notice (PCN)

A notice issued by a council to a motorist appearing to be in charge of a vehicle that the council believes was contravening the council's Traffic Regulation Order (TRO – by-law regulation). A Penalty Charge Notice must contain certain information, including a description of the contravention alleged to have occurred.

Traffic Management Act 2004 (TMA 2004)

Act of Parliament which repealed the Road Traffic Act 1991 and replaced it with new laws and Regulations giving civil-enforcement authority councils some additional powers to control parking. The associated Regulations came into force on 31 March 2008

Traffic Penalty Tribunal

The Traffic Penalty Tribunal decides appeals against parking penalties issued by Civil Enforcement Authorities in England (outside London) and Wales and against bus lane penalties issued by Civil Enforcement Authorities in England (outside London). The Traffic Penalty Tribunal is the final stage of appeal for motorists or vehicle owners against a penalty issued by a council in England (outside London) and Wales

Traffic Regulation Order (TRO)

An official order made by a council under the Road Traffic Regulation Act 1984 and which details the nature and extent of parking controls within the council's area. It is a contravention of these controls as detailed in a TRO that may give rise to the issuing of a Penalty Charge Notice. The same Orders are frequently known as Traffic Management Orders (TMOs) within London.

PATROL Annual Report Award 2008/09 Evaluation Criteria

1.	PRESENTATION
A	A clear summary available
B	Easy to read
C	Use of Graphs and tables
D	Clear explanation of any Jargon used
E	Evidence of seizing the opportunity of the annual report rather than seeing it as an obligation.
F	How people access the report/how report is publicised.
G	Produced by 30 th September
H	Availability of the report. Publicised/website/civic offices
2.	LOCAL CONTEXT
A	Introduction setting out local policy, objectives and challenges in relation to civil parking enforcement
B	Sense of place – i.e. localised information – links with other council priorities.
C	The organisations involved in the civil enforcement process and their role. This should include any local authority joint working, use of contractors, reference to agency agreements.
D	The location of on street and off street parking including disabled spaces and charging information
E	Code of Practice for CEOs
F	Arrangements for local handling of representations
3.	CUSTOMER SERVICE
A	How is parking information provided to the public
B	Arrangements for customers contacting the Parking Department.
D	Introduction of new technology to assist customers.
E	Meeting customers needs more effectively e.g. special events such as football matches.
F	Other customer initiatives including satisfaction surveys.

4.	PERFORMANCE
A	Results of any public consultation and what has been acted upon.
B	An assessment of how far local CPE objectives have been achieved.
C	A problem identified which has been overcome/areas of best practice developed e.g. working with local businesses.
D	Areas identified for improvement and development
E	Problems that have not been overcome and planned future action.
F	Analysis of performance over time
G	Comparison with other local authorities
H	Performance against overall traffic management priorities e.g. Reducing contraventions Reducing public transport journey times Reducing road traffic casualties Reducing congestion Frequency of CEO patrols % of PCNs appealed against % successful appeals % vehicles immobilized that are released within a specified time of the declamping fee being paid.
I	Performance against any parking/CPE targets ¹

5.	STATISTICAL INFORMATION
5.i	PCNs ISSUED
A	Number of higher level PCNs issued
B	Number of lower level PCNs issued
C	Number of Regulation 9 PCNs issued
D	Number of Regulation 10 PCNs issued
E	No of PCNs issued – off street/on street
F	PCN issue by location
5.ii	PCNs PAID
A	Number of PCNs paid
B	Number of PCNs paid at discount rate
C	% of informal rep dismissals that settle after dismissed
D	% of PCNs paid at the full rate pre-NTO
E	% of PCNs paid at full rate post NOR
F	% of PCNs pad at the full rate post appeal
G	% of PCNs paid at Charge Certificate
H	% PCNs paid at reduced rate without challenge
I	% of PCNs paid at reduced rate following challenge
5.iii	PCN's CHALLENGED
A	Number of PCNs against which an informal or formal representation was made
B	Number of PCNs cancelled as a result of an informal or a formal representation
C	Issues/grounds of appeal at informal and formal representation stage
D	% of PCNs where informal representations are made
E	% of informal rep dismissals that proceed to NTO stage
F	No of NTOs issued
G	Percentage of representations that were allowed as a result of the Council exercising discretion.
H	Percentage of representations which the Council allowed because it was agreed that the appellant

	wasn't liable or decided it couldn't discharge the burden of proving liability.
I	% of PCNs cancelled at any stage.
J	Number of PCNs written off for other reasons (e.g. CEO error or driver untraceable)
K	Number of vehicles immobilized
L	Number of vehicles removed.
5.iv	APPEALS TO TRAFFIC PENALTY TRIBUNAL
A	% of formal representations that go to appeal
B	% of PCNs allowed/dismissed at appeal
C	% of appeals to Traffic Penalty Tribunal that are not contested and reasons for this
D	Outcome of appeals to Traffic Penalty Tribunal
5.v	OTHER
A	% of PCNs taken to Court Order
B	Number of CEOs employed and average number of appeals per officer
C	Other statistics reported
D	Themes and actions that the authority are planning to take on the basis of these statistics
6.	FINANCIAL INFORMATION
A	Total income and expenditure on the parking account ²
B	Breakdown of income by source i.e. on-street parking charges and penalty charges) ³
C	Total surplus or deficit on the parking account
D	Action taken with respect to a surplus or deficit on the parking account
E	Details of how any financial surplus has been or is to be spent, including the benefits that can be expected as a result of such expenditure. ²

Notes

1. The Secretary of State's Guidance (see below) states that Authorities should note the recommendations throughout the Guidance on the areas where such targets might be appropriate.
2. Kept under section 55 of the Road Traffic Regulation Act 1984 as modified by regulation 25 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007
3. The Secretary of State has included a provision in the TMA which further amends section 55 RTRA. This provision affects any local authority that enforces civil parking. It means that their on-street parking account is no longer limited to permitted parking income and expenditure. The on-street

parking account will also include income and expenditure for all restricted parking contraventions within a CEA – on street as well as off street. Local authorities should be able to distinguish between income from off street and on-street penalty charges, but will need to find a way of allocating costs between the two. The report should cover all on-street income from expenditure on parking activities including parking meters, pay and display machines, residents parking permits and penalty charge notices. (Department for Transport Operational Guidance to Local Authorities: Parking Policy and Enforcement Traffic Management Act 2004 (para 4.26))

Key



Financial, Statistical and Performance requirements set out against a blue background are drawn from Annex A (What enforcement authority annual reports should include) of The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions. Traffic Management Act 2004, published February 2008.



Requirements set out against a pink background are drawn from "Reporting" in the Department for Transport's Operational Guidance to Local Authorities: Parking Policy and Enforcement, Traffic Management Act 2004 (page 18 onwards)