

Tonbridge and Malling Borough Council

Parking Services

Annual Report 2009/10

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1. Context

The Parking Service was established in its current form in September 2000. Before then, the Borough Council was responsible for managing and enforcing restrictions in its own car parks. After this date, the role was extended to cover on-street enforcement under a legal agreement with the highway authority, Kent County Council.

The Government introduced new law and associated regulations for public sector parking enforcement services at the start of April 2008. This was contained in the Traffic Management Act (TMA) and the specific part related to parking management is Part 6. It introduced Civil Parking Enforcement (CPE) and renamed 'parking attendants' as 'civil enforcement officers' (CEO).

Our CEOs enforce a range of parking restrictions covered on-street by Traffic Regulation Orders or, off-street, by the Off-street Parking Places Order.

2. Producing an Annual Report

The obligation in the legislation to produce an annual report rests with the 'traffic authority'. In shire areas, this is defined in the legislation as the County Council. Each district in Kent has provided the County Council with data to help it produce its composite county-wide report.

Nevertheless, the character, nature and practice of the enforcement service differ between districts and reflect local culture, expectations and circumstances. This is a telling reason why each district in Kent wishes to produce its own annual report to explain to the local community in greater detail the workings of its own parking team and its policies and performance.

Further support for this approach is contained in successive reports from the independent National Parking Adjudication Service, now renamed the Traffic Penalty Tribunal (TPT). The Chief Adjudicator has stated that she considers it good practice for all enforcement authorities to produce an annual report. This is to enable them to demonstrate that they are transparent, fair, accountable and consistent in the way they carry out the enforcement activity.

Therefore, this annual report is not obligatory but we consider it good practice to produce it so that we can share with Borough residents how we run the parking service and what the results were during 2009/10.

3. Parking Service – the Overall Aim

Our over-arching aim is to balance competing parking pressures safely, fairly and economically. Within this broad aim there are a number of elements: we seek to

- Maintain road safety and protect the environment;
- Assist the free movement of traffic where parking is a material factor;
- Promote and safeguard the needs and interests of residents, businesses and visitors, paying particular attention to those with disabilities;
- Encourage drivers to comply with parking regulations through effective, efficient, economic and fair enforcement throughout the borough;
- Provide and manage a stock of public car parking to support local businesses and economic vitality in the Borough;
- Manage on and of-street parking as a whole integrated service.

4. Parking Assets

4.1 Car Parks

The Council owns, or manages on behalf of Parish Councils, some 35 public car parks, involving almost 2900 spaces, of varying sizes and locations across the Borough. Enforcement in these car parks is carried out by the Borough Council's Civil Enforcement Officers.

The Council also has other car parks at Larkfield Leisure Centre and the Country Parks at Leybourne and Haysden and these are managed by the Leisure Centre staff.

Some of the Borough car parks operate free and some are fee paying or managed through the use of tickets or season tickets. Full details of all the car parks we manage are available on our web site - www.tmbc.gov.uk

People using our car parks do so for a number of reasons. They may be visitors, shoppers, residents, workers or commuters. Some may only wish to park for a short time; others may need to park all day. We have set the conditions for using each of the car parks in a way that best meets the varying needs of the different groups of drivers who wish to use them. These conditions and charges are subject themselves to an annual review to ensure the efficient use and operation of the car parks.

We have 34 ticket machines located across a number of the car parks. A local company, Cale Briparc, supplies and maintains these machines for us. A separate company empties and banks the money from the machines each day.

4.2 Charging Arrangements

Car parks are valuable assets. As well as the 'opportunity cost' of the capital invested in them they also generate revenue costs for maintenance and enforcement. As an example, the revenue cost of the car parks during 2009/10 was almost £100,000 and capital improvement works were another £60,000.

Therefore, prudent financial planning dictates that car parks should generate some income to off-set against the cost of running them and this is the principle underlying the fees charged for the car parks in Tonbridge, Borough Green and Blue Bell Hill.

This is finely balanced by recognition of the fact that that managing parking is critically important in supporting the local economy of the town and village centres and protects residents in many streets where inappropriate parking would otherwise take place.

The Council regularly reviews the charges in its car parks and a fundamental factor whenever it does so is the current economic climate. This is exceptionally adverse at the present time and it is reflected in the fact that the only change arising from the review during 2009 was a slight increase in the cost of an annual season ticket to reduce the discount that it carries over the day rate.

4.3 On Street parking

The Borough has many stretches of single and double yellow lines waiting restrictions. There are also permit parking areas, disabled bays, school keep clears, bus stop clearways, taxi ranks and pedestrian crossings that our parking team enforces.

We have three streets containing short lengths of parking covered by pay and display rules. These provide useful short stay bays near the town centre to assist local businesses. They are located in the Avebury Avenue, Holford Street and Danvers Road, Tonbridge.

Extensive areas of Resident Preferential Parking Schemes have been introduced in locations where parking problems were caused by commuter or worker parking. There are 13 such schemes across the Borough. Residents or businesses can have a permit that allows them to park when non-permit holders are banned from doing so. Our website contains full details of the various schemes.

We have issued 2635 resident and 459 business permits.

5. The Parking Team

5.1. Structure

We directly employ all the staff in the parking team. The only elements of the work contracted out are the cash collection and ticket machine maintenance.

The parking manager leads the parking team from the office at Tonbridge Castle. During 2009/10 he had four administrative officers to process penalty charge notices and to respond to enquiries from members of the public. That number reduced to three part of the way through the financial year. On patrol, throughout the Borough, we have a team of Civil Enforcement Officers (CEO - previously known as Parking Attendants). There are eight CEOs, led by a Senior Civil Enforcement Officer and his deputy.

All have received training to the required national standard and receive continuing training as necessary. The CEO's role is to enforce existing regulations and ensure that Penalty Charge Notices are issued properly. The administrative staff ensure the notices are properly paid, enforced or cancelled as necessary.

Staff from other teams within Transportation Services are involved in planning and implementing new and amended parking schemes and also in carrying out improvement works on the car parks. Part of the CEOs' role also includes reporting on practical experience in monitoring and enforcing new parking regimes and providing feedback for adjustment and efficiency.

5.2. Management

Not all regulations and charges apply at all times and in all locations. Appropriate lines and signs must be evident and reflected in both the Off Street and On Street Parking Orders. Any additional or amended restrictions must be determined through a formal process and included in an appropriate order. Both the Off Street and On Street Orders are reviewed regularly and updated at least annually.

Deployment is undertaken in shifts using a system of "beats" to cover the areas where enforcement is necessary. Each beat is assessed as to its priority in terms of the number of contraventions and the effect these have on parking management and income due to the Council. The majority of beats are patrolled daily, subject to staff resources and the vagaries of the weather. Some high priority beats, such as Tonbridge

town centre car parks, are visited more frequently. The beats are regularly reviewed by the Parking Manager and his team to ensure our staff resources are deployed in an optimum fashion, particularly having regard to the priority on highway safety and the concentration of the parking stock in car parks.

5.3. Enforcement

Our fundamental aim is to carry out the enforcement service in a way that is open, fair, accountable and consistent.

There are no targets or productivity bonuses of any description paid to the CEOs. They deal with each and every contravention on its merits and in the light of the circumstances.

Before our CEOs issue any PCN, they must follow strict procedures. It has to be legally issued and supported by proper evidence. Once a PCN is issued by a CEO it cannot be cancelled. It has to be processed in the light of any representations or challenges that a motorist wishes to make and any notes made by the CEO will be considered by the parking administration office.

The traffic order must accord with national standards and guidelines on the quality and positioning of signs and lines.

Every person who receives a PCN has the opportunity to send representations to the Council. If we reject a challenge or representation, the person can appeal directly to an independent Adjudicator in the Traffic Penalty Tribunal.

To improve consistency and fairness across the county, parking managers within Kent have produced a policy guidance document on dealing with challenges and enforcement. This is intended to promote a consistent approach to enforcement across different areas as well as clear and transparent processes by working to an agreed set of policy and operational guidelines. This approach has resulted in greater public understanding of, and confidence in, the enforcement processes. It will also move towards compliance with the aspirations of the TMA, TPT and the Local Government Ombudsman. This document has been acclaimed nationally through out the parking world as representing an excellent example of best and consistent practice and is being used to develop similar practices across the country. *We have made this document available on our website.*

National guidelines and the local policy document are helpful and provide a useful steer overall. The important point is that each challenge to a PCN is dealt with individually and entirely on its own merits.

6. Performance and Financial Information

Data for 2009/10	Total PCN	On-street	Off-street
Higher level PCN (£70)	3008	2524	484
Lower Level PCN (£50)	5668	1069	4599
PCN paid	6373	2705	3668
PCN paid at discount rate	5514	2315	3199
PCN paid full charge	859	390	469
PCN receiving a challenge or formal representation	2501	864	1637
PCN cancelled – challenge/representation accepted	1350	396	954
PCN cancelled (other reasons eg CEO error, driver untraceable)	378	190	188
Number of Appeals to Adjudicator	14	7	7
Number of Appeals refused	6	5	1
Number of Appeals uncontested by the Council	3	1	2
Percentage of higher level PCNs issued	35	29	6
Percentage of lower level PCNs	65	12	53
Percentage of PCNs paid	73	31	42
Percentage of PCNs paid at discount rate	64	27	37
Percentage of PCNs formally/informally challenged	29	10	19
Percentage cancelled after a challenge	16	5	11
Percentage of PCNs written off for other reasons	4	2	2
Percentage of Appeals to Adjudicator	0.16	0.08	0.08
Percentage of Appeals refused	43	83	17
Percentage of Appeals not contested	21	33	67

Financial Outturn 2009/10

On Street

Item	On-street
Direct Employees	283,997
Premises and Transport	16,896
Supplies and Services	31,561
Central, departmental and Technical support services	124,554
Depreciation and Impairment	22,653
Parking Permits (inc dispensations)	(117,995)
On-street parking fees	(12,173)
Fines - PCN	(88,204)
TOTAL	261,289

Off-street

Item	Off-street
Direct Employees	186,150
Premises and Transport	226,929
Supplies and Services	330,369
Refunds on dual tickets	313,347
Central, departmental and Technical support services	118,292
Depreciation and Impairment	91,089
Season tickets	(146,695)
Parking fees	(1,880,775)
PCN fines	(139,270)
Other income	(94,548)
TOTAL	(995,112)

7. Significant Tasks during 2009/10

7.1 Wider Enforcement Activities

Schools - There are a number of schools across the district with serious traffic management problems at drop-off and pick-up times. Parking enforcement activity on its own is an ineffective way of dealing with such problems and there needs to be a wider partnership with each school and the police to deal with the road safety problems created by the behaviour of a small number of parents.

We continued to work with schools, their staff, governors, parents and the Police to try and resolve these problems and provided advice about parking and traffic management. We provided CEO presence where problems are acute either alone or in support of joint campaigns by the schools and the police. This has had some success at problem locations.

Other Activities – CEOs are uniformed officers who are highly visible and provide a useful and important ‘ambassador’ role on behalf of the Borough Council. They often act as the first point of contact for the public providing advice and information on all aspects of our role and activities.

The CEOs also take a pro-active role in combating the litter problem with close liaison with the relevant officers in our Environmental Health Services.

CEOs also collect data on behalf of the Police in their combat against Blue Badge fraud, car tax evasion and crime prevention initiatives.

7.2 The Parking Action Plan

We receive a continuing flow of requests from local residents and businesses about the parking problems that adversely affect them. To deal with this in a managed way, as effectively as possible, we set out our strategy in a Parking Action Plan which we adopted a few years ago.

It consists of a series of discrete Local Parking Plans for particular towns where we need to consider the parking pressures and assess likely solutions broadly across the neighbourhood. A solution needs to resolve the parking problem, not simply transfer it to a nearby street. So our Parking Plan considers all the competing pressures across the area and seeks to provide parking management and control that share out the parking opportunities fairly and openly, in a balanced way.

During 2009/10, our work focused on two areas. We completed a major scheme of parking management in as part of the **Borough Green Local Parking Plan**. We started of the project for the **East Malling Local Parking Plan**. Details of Local Parking Plans are on the Borough Council's website.

We will review all the Local Parking Plans after a couple of years, in line with our practice, so that we can keep it relevant and fresh in the light of any changes in local circumstances and developments.

Many of the requests we receive on parking are about specific problem locations with no wider area implications. We have dealt with these over the years in a phased programme with each of the phases made up of a manageable number of discrete locations. We exercise the same concern about migration of problems in this phased programme as we do in setting up Local Parking Plans. During 2009/10 we completed Phase 4 and began work on Phase 5 of this part of the Parking Action Plan.