

DRAFT - Cambridgeshire County Council Annual Parking Report 2013/2014

Introduction

This Annual Parking Report 2013/2014 has been produced in accordance with the Traffic Management Act 2004. This document sets out how Cambridgeshire County Council delivers its parking enforcement and other associated services and highlights important areas of Parking Services in context with our other road network management duties and policies.

The main objectives of the County Council's Parking Service is to ensure that the road network operates at maximum effectiveness, balances conflicting demands, is fair to law abiding and observant road users, and is considerate of any individual circumstances put forward in mitigation of offences.

CCC understands that different groups across the city will have different parking needs. Our aim is to balance these needs and to make sure that the system is fair for all. Whilst parking restrictions are rarely popular with motorists, without them there would be significantly higher levels of congestion and even gridlock.

Residents, businesses, commuters, people with disabilities, shoppers, students and visitors are just some of the groups who have differing needs for parking and travel. Traffic and parking management ensure that available parking areas can be shared in a fair and transparent way. Parking charges are not a revenue raising tool, no "targets" are set, and any surplus income is invested in traffic management improvements.

The implementation of the Traffic Management Act 2004 (Part 6) on 31 March 2008, gave local authorities an opportunity to review their parking enforcement operations. Cambridgeshire County Council welcomed this opportunity.

The main priority of the Department for Transport guidance was to ensure that the enforcement of parking restrictions is transparent, consistent and fair. Cambridgeshire County Council has worked hard to make sure that our enforcement contractors meet these three criteria and that it is proportionate to the circumstances, areas that are closely monitored by the County Council's Parking team.

The County Council is aware that sometimes there are genuine extenuating circumstances that result in the issue of a Penalty Charge Notice (PCN), and the driver may have done their best to comply with the restrictions, or have another legitimate reason for the infringement.

The County Council recognise that it has an express duty to consider 'compelling circumstances' and to exercise discretion in an appropriate way. A copy of the council's Guidance Manual along with a voluntary code of practice and a PCN manual can be found on our web site –

http://www.cambridgeshire.gov.uk/info/20018/parking_permits_and_fines/97/parking_tickets_and_appeals

These guidelines recognise our obligation to take into account 'compelling circumstances' when dealing with representations from motorists. The vast majority of motorists park legally and sensibly. Some drivers who receive PCNs may not have intended to park illegally and, on occasions, they may have misunderstood the nature of the restrictions. However, motorists do have a responsibility to take note of restriction signs and to comply with them. A few seconds taken to check the signs and lines before leaving the vehicle will, in most cases, avoid the issue of a PCN. Equally, the County Council has a responsibility to make sure that any restrictions are clearly signposted and any road markings are kept to a standard.

Unfortunately, in every town and city, there is often a small group of motorists who pay no attention to restrictions, park illegally because it is convenient for them, and do not consider the inconvenience to others. This is not acceptable behaviour because irresponsible parking can quickly cause traffic congestion and pollution. It significantly increases the number of accidents and is unfair on the majority of motorists who take care to park correctly and legally. Motorists who act in this way can expect any PCNs issued to their vehicles to be fully enforced.

Parking Objective

Our parking facilities are used every day by thousands of people coming to Cambridgeshire to shop, study, work, or visit. Parking controls in the County are essential to keep traffic moving safely and to provide access for residents and visitors. Balancing the needs of residents, visitors, disabled people and business is key to the continued economic growth and success of the city.

The availability of car parking is one of the main factors in determining whether people choose to travel by car. To reduce peak hour congestion, the amount of long-stay car parking needs to be controlled.

Our current parking policies are aimed at reducing the amount of long stay parking both within and around the city centre, with Park and Ride sites linking into the city centre along dedicated Bus Lanes.

Pricing policy is also specifically geared to short-stay parking, meeting the needs of visitors rather than commuters. Maximum length of stay restrictions are generally structured to promote short-term parking and high turnover of spaces in the city centre, but a degree of long-term parking is permitted in the outer areas and in some car parks to meet the needs of different motorists, such as commuters and visitors to the city.

Managing Supply And Demand

Parking spaces both on and off street are limited as the growth of the County and vehicle ownership over the last 10 years in particular has resulted in increased demand for parking. The County Council, therefore, has to manage the competing demands of all drivers who live or work in the city and those who visit. This may involve allocating parking spaces for specific groups of people, such as disabled drivers and residents or short term parking, where the need arises.

Parking provision is regularly reviewed and the views of residents, business and other stakeholders are taken into account. These views together with the Council's parking and environment policies are considered when decisions are made regarding parking restrictions.

Officers may consider recommending change to:

- Controlled hours of parking
- Maximum-stay periods
- Type of use for individual parking bays
- Charges tariffs

Background to Parking Enforcement

The Road Traffic Regulation Act 1984 gave Councils the authority to make Traffic Regulation Orders to regulate parking. However, the enforcement of the waiting restrictions (yellow lines) remained with the Police and Traffic Wardens. The Council could only enforce their own car parks and resident schemes.

Over time, it became more difficult for the Police to provide sufficient resources to enforce parking restrictions to an acceptable level. In response to this, the Government introduced the concept of Decriminalised Parking Enforcement (DPE) in the Road Traffic Act of 1991 (RTA91).

The Act allowed local authorities to take over most of the enforcement of parking from the police including yellow lines with only serious parking offences such as obstruction and dangerous parking being retained by the police. Adoption of the powers was mandatory for London boroughs but discretionary for the rest of England and Wales.

The County Council decided to take on DPE powers and in 2004 became responsible for the enforcement of most of the parking restrictions within the city. All parking restrictions outside of Cambridge city remain the responsibility of Cambridgeshire Constabulary, with the exception of Pay and Display bays in St Ives, Huntingdon and St Neots, which are enforced by Huntingdonshire District Council Rangers under an agency agreement with Cambridgeshire County Council. Peterborough also operates and administers its own Civil Parking Enforcement Regime within its boundaries.

The Rangers in Huntingdonshire District Council (HDC) will issue Excess Charge Notices to vehicles which are parked without a valid Pay and Display ticket or Parking Permit, or have overstayed the period displayed on the ticket. If a person receiving an excess charge notice feels that they have not contravened the parking regulations, they can appeal to HDC. Should HDC feel that the excess charge has been issued in error, or there are mitigating circumstances, the charge will be waived. Financial regulations do not permit any officer of the Authority to waive excess charges verbally, either on the telephone or face to face, therefore all appeals must be in writing, by e-mail or letter. They should, wherever possible, be accompanied by other information that supports the appeal (e.g. Valid Pay and Display ticket which may have fallen from view, etc.)

Failure to pay an excess charge will result in a prosecution being brought before the Magistrates Court. Such a prosecution will result in an order to pay the parking penalty plus a fine of up to £500 and legal costs.

Any surplus generated from the Pay and Display bays within Huntingdonshire District Council is used for highway or environmental improvements within the District.

The Department for Transport (DfT) is strongly encouraging a joined up approach to encompass both on and off street enforcement. Therefore a consensus with District Councils will help in the development of any countywide scheme. Any extension of CPE to other district areas would be subject to an application to Government for the necessary powers.

From 31 March 2008, the provisions of Part 6 of the Traffic Management Act 2004 (TMA) came into effect replacing the RTA91. The Government's stated aim was to strengthen the existing system of DPE, which became known as Civil Parking Enforcement (CPE) by providing a regulatory framework and associated statutory and operational guidance for enforcement authorities across England. It was hoped that this would produce a high level of public understanding and acceptance of CPE, which would, in turn lead to reductions in congestion and improvements in safety, and management of the highway network. It also aimed to encourage greater transparency and professionalism within parking enforcement by requiring Councils to produce an annual report that would inform the public of objectives of the service and the Council's performance in meeting those objectives.

The parking provisions in the TMA extended the parking contraventions to include additional offences, introduced differential penalty charges, allowed PCNs to be issued by post in certain circumstances, and made changes to the administrative procedures involved in the processing of PCNs.

Prior to 31 March 2008, a PCN issued in the City of Cambridge was charged at £60, with a reduction to £30 if paid within 14 days. The £60 charge was applicable for every type of parking contravention irrespective of the seriousness of the contravention. For example, whether a vehicle was parked on double yellow lines causing a hazard to traffic, or a motorist simply arriving ten minutes late back to a car park, a PCN could only be issued for the full £60.

In an effort to make the penalty fairer and more acceptable to the public, the TMA introduced the concept of differential penalty charges. This means that a higher charge of £70 (reduced to £35 if paid within 14 days) is now made for parking contraventions that cause the most disruption and danger to pedestrians and other road users.

Furthermore, in order to give greater protection to residents and disabled badge holders, the higher charge also applies in resident permit zones and disabled bays. Each type of parking contravention is allocated either a higher level charge or a lower level charge dependent upon the considered seriousness of the parking contravention. The lower level charge is £50 (reduced to £25 if paid within 14 days).

Parking Enforcement Policy

A culture of transparency, fairness, accountability and consistency is actively promoted, both within the Parking Team and in its dealings with the public. Efforts continue to be made to try to reduce the public perception that parking enforcement is operated purely as a money making venture and to stress that the emphasis lies on traffic management and not with revenue collection.

Our priorities for parking enforcement are as follows:

- Peak period waiting and loading (main roads in and out of the city centre, main bus routes)
- Single/double yellow lines on strategic routes and around schools
- Pedestrianised city centre, taxi ranks and blue badge bays
- Permit spaces
- Pay and Display spaces

The transparent approach is demonstrated by the extensive information about parking enforcement policy and procedures that is available on the Council's website and in the literature the Parking Team has produced. In particular, the publication of policies for enforcement and the processing procedures for PCNs.

http://www.cambridgeshire.gov.uk/download/downloads/id/2601/county_tma_enforcement_manual

In order to improve public awareness of what the Council's policies on enforcement and cancellations are, and to remove any possible misconceptions, a document giving detailed information on what to do when issued with a PCN is available for the public to download on the Council website:

http://www.cambridgeshire.gov.uk/download/downloads/id/41/penalty_charge_notice_code_of_practice

All the PCNs that are issued contain details about how to pay or how to challenge the PCN and the Parking Services Team respond promptly to correspondence at all stages of the appeal process. The Team aims to respond to all correspondence within 10 working days, and all representations received must be legally responded to within 56 days. In 2013/2014, over 95% of all correspondence was responded to within 10 working days. Motorists who are issued with a PCN can view the photographic evidence on-line and make an informed decision on whether or not to challenge the issue of the PCN.

Table A – Summary of Penalty Charge Notices Issued

| | 2012/13 | 2013/14 |
|--|---------|---------|
| Number of Penalty Charge Notices issued | 42,988 | 42,225 |
| Number of Higher Level PCNs Issued (£70) | 20,086 | 19,932 |
| Number of Lower Level PCNs Issued (£50) | 22,902 | 22,293 |
| Number of 8hr Patrols undertaken | 4,877 | 4,944 |

Civil Enforcement Officers – Duties and Responsibilities

Civil Enforcement Officers (CEOs) are employed by NSL and they enforce parking restrictions on behalf of the County Council. These Officers are salaried employees of NSL and do not receive any bonuses for issuing PCNs and neither are they set targets for the number of PCNs that they are required to issue. Our contract specifically specifies that any incentivisation of this kind is unacceptable.

CEOs are deployed throughout the City wherever there are parking restrictions in place although some areas are prioritised, such as the city centre or where resident parking schemes are in operation.

A CEO must wear a uniform when undertaking their duties. The uniform clearly identifies them as a CEO who is involved in parking enforcement duties on behalf of the Council. Each CEO has a unique identity number that is also clearly displayed on their uniform and they carry identity cards issued by the Council. However, for their own health and safety, they are not identified by name and neither are they expected to give their names to the public.

Once a CEO has issued a PCN they do not have the discretion to cancel it and, if a motorist wishes to challenge the issue of the PCN, they must follow the appeals procedure, which is described, on the notice itself. This process is designed to protect the CEOs from allegations of inconsistency, favouritism or suspicion of bribery.

CEOs are not expected to try to contact motorists who have parked in contravention of the parking restrictions and ask them to move their vehicle. Furthermore, any notes that may be left by motorists on their vehicles such as 'working at no. 20' will be ignored since otherwise anyone parked illegally could put a note on their vehicle to prevent a PCN being issued.

If a CEO believes that their personal safety would be threatened if they were to issue a PCN or if a CEO is prevented from issuing a PCN either through abusive

behaviour or intimidation or threats or actual physical force then, under the provisions of the TMA, a PCN may be subsequently issued by post.

CEOs undergo rigorous training, including equality awareness training, and they are expected to undertake their duties in a thorough, fair, consistent and professional manner and to treat all members of the public equally without showing favour, bias or prejudice.

All new CEOs undertake extensive training that includes training alongside experienced CEOs to learn evidence gathering, electronic note taking, use of a handheld computer and the different types of parking contravention. Following this induction, a week long City & Guilds course and examination must be passed. The CEO then works towards gaining an NVQ Level Two in Controlling Parking Areas. This is achieved by demonstrating competence against national standards for CEOs. As well as their enforcement duties, it is an integral part of a CEOs role to act as an ambassador for the Council and the city, and provide advice or guidance on parking and tourism.

The quality of PCNs issued is obviously very important to the County Council and errors by the CEOs such as an incorrect location, registration number or contravention code will mean that the PCN has to be cancelled. Last year 85 PCNs were cancelled out of 42,225 issued, this equates to less than 1 in every 500PCNs cancelled due to CEO error. This indicates that the CEOs are issuing high quality PCNs in the vast majority of cases.

The CEOs are regularly monitored by the County Council's Parking Team using a number of methods, which include:

- On street monitoring
- Analysis of data collected on the hand held computers and checking the electronic notes
- Weekly meetings with NSL management and shift supervisors
- Customer contact
- Appeals to the issuing of the penalty charge notices

Compliance Monitoring

Compliance monitoring is important in measuring the effectiveness of parking enforcement. A sample of 54 streets reflecting a broad view of parking issues are monitored quarterly to record the percentage of vehicles parking in contravention. The street is visited twice in the morning and twice in the afternoon to give a representative average. The number of PCNs issued in individual streets is also used to help the Council monitor any changes in behaviour.

Table B – Summary of contraventions in the Top 20 of streets monitored during 2013/2014

| Top 20 Streets | PCNs issued | Parked on yellow lines | Parked in a permit bay without a valid permit | Parked in a Pay and Display bay without a valid ticket | Parked in Pay and Display bay after the expiry ? time | Parked in a Disabled Bay | Parked in a Loading Bay | Parked on a Bus Stop | Parked in a bay reserved for another type of vehicle | Parked on Pedestrian Crossing Zig Zags | Others |
|-----------------------|--------------------|-------------------------------|--|---|--|---------------------------------|--------------------------------|-----------------------------|---|---|---------------|
| Trumpington Street | 2102 | 532 | | 519 | 937 | 54 | | | 22 | 29 | 9 |
| Chesterton Road | 2024 | 123 | 277 | 649 | 625 | | | 13 | 278 | | 59 |
| King Street | 1606 | 261 | 207 | 434 | 625 | | 29 | | 8 | | 42 |
| Park Terrace | 1370 | 51 | 133 | 414 | 699 | | | | 69 | | 4 |
| Jesus Lane | 1197 | 83 | 172 | 233 | 473 | 229 | | | | 6 | 1 |
| Pound Hill | 1197 | 442 | 77 | 179 | 453 | | | | | | 46 |
| Queen's Road | 918 | 97 | | 201 | 433 | | | | 136 | 8 | 43 |
| Regent Street | 819 | 434 | | 60 | 96 | | 213 | 1 | 2 | 5 | 8 |
| Harvey Road | 695 | 9 | 439 | 84 | 157 | | | | | | 6 |
| Norfolk Street | 655 | 20 | 239 | 169 | 216 | | | | | 6 | 5 |
| Brookside | 651 | 59 | 124 | 166 | 301 | | | | | | 1 |
| Gresham Road | 518 | 13 | | 110 | 186 | | | | | | 209 |
| Tenison Road | 494 | 40 | 204 | 155 | 86 | 2 | | | | | 7 |
| West Road | 493 | 3 | | 251 | 236 | | | | | | 3 |
| King's Parade | 471 | 218 | 126 | | | 106 | 21 | | | | |
| Regent Terrace | 470 | 143 | 318 | | | | | | | | 9 |
| Hobson Street | 465 | 29 | | | | 226 | 209 | | | | 1 |
| Glisson Road | 449 | 29 | 233 | 88 | 97 | | | | | | 2 |
| Devonshire Road | 437 | 50 | 174 | 123 | 88 | 2 | | | | | |
| St Paul's Road | 436 | 1 | 149 | 102 | 184 | | | | | | |

Table C - Compliance Monitoring Survey Data as of March 31st 2014

| | 2012/2013 | 2013/2014 |
|------------------------|-----------|-----------|
| All Restrictions Total | 96.29% | 96.33% |
| Residents Bays | 99% | 98.90% |
| Pay & Display | 92.12% | 93.44% |
| Other Permit Bays | 90.28% | 90.43% |
| Disabled Bays | 96.33% | 96.52% |
| Yellow Lines | 80.76% | 79.64% |
| All others | 91.95% | 92.12% |

Residents Parking Schemes

Resident Parking Schemes are initiated following requests from residents who have been unable to find a parking space outside their own properties due to the parking of commuters and tourists. It should be emphasised that resident parking schemes are never forced on unwilling communities. There is a long consultation process before a scheme is brought in, and all affected parties can give their views prior to a vote of affected residents being taken. The scheme gives priority to residents, their visitors and businesses located in a zone. It does not guarantee that a space will be available for permit holders to park but it gives permit holders priority and it does significantly improve the ability of the residents to find a parking space.

The financial objectives of the TMA 2004 state charges should be set so that the cost of the permit covers the enforcement and administration of the scheme. Currently in Cambridge, the pricing structure is £1 a week for Monday to Saturday 9am-5pm with an additional £1 for every extra hour thereafter. Currently this charge does not cover the whole cost of enforcement and administration of all the city's schemes and the short fall is made up from the income generated from the Pay and Display bays. Under Government policy, in no circumstances can the pricing of a resident's scheme be set to deliberately make a surplus to be used elsewhere.

Table D below shows a small increase in the number of permits issued for the Resident Permit schemes, which is mainly due to the inclusion of the De Freville area in its entirety. This has been accompanied by a general increase in the number of visitor permits issued in most areas. On average, this means that for every Resident Permit issued, 50 days of parking for visitors is also purchased.

The County Council has recently introduced the option to renew and apply for visitor permits on-line and this system will continue to be developed and improved to relate to most permits during 2015. Currently over 60% of renewals are received by this method and over 15% of visitor permits.

Table D – Summary of Resident and Visitor Permits issued

| Permit Scheme | 2012/13 | | 2013/14 | |
|----------------|--------------|---------------|--------------|---------------|
| | Resident | Visitor | Resident | Visitor |
| Benson | 164 | 1,053 | 159 | 890 |
| Brunswick | 113 | 1,275 | 111 | 1,316 |
| Castle Hill | 452 | 4,313 | 476 | 4,565 |
| De Freville | 421 | 2,962 | 498 | 4,895 |
| Guest | 60 | 762 | 68 | 843 |
| Kite | 361 | 4,579 | 364 | 4,364 |
| Newtown | 210 | 2,197 | 202 | 2,462 |
| Park Street | 48 | 1,258 | 48 | 1,237 |
| Petersfield | 350 | 3,397 | 346 | 3,137 |
| Regent Terrace | 4 | 123 | 8 | 120 |
| Riverside | 243 | 1,760 | 251 | 2,045 |
| Shaftesbury | 24 | 51 | 14 | 130 |
| Tenison | 584 | 6,238 | 571 | 6,422 |
| West Cambridge | 54 | 503 | 44 | 473 |
| Totals | 3,088 | 30,471 | 3,160 | 32,899 |

Other Permits Available:

Free Medical Visitor's Permits - Any resident who is elderly and/or infirm and who requires regular visits from relatives or official services on medical grounds may apply for visitors' permits free of charge.

The Council requires a doctor to assess infirmity or lack of mobility together with an estimate of the number and frequency of official visits required.

Disabled Access Permits- These are permits to allow those with more severe disabilities access to the city centre. To qualify, applicants must hold a Blue Badge and be in receipt of one of the following benefits:

1. Mobility Allowance
2. The higher rate of Disability Living Allowance
3. War Pension Mobility Supplement
4. An equivalent Personal Independence Payment

If the applicant does not receive one of these benefits, then they can still apply with supporting evidence and this will be considered. Access to the pedestrian zone is strictly controlled because of the possibility of compromising the safety of pedestrians by allowing additional vehicles into an area that is advertised as for pedestrians only. Officers understand the difficulty experienced by those with severely limited mobility, which is why the Disabled Access Permit was introduced and why the issue of the permits is so strictly controlled.

Waivers – Waivers are only issued in exceptional circumstances. A waiver for parking on single or double yellow lines, in pay and display or residents bays is only issued where the vehicle is absolutely necessary for the completion of the task at hand. Inconvenience or difficulty alone is not sufficient justification for a waiver to be issued. A waiver will not be issued where tools etc. are portable and the vehicle is being used as a convenient place to keep them.

Health Care Worker Dispensations- Doctors, Nurses or Lone-working health care workers can apply for a dispensation should they frequently be carrying drugs or heavy medical equipment necessary for preserving life to/from patients homes or visit patients' homes without prior appointments (e.g. calls considered to have an emergency element to them and not of a planned or routine nature). Dispensations may only be used in residents or pay and display bays.

Medical Permits – The Practice Manager of any surgery may apply to the Council for the issue of a Medical Parking Permit, which can be used in the bays associated to that surgery.

Business parking permits- Business parking permits are for eligible businesses operating within residents' parking areas. Not all residents' parking areas are appropriate for business permits because of local pressure on residential spaces. Eligible businesses must not have access to any 'off street' parking and the vehicle must be essential to the running of the business.

Challenges, Representations and Appeals

All PCNs contain details of how to pay and how to make an appeal. Parking Services staff deal with responding to correspondence at all stages of the appeals process. In addition, there is information on our website about the appeals process and also information regarding the meaning of the common signs and road markings used to denote restrictions.

http://www.cambridgeshire.gov.uk/info/20018/parking_permits_and_fines/97/parking_tickets_and_appeals

The County Council want our letters to give clear information about the processes and our staff are committed to adopting a fair, transparent and consistent approach to challenges, representations and appeals against PCNs.

The following is a brief summary of the appeals process:

1. Informal Challenge

The driver of the vehicle that has been issued with a PCN may contact the Council's Parking Services team if he/she considers that a PCN has been issued incorrectly or there are compelling circumstances why it should be cancelled. The Parking Team's contact details are shown on the reverse of the PCN.

2. Formal Representation

If payment is not received within 28 days of the date that a PCN is issued, the Council will make an enquiry to the DVLA to find out the details of the owner of the vehicle. A Notice to Owner will then be issued requesting payment of the full amount of the Penalty Charge Notice. At this stage, the vehicle owner has the opportunity to make formal representations to the Council giving reasons why the PCN has been incorrectly issued, reasons why the owner is not liable or compelling reasons why the PCN should be cancelled.

3. Appeal to the Traffic Penalty Tribunal

In the event the Council rejects formal representations at Stage 2 above, the owner of the vehicle (or hirer if the vehicle was on hire when the PCN was issued), may appeal to the Traffic Penalty Tribunal. The form to make the appeal is included with the Council's rejection letter.

The decision by the independent Adjudicator at the Traffic Penalty Tribunal is normally final and unless there has been an error in the interpretation of the law, there is no further avenue for appeal. If an appeal is upheld, the Adjudicator will inform the owner and the Council in writing and the PCN will be cancelled. If the appeal is dismissed, the vehicle owner will be informed that the full Penalty Charge is payable. The appellant can choose to have a postal decision, a personal hearing at the town or city of his/her choice, from the locations listed on the appeal form, or a telephone hearing.

The Parking Services Team will treat you fairly and considerately, and listen to what you have to say. Officers will consider any mitigating circumstances and whether your PCN was fairly served. They will tell you quickly whether the Council will pursue the PCN or cancel it.

It should be noted that any delay in contacting the Council could result in paying an increased amount (up to 3 times the discounted rate) and, ultimately an unpaid PCN may also cost significant bailiff fees.

Table E – Summary of PCN Representation and Appeals

| | 2012/13 | 2013/14 |
|---|---------|---------|
| % of PCNs where Informal Representations are made | 38% | 38% |
| % of PCNs where Formal Representations are made | 5% | 5% |
| % of PCNs cancelled after any type of Representation is received | 14.50% | 14.70% |
| % of PCNs cancelled because the Council is unable to trace the owner, bailiffs are unable to collect debt, DVLA have no record of owner etc | 8% | 6% |
| % of PCNs cancelled as a result of the Council exercising discretion (mitigating circumstances etc) | 12.70% | 13.10% |
| % of PCNs cancelled because they were issued in error (i.e. the Civil Enforcement Officer made a mistake) | 0.50% | 0.20% |
| % of PCNs that go to appeal with the Traffic Penalty Tribunal | 0.07% | 0.07% |
| % of PCNs where TPT decide in favour of the driver/keeper | 0.03% | 0.03% |
| % of PCNs where TPT decide in favour of the Council | 0.04% | 0.04% |

Table F – Summary of PCN Payments

| | 2012/13 | 2013/14 |
|---|---------|---------|
| Cash payments in person | 2.80% | 1.80% |
| Internet payments (includes payments made to Customer Services team over phone etc) | 61.70% | 66.80% |
| Touchtone (Automated telephone payment) | 19.00% | 17.70% |
| Cheque / Postal Order | 16.20% | 13.70% |
| Percentage of payments made at the discounted rate | 83% | 84% |
| Percentage of payments made at the full rate | 13% | 12% |

Enforcement Guidance Manual

In accordance with the Council's policy of transparency in parking enforcement, and reasonableness and proportionality when considering challenges following the issue of a PCN, a Guidance Manual for the Cambridge Parking Scheme – Enforcement was produced and can be found on the Council's website. A summary can be found below:

http://www.cambridgeshire.gov.uk/download/downloads/id/2601/county_tma_enforcement_manual

The Council will normally cancel the first PCN that you receive if you have a valid ticket or permit but you forgot to display it in your vehicle, it fell off the windscreen, was displayed with the details face down, or because the CEO was not able to validate it due to it not being clearly visible. However, any further PCNs that are issued within 12 months of the first one may not be cancelled.

The above also applies to disabled badge holders. However, if you have parked where you are not allowed to use the disabled badge (for example where a loading ban is in place or on a taxi rank), the PCN will not normally be cancelled. If you are unsure where the disabled badge is valid please see your Blue Badge information leaflet or seek advice from the Council's Parking Services Team at parkingservices@cambridgeshire.gov.uk

Medical illness or injury – if you were delayed or needed to park urgently due to illness or injury the PCN will usually be cancelled provided that medical evidence, such as a Doctor's letter, of a temporary or permanent condition that is consistent with the circumstances, is produced. If you are delayed due to a hospital or dental appointment that overran, this is not usually a good enough reason as it is reasonably foreseeable to expect a delay when visiting a hospital or the dentist.

Vehicle breakdown – if you are prevented from moving your vehicle due to vehicle breakdown, the PCN will normally be cancelled provided that evidence of vehicle breakdown is produced. This could be an invoice for repairs to the vehicle, or a receipt for parts, or a recovery sheet from a breakdown service. However, you will be expected to have made arrangements to repair or remove your vehicle within a reasonable period of time. 'Vehicle breakdown' does not include circumstances where you are at fault for not maintaining the vehicle correctly, for example by running out of petrol, oil or water.

Crime- if you have been a victim of crime, for example, your vehicle was stolen when the PCN was issued or you were delayed through reporting a crime to the Police, then the PCN will normally be cancelled if you provide a Police Crime Number.

Signs and Markings - if the signs and/or markings are missing or inconsistent with each other, are not visible, or are unreadable at the time when you parked, the PCN may be cancelled. However, if the yellow lines or other markings are faded, or partly eroded, but it remains clear what the restriction is, then the PCN will probably not be cancelled. CEOs are instructed to check that the signs and lines are correct before issuing a PCN.

Machine faults - if a pay and display machine is found to be faulty, it is the driver's responsibility to look (within a reasonable distance) for an alternative machine from which to purchase a Pay and Display ticket, providing that the alternative machine is situated in the same road or car park.

In the event that the Pay and Display machine is marked as 'Out of Order' and there are no alternative payment points, a vehicle will be allowed to park until the machine is repaired but only for the maximum parking duration shown on the Pay and Display machine of that particular bay.

Mitigating Circumstances - there will be occasions where, although the PCN was correctly issued, there are mitigating circumstances that the Council must take into consideration when reaching a decision. The Council has a duty to act fairly and proportionately and should reach its decisions with a high degree of open-minded impartiality and by the application of the principles of natural justice and fairness. It

should also be borne in mind that the motorist has a right of appeal against the Council's decision to an adjudicator of the 'Traffic Penalty Tribunal' and the adjudicator will expect the Council to have acted fairly and reasonably when considering mitigation.

Where a parking contravention has taken place, but the adjudicator considers that the enforcement authority should have used its discretion to waive the PCN, the adjudicator may refer the case back to the Council for reconsideration.

Current Parking Issues

Parking Outside Schools - one of the main issues, which CEOs have had to deal with frequently, and which the Parking Services Team receives a large number of complaints about, is the problem of drivers who ignore restrictions near schools. These restrictions are intended to prevent parked vehicles from obstructing the fields of vision of both pedestrians and motorists near to school entrances, thereby reducing the risk of accidents involving school children.

Some parents of children, who the restrictions are meant to protect, are frequently ignoring the restrictions. Some parents stop their vehicles as near to the school as possible, regardless of the restrictions, in order to pick up or set down their children.

Parent parking at school start and finish times generates more demand for parking enforcement than any other parking issue and is a national problem. When the CEOs patrol outside schools, parents usually comply with the regulations, as their presence acts as a deterrent, but when they are not there, the abuse by some parents of the restrictions returns.

CEOs and Police Community Support Officers (PCSO) occasionally work together to try to resolve this issue. This is useful as PCSOs can issue Fixed Penalty Notices (FPN) for obstruction whereas a CEO cannot.

During 2013/14 our CEOs carried out 585 patrols at 12 different schools. This represents an average of 15 patrols per week during term time. The main purpose of these patrols is to show a presence and act as a deterrent rather than to issue PCNs.

Verge, Footway and Cycle Lane Parking- another parking issue that causes a lot of concern amongst residents is verge and footway parking as well as parking in cycle lanes. This can cause obstructions to pedestrians and damage the surface and services that are buried underneath. The Council took over, from the Police and Traffic Wardens, the responsibility for enforcing the majority of parking offences in the city, including the enforcement of all waiting and loading restrictions in 2004.

Certain offences, however, did remain with the Police, mainly because they were considered to be so serious as to still be classed as 'criminal' rather than 'civil' offences. One of those offences is obstruction and another example would be dangerous parking. Therefore, if a vehicle is parked on a pavement, grass verge or cycle lane where there are no yellow lines in the carriageway alongside them and is seen to be causing an obstruction, the Council are unable to issue a PCN because obstruction is a criminal offence and is dealt with by a Police Officer.

Persistent Evaders - there are occasions when the issuing of a Penalty Charge Notice to a vehicle parked in contravention of a parking regulation is not a sufficient deterrent to prevent parking in that location. In order to discourage motorists who persistently commit contraventions or seek to avoid payment of outstanding Penalty Charge Notices, Cambridgeshire County Council (under the powers of the Road Traffic Regulation Act 1984 and the Traffic Management Act 2004) can remove a vehicle if found to be parked in contravention.

Cambridgeshire County Council will remove a vehicle when a Penalty Charge Notice (PCN) has been lawfully issued and the vehicle is a persistent offender. A persistent offender is a vehicle with three or more unpaid and unchallenged PCNs, one of which has progressed to warrant stage or the owner/keeper detail of the vehicle cannot be identified via DVLA and all other legitimate means of enforcement have failed.

Looking Ahead to 2014-2015

Pay by Phone

The County Council Parking Service will be working with colleagues in the City Council to procure a cashless parking solution whereby customers of the on-street pay and display bays, as well as Cambridge city car parks, will be able to phone, text or use an app to pay for their parking instead of having to use cash. Users will also be able to receive a text to remind them that their parking session is close to ending.

Enforcement of Bus lanes

After receiving concerns from the bus operators that bus lanes were being incorrectly used within the City, Parking Services have procured bus lane cameras to capture those ignoring the regulations and a Notice Processing system to issue a Penalty Charge Notice. This form of Enforcement will be deployed by 2015.

Pay and Display Charges

The Parking Services Team will undertake a review of the usage of the Pay and Display bays to ascertain whether the current charges and maximum stays are appropriate and will also consider whether Sunday Charging should be recommended for introduction.

Civil Parking Enforcement Contract

Our Civil Parking Enforcement contract is due to expire on the 31st March 2015. Officers will liaise with two LGSS partners to look at options for joint working and procurement. Officers will also consider whether to extend the current contract or to recommend entering the market to procure a new contract, if this is likely to result in a reduced cost to the authority.

Cash Collection

The contract for cash collection from various Cambridgeshire County premises including Pay and Display machines, libraries and Shire Hall expires on 31st March 2015. The Parking Services Team will re-tender this contract and will consider the opportunities for joined up work with other LGSS partners in order to provide for further savings.

Table G – End of Year Accounts

| | 2012/13 | 2013/14 |
|---|--------------------|--------------------|
| EXPENDITURE | | |
| Employee Costs | £537,213 | £378,637 |
| Cash Collection Costs | £30,110 | £43,474 |
| Traffic Penalty Tribunal Levy | £27,106 | £18,743 |
| Traffic Enforcement Court Fees | £16,016 | £15,000 |
| Premises | £2,600 | £5,750 |
| Office Supplies and Internal Services | £10,741 | £22,304 |
| Contractor Costs | £721,680 | £708,931 |
| Signs and Lines Costs | £26,518 | £28,411 |
| P+D Machine Upgrade Costs | £175,909 | £22,142 |
| Pay and Display Supplies and Services Costs | £35,111 | £38,348 |
| Total Expenditure | £1,583,003 | £1,281,740 |
| INCOME | | |
| On-Street Pay and Display | -£1,414,466 | -£1,459,796 |
| HDC Surplus | £0 | -£20,000 |
| Resident Permits | -£440,515 | -£450,307 |
| Ely Permits | £0 | -£195 |
| Dispensations and Medical Permits | -£6,260 | -£7,883 |
| Suspensions | -£8,236 | -£9,105 |
| Penalty Charge Notices | -£1,178,725 | -£1,103,419 |
| Total Income | -£3,048,202 | -£3,050,705 |
| OUTURN (PARKING ACCOUNT SURPLUS) | -£1,465,199 | -£1,768,965 |
| ALLOCATION OF PARKING SURPLUS FOR SUPPORTED SERVICES | | |
| City Council Car Parks Shopmobility Scheme | £46,243 | £47,168 |
| Park and Ride | £800,918 | £700,595 |
| Cambridge Business Improvement District | £20,000 | £12,500 |
| Car Park Information System | £26,796 | £28,093 |
| Rising Bollard Maintenance | £41,980 | £60,156 |
| Integrated Highways Management Centre | £0 | £89,600 |
| Real Time Passenger Information System | £0 | £84,787 |
| Variable Message Signs | £21,701 | £0 |
| Automatic Number Plate Recognition System | £167,852 | £0 |
| Minor Traffic Management Schemes | £61,997 | £0 |
| Total Allocated | £1,141,244 | £975,731 |
| PARKING ACCOUNT SURPLUS TO BE CARRIED FORWARD | -£323,955 | -£793,234 |
| BALANCE BOUGHT FORWARD | -£70,298 | -£394,253 |
| BALANCE CARRIED FORWARD | -£394,253 | -£1,187,487 |

