

Annual Parking Report

2023 / 2024

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Introduction

This is the sixteenth Annual Report produced by Eastleigh Borough Council in accordance with the guidance to Local Authorities contained within Chapter 4 of the Department for Transport statutory guidance. The report also takes due regard of the requirements of the Traffic Management Act 2004 and the Road Traffic Regulation Act 1984.

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. Decriminalised parking enforcement is now known as Civil Parking Enforcement (CPE).

For 2023/24 the Borough Council undertakes Civil Parking Enforcement for its own car parks only, with all on-street parking management (issuing of on-street permits and enforcement) reverted to County control. The Borough Council also enforces some other off-street parking places through enforcement contracts with associated Traffic Regulation Orders.

Background

The Council is responsible for the delivery of car parks' management and off-street parking enforcement to support traffic management duties.

In addition, the parking service is responsible for the maintenance of off-street ticket machines, pay on foot systems, and Borough car parks, with close links to the Borough public realm CCTV system.

Scope

This document describes the performance data for the Council's enforcement and parking activities from the 1st of April 2023 to the 31st of March 2024.

Parking Enforcement Objectives

Parking enforcement is generally undertaken between 8am to 8pm, up to 7 days a week. Enforcement may also be undertaken outside of these hours for any specific parking problems. The enforcement of parking restrictions is undertaken by directly employed Civil Enforcement Officers (CEOs).

The Council does not set targets on the issuing of PCNs. The primary aim of parking enforcement is traffic management and turnover of parking places, and the service seeks to focus on the following key objectives:

- To help 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 operation of public transport and other transport modes.
- To manage access to parking in support of residents, businesses, leisure and visitors' parking.
- To ensure improved quality of off-street parking places.

Off-Street Car Parks

The Council manages over 2,200 parking spaces within 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 (data excludes Hamble Foreshore).

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 are linked to the Council's corporate fees & charges policy.

The Council has invested over the years in CCTV and improved lighting to help reduce the fear of crime including vehicle crime in several town centre car parks.

Disabled Parking

The Blue Badge scheme provides a national range of parking concessions for disabled people with severe mobility problems.

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.

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 off-street car park disabled bays are patrolled frequently to ensure a high level of compliance.

Traffic Management Act 2004

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).

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.

In line with the legislation, the Council has introduced many changes to the way it deals with appeals and enforces parking regulations, for example:

- 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.
- 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.
- Parking Attendants became known as Civil Enforcement Officers (CEOs).

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

Differential parking penalties also came into effect on the 31st of March 2008 as part of the Traffic Management Act 2004.

The Government's aim was to make the system fairer. Higher penalties are issued to motorists who park where it is not generally permitted. For example, vehicles parked in disabled bays without displaying the appropriate permit or badge.

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.

Financial Performance 2022/23 & 2023/24

Off-street Car Parks Income & Expenditure

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

	2022/23 Outturn	2023/24 Outturn
	£	£
Employees	269,486	241,949
Property	549,299	560,297
Supplies & Services (includes deferred charges)	60,517	118,762
Admin. Costs	12,926	6,905
Transport & Plant	2,555	2,755
Recharges from Service Units/Practice Accounts	79,296	148,125
Payment to Agencies	121,127	129,029
Asset Rental	124,105	124,345
TOTAL EXPENDITURE	1,219,311	1,332,167
Fees & Charges	(141,925)	(123,847)
Admission	(1,565,118)	(1,634,612)
Permits	(13,259)	(50,770)
Penalty Charge Notices	(86,582)	(72,414)
Recharges	(230,000)	(199,610)
Rents	(12,500)	(12,523)
TOTAL INCOME	(2,049,384)	(2,093,776)
Total (SURPLUS) / DEFICIT	(830,073)	(761,609)

Spending of the Surplus

The off-street enforcement income of £72,414 contributes to the following on-going revenue costs that are funded by the Council:

Public Transport	£19,376
Bus Shelters	£38,234
Dial A Ride	£81,309
TOTAL	£138,919

Off-Street enforcement – issuing of PCNs

Year	Off-Street Penalty Charge Notices
2023/24	3,420
2022/23	3,373

The table listed below gives a further breakdown of payments made at the various formal stages:

TMA OFF-STREET ANNUAL SUMMARY	
2023/24	
Number of Penalty Charge Notices issued for parking contraventions	3,420
Number of Penalty Charge Notices paid within 14 days	1,968
Number of Penalty Charge Notices paid at full charge	242
Number of Penalty Charge Notices unpaid	880
Total number of Penalty Charge Notice Charge Certificate registrations	259

Challenges and Representations Received

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.

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.

Vehicle owners may dispute the issuing of a PCN at three stages:

- 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.
- 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.
- 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/video hearing or via a postal hearing where written evidence is supplied by both parties.

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

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.

The Council's cancellation and mitigation policies against which challenges, representations or appeals are considered can be found on the Council's website www.eastleigh.gov.uk

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

Appeals to the Traffic Penalty Tribunal

During 2023/24 a total of 4 Penalty Charge Notices were registered with the Adjudication Services. Two appeals were dismissed, and two appeals were allowed.

Dismissed, or refused, means the Appeal to the Adjudicator was not successful, and the appellant would have to pay their Penalty Charge Notice to the council.

Allowed means the Appeal to the Adjudicator was successful, and the Penalty Charge Notice was directed to be cancelled.

Improvements and service alterations

The details are as follows:

- Mortimer Road car park surface repairs and improved drainage systems, improved lining and installation of Electric Vehicle charge points.
- Resurfaced Wells Place car park entrance lanes.
- Lighting upgrades undertaken within the Swan Centre car park following temporary repairs.
- Within the Mitchell Road multi-storey car park, graffiti was removed, and some decorating undertaken. Improvements were also made to fixtures and fittings, with new door handles and emergency lighting upgraded.
- New Road, Netley car park installation of Electric Vehicle charge points.
- Hamble Square car park installation of Electric Vehicle charge points.
- Lakeside Country Park car park installation of Electric Vehicle charge points.
- Bishopstoke Road car park replacement ticket machine installed, revised signage and re-lining of car park and more spaces created alongside the installation of Electric Vehicle charge points.
- Bandstand Court car park signage installed for regulation of parking to protect residents' use.
- Hedge End Station car park lighting repairs.

Robert Saunders
Parking & CCTV Manager
Neighbourhood Services

Appendix A

Car Park Name	Location	Car Park Type	Control Type	Total Spaces
FREE CAR PARKS				
Bursledon Station	Bursledon	Surface	Free	60
Chandlers Ford Station	Chandlers Ford	Surface	Free	17
Mortimer Road	Botley (Hants)	Surface	Free	63
New Road	Netley	Surface	Free	29
New Road Social Club	Netley	Surface	Free	24
Lowford Centre	Lowford	Surface	free	42
Sub Totals-Free Car Parks				235
PAY CAR PARKS (CHARGEABLE)				
Bishopstoke Road Playing Fields	Eastleigh	Surface	Pay & Display	79
Dutton Lane	Eastleigh	Surface	Permit only	152
Hamble Square	Hamble	Surface	Pay & Display	65
Hanns Way	Eastleigh	Surface	Pay & Display	18
Hedge End Station	Hedge End	Surface	Pay & Display	147
Leigh Road	Eastleigh	Surface	Pay & Display	36
Mitchell Road MSCP	Eastleigh	Multistorey	Pay on Foot	485
Romsey Road	Eastleigh	Surface	Pay & Display	52
Southampton Road	Eastleigh	Surface	Pay & Display	58
Swan Shopping Centre	Eastleigh	Roof	Pay on Foot	690
Wells Place	Eastleigh	Undercroft	Pay & Display	141
Sub Totals-Pay Car Parks				1,923
TOTALS FOR EBC CAR PARKS				2,158
PARISH CAR PARKS				
Hamble Parish Council				
Hamble Foreshore	Hamble	Surface	Pay & Display	65
Sub Total-Parish Car Parks				65
TOTALS FOR ALL CAR PARKS				2,223