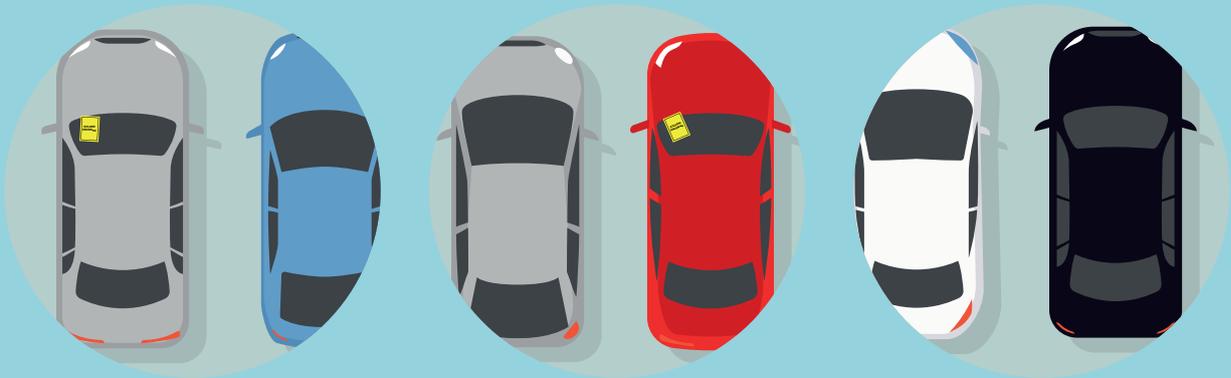


2018-2019



Parking Enforcement Operations Annual Report



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Introduction

1. This is the eleventh Annual Report produced by Eastleigh Borough Council in accordance with the guidance to Local Authorities contained within Chapter 4 of the Department for Transport operational guidance first published in March 2008. The report also takes due regard of the requirements of the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984.
2. Eastleigh Borough Council commenced decriminalised parking enforcement under the Road Traffic Act 1991 in October 2004 which gave the Council (through an agency agreement with Hampshire County Council (HCC) powers to enforce on-street parking regulations as well as off-street car parking where a Penalty Charge Notice (PCN) is issued for a parking contravention.

Background

3. The Council is responsible for the delivery of parking enforcement in support of the Council's Traffic Management Agency responsibilities.
4. In addition, the parking service is also responsible for the administration of the Residents' Parking Schemes, the maintenance of on- and off-street ticket machines, pay on foot systems, and Borough car parks, with close links to the Borough public realm CCTV system.

Scope

5. This document describes the performance data for the Council's enforcement and parking activities from the 1st of April 2018 to the 31st of March 2019.

Parking Enforcement Objectives

6. Parking enforcement is undertaken between 8am to 8pm, 7 days a week. Enforcement is also undertaken outside these hours for any specific parking problems. The enforcement of parking restrictions is undertaken by directly employed Civil Enforcement Officers (CEOs).
7. The Council does not set targets on the issuing of PCNs. The primary aim of parking enforcement is traffic management, and the service seeks to focus on the following key objectives:
 - To reduce traffic congestion resulting from illegally parked vehicles;
 - To contribute towards road safety;
 - Through reducing congestion, to contribute towards improvements in air quality;
 - To assist the timely operation of public transport;
 - To facilitate access and response times for emergency services;
 - To manage kerb space and access to parking in support of residents, businesses, leisure and visitors parking;
 - To ensure improved quality of residents' area, by enforcement of residents' parking schemes; and
 - To regulate and control parking both on-street and off-street.

The Services Provided

Off-Street Car Parks

8. The Council manages 17 off-street parking places of which 8 are pay and display and 2 operate via a pay on foot system. The majority are located within Eastleigh Town Centre and are listed in Appendix A.
9. The parking tariffs adopted by the Council seek to support the management of the highway network, whilst at the same time influencing the economic viability of the town centre and other parish centres. The tariffs conform to the Council's corporate charging policy.
10. The Council has invested over the years in CCTV and improved lighting to help reduce the fear of crime including vehicle crime in a number of town centre car parks. The numbers of vehicle crimes in the town centre car parks are at very low levels.
11. The Council currently has 6 car parks that have been awarded the Parkmark award, which is an initiative of the Association of Chief Police Officers and British Parking Association (BPA). These sites have been vetted by the BPA and each car park has measures in place to create a safe environment for both the motorist and their vehicles.

Residents Parking Scheme

12. There are 11 permit parking areas within the Borough. These have been introduced to ensure that there is a balance between the needs for residents to be able to park near their homes and the needs of other motorists.
13. There are 4 main types of permits that allow motorists to park in areas/bays where controlled parking schemes apply:
 - Residents permits
 - Business permits
 - Visitors permits
 - Professional Carers/Carers permits

Residents Parking Permits

14. The total number of resident permits issued is as follows:

Zone	No. of Permits Issued	Zone	No. of Permits Issued
1	578	7	37
2	671	8	333
3	746	9	284
4	560	11	178
5	104	H1	82
6	137		
		Grand Total	3,710

15. The cost of permits is set out below:

Permit	Charge
1st	£30 applies only to new residents in a property after 19th October 2011
2nd	£60.00
3rd	£120.00 if agreed (£25 inspection fee charged to ensure the property does not have alternative off-road parking)
Visitors	No Charge
Carers	No Charge
Professional Carers	£60.00
Temporary Visitors	£42.00 for 6 days
1st Business	£60.00
2nd Business	£120.00
3rd Business	£170.00 if agreed
4th Business	£170.00 if agreed

The charges for permits are approved by the local area committee with the allocation of 3rd parking permit or three or more Business permits made by parking services subject to certain criteria being met.

Hamble-le-Rice Parking Scheme

16. The current cost for a resident's permit is £100 and for business a permit is £200.
17. A residents' zone covering Hamble House Gardens, Meadow Lane and The Bartletts came into effect on 10th May 2010.

Dispensation and Suspension

18. A parking dispensation allows a commercial vehicle to park on a waiting restriction (yellow line) during restricted hours in circumstances where the vehicle needs to be close to a specific location, for example building/shop fitting work where access is required to load and unload tools or materials.
19. The cost for the issue of a parking dispensation is £15.00 (or £25.00 if required within 7 days).
20. A parking suspension allows a motorist to park for a specific purpose in a pay and display bay or Residents Parking bay during restricted hours. For example, for carrying out works that require the driver to park close to a building to load / unload tools or materials, or for household removals.

School Enforcement

21. The regulations for enforcement of schools at opening and closing times are seen as a key priority to ensure the safe movement of children and adults.

22. Parking services works closely with the Sustainable Transport Team in endeavouring to reduce the number of vehicle movements to and from schools and encouraging other modes of transport through School Travel Plans.
23. This year the council focused more resources on school patrols due to increasing parking problems caused by parent parking and the increasing number of complaints made by Residents and the public.

Disabled Parking

24. The Blue Badge scheme provides a national range of parking concessions for disabled people with severe mobility problems.
25. The council has the powers to detain and/or seize Blue Badges if they are out of date or being used incorrectly. Badges that are retained are sent to the issuing authority, for example the Hampshire County Council blue badge unit.
26. The regulations for enforcement of Blue Badge parking bays is a key priority to ensure only Blue Badge holders can park within these bays. All the Town Centre disabled bays are patrolled daily to ensure a high level of compliance.

Traffic Management Act 2004

27. On 31st March 2008, the Government replaced Decriminalised Parking Enforcement (DPE) across the country with Civil Parking Enforcement (CPE), which is carried out under the Traffic Management Act 2004 (TMA).
28. The legislation represented the largest single shift in the way parking enforcement is conducted since the Road Traffic Act 1991. The Government's aim is to provide consistency by creating a single framework for parking regulations across the country. It ensures a fair system is in place and requires Councils to be more transparent and accountable.
29. In line with the legislation, the Council has introduced many changes to the way it deals with appeals and enforces parking regulations, for example:
 - (a) Challenges received prior to the issue of a Notice to Owner (NtO) or Enforcement Notice must now be dealt with; prior to TMA, this was optional. However, this practice was already adopted prior to the new legislation.
 - (b) A Penalty Charge Notice no longer needs to be placed on a vehicle, or handed to a driver to be legally served, in situations where the Civil Enforcement Officer is prevented from serving the notice to the driver or vehicle.
 - (c) Parking Attendants became known as Civil Enforcement Officers (CEOs).
30. Other less obvious changes also took place; the emphasis by Central Government was on the Local Authority's duty to show transparency and fairness. The Council welcomed this approach and has actively looked at how services can be further improved in line with the legislation.

Differential Parking Penalties

31. Differential parking penalties also came into effect on the 31st March 2008 as part of the Traffic Management Act.
32. The Government's aim is to make the system fairer. Higher penalties are issued to motorists who park where it is not generally permitted. For example, on yellow lines, the footway, school "Keep Clear" markings, or in residents' permit or disabled bays without displaying the appropriate permit or badge.
33. The less serious contraventions, which incur the lower charge, include contraventions such as overstaying time paid for in a pay and display bay, or parking outside bay markings.
34. In circumstances where a driver parks in a permit bay and submits evidence in the form of a visitors' permit or voucher valid for the date of the contravention, the Council will accept the evidence as confirmation that the driver was visiting a resident and the lower charge will apply.

Financial Performance 2017/18 & 2018/19

On-Street Income & Expenditure

35. The table listed below gives a breakdown of the income and expenditure for on-street income and expenditure.

Decriminalised Parking

	2017/18 Outturn £	2018/19 Outturn £
Employees (IAS19 Allocation)	38,230	0
Parking Services	437,689	129,819
Property	23,108	7,022
Supplies & Services (includes deferred charges)	24,603	23,316
Admin. Costs	4,572	6,688
Recharges from Service Units/Practice Accounts	67,288	204,530
Payment to Agencies	0	0
Asset Rental	9,673	9,673
TOTAL EXPENDITURE	605,163	381,048
Fees & Charges	(724)	(918)
Licences/Permits	(3,884)	(5,950)
Admission	(248,741)	(251,227)
Season Tickets	(98,951)	(96,318)
Penalty Charge Notices	(157,143)	(163,056)

TOTAL INCOME	(509,443)	(517,469)
TOTAL (SURPLUS) DEFICIT	95,720	(136,421)

Off-Street Charges

36. The table listed below gives a breakdown of the income and expenditure for off-street parking (includes pay & display and non-pay & display).

Car Parks

	2017/18 Outturn	2018/19 Outturn
	£	£
Employees (IAS19 Allocation)	14,850	0
Parking Services	250,500	131,499
Property	525,286	513,138
Supplies & Services (includes deferred charges)	32,758	23,729
Admin. Costs	7,417	9,596
Transport & Plant	0	0
Recharges from Service Units/Practice Accounts	9,179	0
Payment to Agencies	116,458	122,065
Asset Rental	187,202	182,784
TOTAL EXPENDITURE	1,143,650	982,811
Fees & Charges	(213,537)	(188,823)
Admission	(2,057,812)	(1,945,257)
Permits	(97,010)	(68,825)
Penalty Charge Notices	(66,474)	(57,641)
Misc Income	(3,457)	(1,968)
Rents	(18,744)	(12,500)
TOTAL INCOME	(2,457,034)	(2,275,014)
Total (SURPLUS) DEFICIT	(1,313,384)	(1,292,203)

Spending of the Surplus

37. The expenditure of income derived from on-street parking places and PCN income is governed by the Traffic Management Act 2004, Section 88, and the Road Traffic Regulation Act 1984, Section 55(a) and confirms the specific areas for surplus expenditure as follows:
- Funding the provision of the parking service;
 - Meeting all or any part of the cost of the provision of off-street car park maintenance;
 - Facilitating the provision of public/passenger transport; and
 - Traffic or highway improvements within the Borough.
38. The parking surplus for civil parking enforcement helps to reduce the on-street parking reserve which is in deficit of £28,280. The on-street reserve is for capital funding on residential parking schemes and the start-up costs for civil parking enforcement.
39. The on-street reserve is set aside for Capital Funding Parking Schemes such as capital set up costs for residents parking schemes and capital costs associated with setting up decriminalised parking.
40. The off-street PCN income of £57,641 contributes to the following on-going revenue costs that are funded by the Council:

Transport Policy	£283,758
Bus Shelters	£21,026
Dial A Ride	£90,135
TOTAL	£394,919

On-Street PCNs

Year	On-Street Penalty Charge Notices
2018/19	5,362
2017/18	4,440

41. The table listed below gives a further breakdown of payments made at the various formal stages, adjudication, cancelled and debt registration.

TMA ON-STREET ANNUAL SUMMARY	
2018/19	
Number of Penalty Charge Notices issued for parking contraventions	5,362
Number of Penalty Charge Notices paid within 14 days	3,126
Number of Penalty Charge Notices paid at full charge	521
Number of Penalty Charge Notices unpaid	1,233

TMA ON-STREET ANNUAL SUMMARY 2018/19	
Total number of Penalty Charge Notices of debt registrations	549

ON-Street PCN Challenges (regulation 9 PCNs)

Category		CPE - On St - Higher					
Year	Month	Valid PCNs	Pre NTO Reps	Pre NTO Accept	Pre NTO Refused	NTO Reps	NTO Reps
2018	April	301	122	0	2	15	6
2018	May	384	212	0	4	6	8
2018	June	398	198	0	4	14	14
2018	July	273	169	0	5	22	13
2018	August	331	206	0	9	14	20
2018	September	261	158	0	4	8	13
2018	October	269	145	0	7	14	10
2018	November	297	190	0	3	16	11
2018	December	313	180	0	2	16	16
2019	January	317	179	0	8	21	18
2019	February	278	149	0	2	20	15
2019	March	255	135	0	3	17	8
Category Totals:		3,677	2,043	0	53	183	152
Category		CPE - On St - Lower					
Year	Month	Valid PCNs	Pre NTO Reps	Pre NTO Accept	Pre NTO Refused	NTO Reps	NTO Reps
2018	April	131	122	0	2	15	6
2018	May	182	212	0	4	6	8
2018	June	181	198	0	4	14	14
2018	July	130	169	0	5	22	13
2018	August	153	206	0	9	14	20
2018	September	123	158	0	4	8	13
2018	October	120	145	0	7	14	10
2018	November	157	190	0	3	16	11
2018	December	92	180	0	2	16	16
2019	January	171	179	0	8	21	18
2019	February	128	149	0	2	20	15
2019	March	95	135	0	3	17	8
Category Totals:		1,663	2,043	0	53	183	152

ON-Street PCN Challenges (regulation 10 (postal) PCNs)

Category		CPE - On St - Higher					
Year	Month	Valid PCNs	Pre NTO Reps	Pre NTO Accept	Pre NTO Refused	NTO Reps	NTO Reps
2018	July	7	0	0	0	0	0
2019	February	1	0	0	0	0	0
2019	March	14	0	0	0	0	2
Category Totals:		22	0	0	0	0	2

42. The number of on-street PCNs issued against the previous year was reduced by 925, due to the reduction of CEOs employed during the year.

Off-Street PCN's

Year	Off-Street Penalty Charge Notices
2018/19	2,369
2017/18	2,561

43. The number of PCNs has fallen slightly against the previous year due to the reduced numbers of CEOs.
44. The table listed below gives a further breakdown of payments made at the various formal stages.

TMA OFF-STREET ANNUAL SUMMARY 2018/19	
Number of Penalty Charge Notices issued for parking contraventions	2,369
Number of Penalty Charge Notices paid within 14 days	1,403
Number of Penalty Charge Notices paid at full charge	207
Number of Penalty Charge Notices unpaid	615
Total number of Penalty Charge Notices of debt registrations	145

OFF-Street PCN Challenges (regulation 9 PCNs)

Category		CPE - Off St - Higher					
Year	Month	Valid PCNs	Pre NTO Reps	Pre NTO Accept	Pre NTO Refused	NTO Reps	NTO Reps
2018	April	12	122	0	2	15	6
2018	May	17	212	0	4	6	8
2018	June	10	198	0	4	14	14
2018	July	16	169	0	5	22	13
2018	August	10	206	0	9	14	20
2018	September	14	158	0	4	8	13
2018	October	10	145	0	7	14	10
2018	November	13	190	0	3	16	11
2018	December	10	180	0	2	16	16
2019	January	12	179	0	8	21	18
2019	February	15	149	0	2	20	15
2019	March	18	135	0	3	17	8
Category Totals:		157	2,043	0	53	183	152
Category		CPE - Off St - Lower					
Year	Month	Valid PCNs	Pre NTO Reps	Pre NTO Accept	Pre NTO Refused	NTO Reps	NTO Reps
2018	April	152	122	0	2	15	6
2018	May	179	212	0	4	6	8
2018	June	184	198	0	4	14	14
2018	July	184	169	0	5	22	13
2018	August	218	206	0	9	14	20
2018	September	204	158	0	4	8	13
2018	October	226	145	0	7	14	10
2018	November	207	190	0	3	16	11
2018	December	199	180	0	2	16	16
2019	January	167	179	0	8	21	18
2019	February	156	149	0	2	20	15
2019	March	135	135	0	3	17	8
Category Totals:		2,211	2,043	0	53	183	152

OFF-Street PCN Challenges (regulation 10 (postal) PCNs)

Category		CPE - Off St - Higher					
Year	Month	Valid PCNs	Pre NTO Reps	Pre NTO Accept	Pre NTO Refused	NTO Reps	NTO Reps
2019	March	1	0	0	0	0	2
Category Totals:		1	0	0	0	0	2

Challenges and Representations Received

45. Where a parking contravention occurs, it is the “owner/registered keeper” of the vehicle who is legally obliged to pay the penalty charge. The owner means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c22) is presumed to be the person in whose name the vehicle is registered at the DVLA. It is therefore essential that any changes of vehicle ownership are immediately notified to the DVLA.

46. The only exception to this is where the vehicle was hired from a firm under a hiring agreement and the person hiring it had signed a statement of liability in respect of any penalty charge notice served in respect of the vehicle during the period of the agreement.
47. Vehicle owners may dispute the issuing of a PCN at three stages:
- (1) They can make an informal challenge or representation before the Council issues a Notice to Owner (NtO). As a challenge at this stage will be made by the person who has received the PCN, it may be that the person submitting the challenge was the driver of the vehicle, rather than the vehicle owner.
 - (2) Once an NtO has been served, they can make a formal representation against the NtO. This can still be lodged if an informal challenge has previously been made and rejected. The legislation sets out specific grounds on which formal representation against an NtO may be made and are specified on the notice. Representations may also be made on the basis that, in the particular circumstances of the case, there are compelling reasons for the cancellation of the PCN.
 - (3) If the formal representation is rejected, the Council will issue a Notice of Rejection and details how to appeal to the Traffic Penalty Tribunal. The appellant has the right to appeal within 28 days of the issue of the Notice of Rejection to an adjudicator of the Traffic Penalty Tribunal. The adjudicators have a judicial position. They are appointed with the agreement of the Lord Chancellor and they are wholly independent. Their decisions are final (subject to their own power to review a decision) and they have the power to award costs against either party. No further challenges can be made other than a point of law through an application to the High Court for a Judicial Review. Appellants may choose to appear before the adjudicator in person, opt for a telephone hearing or via a postal hearing where written evidence is supplied by both parties.
48. The details of the adjudication services and of the appeal process can be found on their website www.trafficpenaltytribunal.gov.uk.

Policies for the Handling of Appeals

49. Considering challenges, representations and defence of appeals is a legal process. It is necessary for the Council to keep a full and accurate record of all challenges. For this reason the Council insists that all representations are made in writing (by letter, email or by completing one of its appeal forms either on line or at Eastleigh House). The Council has the discretion to cancel a PCN at any point in the appeals process.
50. The Council's cancellation and mitigation policies against which challenges, representations or appeals are considered can be found on the Council's website eastleigh.gov.uk

51. The Council does not immobilise or remove vehicles for parking contraventions.

Appeals to Traffic Penalty Tribunal

52. During 2018/19 a total of 13 appeals were made to the Adjudication Services. During this period the Council chose not to contest 5 appeals. This was due to new information being provided by the appellant, for example information on the keeper of the vehicle or supporting documentary evidence to confirm loading.
53. 4 appeals upheld
54. 3 appeals dismissed
55. 1 appeal paid, as a Consent Order, therefore not appealed to the adjudicator.

Robert Saunders
Local Operations Manager
Local Area Services

APPENDIX A

Car Park Name	Location	Car Park Type	Control Type	Manufacturer	Gritting Priority	RingGo	Height Restriction	Total Spaces	Car Spaces
									
FREE CAR PARKS									
Bursledon Station	Bursledon	Surface	Free					60	60
Chandlers Ford Station	Chandlers Ford	Surface	Free		2			17	16
Mortimer Road	Botley (Hants)	Surface	Free		2		Yes	63	61
New Road	Netley	Surface	Free		2			29	29
New Road Social Club	Netley	Surface	Free		2			24	24
Lowford car park	Lowford	Surface	free					42	38
Sub Totals-Free Car Parks								234	228
PAY CAR PARKS (CHARGEABLE)									
Bishopstoke Road Playing Fields	Eastleigh	Surface	P&D	Cale Briparc	1	4900		79	76
Dutton lane car park	Eastleigh	Surface	Permit only	Permit only	1	N/A		152	152
Hamble Square	Hamble	Surface	P&D	Cale Briparc	1	4901		65	61
Hanns Way	Eastleigh	Surface	P&D	Cale Briparc	1	4902		18	12
Hedge End Station	Hedge End	Surface	P&D	Cale Briparc	2	4903		148	138
Leigh Road	Eastleigh	Surface	P&D	Cale Briparc	1	4904		36	30
M.S.C.P.	Eastleigh	Multistorey	PoF	Designa	3		2.00m	485	463
Romsey Road	Eastleigh	Surface	P&D	Cale Briparc	1	4906		48	43
Southampton Road	Eastleigh	Surface	P&D	Cale Briparc	1	4907	1.98m	58	40
Swan Shopping Centre	Eastleigh	Roof	PoF	Designa	n.o.r.		2.10m	690	643
Wells Place	Eastleigh	Surface	P&D	Cale Briparc		4909	2.10m	141	129
Sub Totals-Pay Car Parks								1920	1787
TOTALS FOR EBC CAR PARKS								2155	2015
PARISH CAR PARKS									
Hamble Parish Council									
Hamble Foreshore	Hamble	Surface	P&D	Cale Briparc	n/a			65	60
Sub Total-Parish Car Parks								65	60
TOTALS FOR ALL CAR PARKS								2220	2075

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