

Item No.	Classification: Open	Date: 17 December 2010	Decision taker: Cabinet Member for Transport, Environment and Recycling
Report title:		Annual Parking Report 2009/10	
Ward(s) or groups affected:		All	
From:		Strategic Director of Environment and Housing	

RECOMMENDATIONS

1. That the Cabinet Member for Transport, Environment and Recycling agrees the Annual Parking Report for 2009/10 (Appendix 1) and the Parking Enforcement Protocols (Appendix 2).

BACKGROUND

Annual Parking Report – 2009/10

2. The necessity for a local authority to publish an annual parking report is contained in the 'Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions'. It is considered to be good practice to publish an annual parking report in order to provide the public with some reassurance that enforcement is being undertaken properly. The Secretary of State believes that; 'The transparency given by regular and consistent reporting should help the public understand and accept Civil Parking Enforcement'. The statutory guidance also provides suggestions on what financial and statistical information should be included in the report. The Annual Report provides a record of the activities of the service during the financial year 2009/10 and comparative figures from previous years. The intention is to explain to the public how the service is managed and to provide information regarding performance.
3. The parking enforcement protocols detail the circumstances in which a penalty charge notice may be issued and a vehicle removed along with possible exemptions to those penalties, our intention is to explain to the public Southwark's rules for issuing a penalty.

KEY ISSUES FOR CONSIDERATION

4. The following provides a summary of the Annual Parking Report, a copy of which is set out in Appendix 1
 - I. The report highlights the implementation of pay by mobile phone services across the whole of the Borough during 2009/10 along with the continued modernisation of the delivery of parking services. Primarily in 2009/10 the renewal of parking permits online and of making appeals and representations against the issue of PCNs, along with the ability to view photographs online.
 - II. The report explains the measures that have been taken by the Council to increase operational transparency and emphasises that the primary aim of civil parking enforcement is traffic management rather than revenue generation. Other measures aimed at increasing the amount of information available to the public include the publication of operational protocols, policies for enforcement and the appeal procedures for penalty charge notices. This information is set out in appendix 2 and will be made available both in leaflets and on the Council website.

- III. The importance that is attached to training and development within the Parking Service team is highlighted in the Annual Report, and the very low level of errors made by the enforcement and back office processing teams when issuing penalty charge notices, and when considering subsequent correspondence, illustrates a key benefit of that training and development.
- IV. The report provides detailed information on where penalty charge notices have been issued and which parking contraventions have occurred. It explains the positive impact of enforcement on compliance with the parking regulations, and the changing emphasis from on-street to moving traffic enforcement. This can be illustrated by the table below:

	Financial Year				
	2005/06	2006/07	2007/08	2008/09	2009/10
Parking	135045	129334	130513	120354	107851
Bus Lane	5818	2980	465	271	521
Moving	0	12982	12607	11118	13352
Total	140863	145296	143585	131743	121724

- V. The report explains the importance that the Council places on reasonableness and proportionality when considering representations from motorists, particularly where simple mistakes have occurred when displaying tickets or permits. Over two and a half thousand motorists have benefited from the Council's policy and had their penalty charge notices cancelled with a warning, because they purchased tickets or permits but failed to display them correctly. This policy of reasonableness and proportionality is reflected in the fact that only 1.4% of motorists appealed to the independent parking adjudicator and fewer than half of those appeals were upheld.

COMMUNITY IMPACT STATEMENT

- 5. The policies within the Parking and Enforcement Plan are upheld within this report and have been subject to an Equality Impact Assessment (EqIA).

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Strategic Director of Communities, Law & Governance (SB1110)

- 6. The Traffic Management Act (TMA) 2004 is aimed at securing better compliance with some moving traffic regulations through an increased level of civil enforcement with a view to help to ease congestion problems and improve safety. In particular, section 16 of TMA 2004 imposes a general network management duty which requires the local traffic authority to manage their road network with a view to:-
 - (a) securing the expeditious movement of traffic on the authority's road network; and
 - (b) facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
- 7. In performing those duties, the local traffic authority can look at ways of:-
 - (c) achieving a more efficient use of their road network; or
 - (d) avoiding, eliminating or reducing road congestion or other disruption to the movement of traffic
- 8. The body of the report sets out how the council has met the general statutory duty set out in section 16 TMA 2004 for the period 2009/10.
- 9. The Secretary of State under Section 87 of the Act published statutory guidance for local authorities regarding matters relating to civil traffic enforcement functions. Under that guidance, the council is required to produce an annual report about enforcement activities within six

months of the end of each financial year i.e. September of each year.

10. The report presented to the Cabinet Member covers the information required in relation to financial, statistical and other data that is required by the statutory guidance.
11. This report is presented to the Cabinet member for the transport, environment and recycling under part 3B of the Constitution, which sets out that the Member is responsible for managing council services in relation to enforcement policy. In addition Part 3D, paragraph 8 of the Constitution reserves the decision on agreement of performance standards and key policy objectives to the Individual Member.

Finance Director (ENV/ET/150909)

12. This report sets out the performance levels and trading account results for the last financial year 2009/10 and compares with previous financial years. The cost of the proposed changes to the Parking Service during 2010/11 (current financial year) will be contained within the existing budgets and any additional funds required for future years will be considered through the annual business planning and budgeting process. Therefore, there are no financial implications as a result of approving this report. The performance for the current year will be monitored and reported through the Quarterly Revenue and Debt monitors.
13. It should be noted that under the legislation, Parking Services is a ring fenced account and any surplus generated can only be used for the purpose of re-investing in future transport improvements

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
PCN stats for 2009/10	Public Realm, 160 Tooley Street. SE1 2TZ	David Sole 020 7525 2037

APPENDICES

No.	Title
1	Annual Parking Report 2009/10
2	Parking Enforcement Protocols (version 1 2010)

AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment and Housing	
Report Author	David Sole, Parking Services and Development Manager, Public Realm Division	
Version	Final	
Dated	December 2010	
Key Decision?	Yes	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director of communities, law & governance	Yes	Yes
Financial Director	Yes	Yes
Cabinet Member	Yes	Yes
Date final report sent to Constitutional team		17 December 2010

