

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> November 2009	<b>Meeting Name:</b> Executive Member for Environment
<b>Report title:</b>		Annual Parking Report 2008/09	
<b>Ward(s) or groups affected:</b>		All	
<b>From:</b>		Strategic Director of Environment and Housing	

## RECOMMENDATION

1. That the Executive Member for Environment and Housing agrees the Annual Parking Report for 2008/9 set out in Appendix 1 and Enforcement Protocols Appendix 2.

### Annual Parking Report 2008 - 2009

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 2008/09. The intention is to explain to the public how the service is managed and to provide information regarding performance.
3. See Appendix 1 Annual Parking Report and Appendix 2 Parking Enforcement Protocols.

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 increase in the number of users of the pay by phone service during 2008/09 in the North of the Borough. 11,635 new users signed up and the number of parking sessions per month doubled from 1703 in April 2008 to 3457 in March 2009 using RingGo. The report also notes the aim to move to Borough wide cash less payment in 2009/10.
- II. Xmas parking – In the run up to Christmas we provided free weekend car parking to assist local businesses in what was a difficult trading period.
- III. It details the progress made in achieving the Park Mark Safer Parking Award for the Council's car parks. Two of the Council's Car Parks have now achieved the award.
- IV. It explains the measures that have been taken by the Service to increase operational transparency and to emphasise that the primary aim of civil parking enforcement is traffic management and not revenue generation. These measures include the establishment of operational protocols set out in appendix 2, increasing the amount of information available to the public both in leaflets and on the Council's website, the publication of policies for enforcement and the appeal procedures for penalty charge notices, and the production of an annual parking report.

- V. 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. Only 0.74% of all penalty charge notices were incorrectly issued by the Parking Attendants and only 2.56% of cancellations can be attributed to administrative error.
- VI. 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				
	2004/05	2005/06	2006/07	2007/08	2008/09
Parking	130901	135045	129334	130513	120354
Bus Lane	10846	5818	2980	465	271
Moving	0	0	12982	12607	11118
Total	141747	140863	145296	143585	131743

- VII. 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% of motorists appealed to the independent parking adjudicator and fewer than half of those appeals were upheld.

## COMMUNITY IMPACT STATEMENT

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

## STRATEGIC DIRECTOR OF COMMUNITIES, LAW & GOVERNANCE

5. 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.
6. 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
7. 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 2008/09.

8. 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.
9. The report presented to the Executive Member appears to cover the information required in relation to financial, statistical and other data that is required by the statutory guidance.
10. This report is presented to the Executive Member for Community Safety 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 6 of the Constitution reserves the decision on agreement of performance standards and key policy objectives to the Individual Member.

#### **FINANCE DIRECTOR (ENV/ET/150909)**

11. This report sets out the performance levels and trading account results for the last financial year 2008/09 and compares with previous financial years. The cost of the proposed changes to the Parking Service during 2009/10 (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.
12. 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.

#### **Appendices**

<b>No.</b>	<b>Title</b>
1	Annual Parking Report
2	Parking Enforcement Protocols

#### **Audit Trail**

<b>Lead Officer</b>	Gill Davies, Strategic Director of Environment and Housing	
<b>Report Author</b>	Des Waters , Head of Public Realm	
<b>Version</b>	Final	
<b>Dated</b>	November 2009	
<b>Key Decision?</b>	Yes	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Borough Solicitor & Secretary	Yes	Yes
Chief Finance Officer	Yes	Yes
<b>Executive Member</b>	Yes	Yes
<b>Date final report sent to Constitutional Support Officer</b>		