

Cumbria County Council

Annual Parking Report

South Lakeland Area

2013/14



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1 Introduction

Welcome to the second annual report since on-street parking enforcement was transferred to Cumbria County Council from South Lakeland District Council in 2012. This report highlights the performance of the parking enforcement team over the 2013/14 financial year.

2 Parking Enforcement Background

Parking enforcement was transferred from the Police to the County Council and then on to South Lakeland District Council in 2002, and became operative on the 18th February of that year.

Prior to that, the Police and Traffic Wardens were responsible for parking and traffic enforcement, but struggled to cope with the workload. As a result, a further Road Traffic Act was passed in 1991 which enabled Councils or local authorities to establish Special Parking Areas, where traffic offences were de-criminalised and became a 'civil matter'.

Civil enforcement could then be undertaken by parking attendants who were employed directly or indirectly by the local authority. Any monies taken from the issue of PCNs would be retained by the Council to help fund their parking operations.

It was envisaged that parking enforcement would become self-funding, and potentially produce a surplus which would in turn fund on-street improvements, such as the renewal of lines and the replacement of signs.

By virtue of the 1991 Act, Cumbria County Council, as the Highway Authority, undertook to make Cumbria a Special Parking Area, and with agreement with the District and Borough Councils, it undertook on-street parking enforcement. Each District or Borough had its own agreement with the County Council, with different commencement dates.

At the start, PCNs were being issued regularly and daily, but then the numbers of PCNs started to fall as compliance became noticeable.

Not only are the Civil Enforcement Officers responsible for maintaining the free flow of traffic and road safety, they are the envoys of the council. They are often the first people that visitors have contact with and are representing the Council. They need to have an all-round knowledge of tourist locations and the Lake District in general. It is also important that they are trained to a high standard and that they are polite and courteous at all times.

In 2008 the Traffic Management Act of 2004 was brought into being and is still in force today. The enforcement continues to be carried out in line with Part 6 of the Act.

This Act brought in some sweeping changes. Parking Attendants are now called Civilian Enforcement Officers (CEOs), and Special Parking Areas became Civil Parking Areas. The idea of the Act was to create openness and greater professionalism to authorities outside London, and to create some degree of uniformity by having similar contraventions, although not all were applicable for each authority.

It also encouraged authorities to have greater communication in declaring their policies and guidelines in relation to parking polices, which could be viewed in the form of a report which would be available annually.

In relation to contraventions that motorists could transgress, some 33 different contraventions are in existence nationwide or in Councils that have decided to go

decriminalised. Out of that number, 14 of the registered contraventions are not enforced in the South Lakeland Area, either because they are specific to London or Essex only, or the contraventions aren't relevant due to a lack of bus lanes, lorry parking, or on-street parking meters for example.

3 Parking Policies

Cumbria County Council's aims in the enforcement of on-street parking restrictions are:

- To benefit pedestrians, cyclists, bus passengers as well as other drivers by reducing the amount of illegal and inconsiderate parking;
- To improve road safety through enforcement action against drivers of illegally or dangerously parked vehicles;
- To improve the street environment for those who visit, live or work in the county;
- To reduce congestion; and
- To ensure better availability and turnover of disabled and short term parking spaces in town centres, allowing more people to park.

Currently, the following County Council operational parking policies are approved:

Countywide guidance policies for the enforcement and cancellation of Penalty Charge Notices

This policy guidance document has been prepared in respect of Civil Parking Enforcement. The guidance is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the Traffic Penalty Tribunal and the Local Government Ombudsman. The document can be found within the Parking pages of Cumbria County Council's website.

Traffic Regulation Orders

The Council will introduce a map-based Traffic Regulation Order recording/referencing system as the primary source of information. (Review of Parking 2008 – Cabinet Approved)

Disc- Parking

The Council will ensure the existing disc parking system is consistent and transparent across the County. (Review of Parking 2008 – Cabinet Approved)

The introduction of parking restrictions plays a vital and important role in the whole of the South Lakeland area. Data and requests are gathered from various sources, Police, Town or District Councils or members of the public (residents for example).

A full consultation is done before any restrictions are imposed. It will be discussed and decided as to what restrictions, if any, are put in place. For example, whether a double yellow line is needed 24hrs a day, 7 days a week, or could a single yellow line be put down, with restrictions 8am-6pm, for a full week or Monday to Saturday. All these things will be considered before a final decision is made by the local committee of the County Council. Once that decision has been made, this then becomes law under the guise of a Traffic Regulation Order, to be enforced by the CEOs who issue PCNs.

4 South Lakeland Parking Area

The South Lakeland area comprises of various town and villages and covers some 600 square miles. The area includes Ambleside, Arnside, Bowness on Windermere, Broughton in Furness, Coniston, Elterwater, Grange over Sands, Grasmere, Hawkshead, Kirkby Lonsdale, Milnthorpe, Kendal, Sedbergh, Ulverston and Windermere.



This area is covered 7 days a week, including Bank Holidays, by the enforcement team.



During that period, markets are held in Sedbergh and Kendal on Wednesdays, Kirkby Lonsdale and Ulverston on Thursdays, Milnthorpe on Fridays, and Kendal and Ulverston on Saturdays.

Due to the size of the area it is necessary to focus enforcement where there may be large amounts of people to ensure the free flow of traffic and safety for pedestrians. This is more in evidence during the summer months when the

area readily attracts visitors.

Because of this aspect, each town and village has different needs, so the restrictions need to reflect those needs. For example, Elterwater, being in the heart of the Lakes, would not look ethically pleasant if there were numerous signs and lines through the village. To combat this, it was made a 'special area' which could be covered by signs at the start of the village, on each road coming into the village, thereby alleviating the need for yellow lines.

In the larger towns, due to the volume of traffic, resident zones were introduced. Basically these give residents an opportunity to park outside of the restrictions, near to their house, but not guaranteeing their own parking place. Table 1 illustrates the breakdown of towns and number of resident zones within them.

Table 1: Towns and resident zones

Town	Number of Resident's Zones
Ambleside	2
Elterwater	1
Hawkshead	1
Kendal	14
Kirkby Lonsdale	1
Milnthorpe	1
Ulverston	4
Windermere and Bowness	5

In total, nearly 7000 permits are issued, at a cost borne solely by Cumbria County Council.

As mentioned previously, each town has different needs. In general most of the time restricted bays are for an hour, with a no return time limit of one hour. This does vary and some bays are 30 minutes with a 30 minute no return. This is to allow for the free flow of traffic. This allows shoppers to do their shopping and then move on to allow someone else to use the same bays. Blue badge holders can park all day providing the badge and clock is displayed, in all timed bays.

Likewise, when considering single yellow line restrictions. As a general rule the normal restriction is 8am – 6pm, but in some cases this is varied to 9am-5pm or 9am -7pm depending on individual location needs. These limits will be displayed, generally on a wall or post at regular intervals along the yellow line.

Double yellow lines are there for a reason, in that major routes need to be kept clear, or the location may be a dangerous area or stretch of road.

These yellow lines should be enforceable 24hrs a day, 7 days a week. However it is possible to load and unload on the lines, and blue badge holders can park for 3 hours if their blue badge and time clock is properly displayed.



Loading and unloading is one area which causes much confusion. Although there are loading bays in some towns, vehicles can load and unload on a yellow line system. There are of course conditions, in that the loading and unloading MUST be continual and done expeditiously. The loading must be of goods that are bulky and not easily transported, and the loading/unloading can take as long as necessary. It does not include normal shopping or light goods. However, if requested by a police officer or CEO, a driver must move the vehicle if it is deemed to be in a dangerous position or causing an obstruction to other road users including pedestrians. If, however there are loading markings on the kerbside, this indicates that there is a total loading ban in force during the times specified.

5 Civil Enforcement Officers

The CEOs are employed by Cumbria County Council and the PCNs are processed by Carlisle City Council.

The Enforcement staff are required to wear a uniform at all times when issuing PCNs, and they must also wear a badge of office with their respective numbers and Cumbria County Council thereon.

All staff have individual hand held units which produce the PCNs.

None of the Enforcement team is allowed to take back a ticket once it has been issued and they must explain the appeals procedure to the motorist. It is up to the motorist to make the relevant appeal to the Carlisle Office. This ensures that any allegation of favouritism or bribery is not a real possibility.

It is not in the remit of the Enforcement team to enter premises to get shopkeepers or members of the public to move their vehicles. It is expected that motorists follow the Highway Code and park correctly.

Whilst on patrol it will be the duty of the enforcement team to report:-

- Anything suspicious to the Police;
- Unlicensed vehicles to DVLA;
- Any apparent abandoned vehicles to SLDC; and
- Any road defects that are dangerous or in need of repair, any lines and sign issues that need renewing or replacing.

6 PCN Issue Statistics

From 1st April 2013 until the 31st March 2014, a total of 3120 Penalty Notices were issued. 1878 were issued in the higher band (£70 but reduced to £35 if paid with 14 days) and 1242 in the lower band (£50 but reduced to £25 if paid within 14 days from date of issue).

A breakdown of the issue and contraventions of tickets issued by CCC up to and including 31st March 2014 is provided in Table 2.

Table 2: Standard PCN Codes v6.6.1 – On street (1st April - 31st March 2014)

Code	Description	Diff. level	Issued
01	Parked in a restricted street during prescribed hours	Higher	1286
02	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher	47
12	Parked in a residents' or shared use parking place or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge	Higher	141
16	Parked in a permit space or zone without clearly displaying a valid permit	Higher	18
19	Parked in a resident's place	Lower	3
20	Parked in a loading gap	Higher	0
21	Parked wholly or partly in a suspended bay or space	Higher	7
22	Re-parked in the same parking place or zone within one hour after leaving	Lower	4
23	Parked in a parking place or area not designated for that class of vehicle	Higher	116
24	Not parked correctly within the markings of the bay or space	Lower	67
25	Parked in a loading place during restricted hours without loading	Higher	35
26	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	0
30	Parked for longer than permitted	Lower	724
35	Parked in a disc parking place without clearly displaying a valid disc	Lower	444
40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	109
42	Parked in a parking place designated for police vehicles	Higher	0
45	Parked on a taxi rank	Higher	77
47	Stopped on a restricted bus stop or stand	Higher	35
48	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher	5
49	Parked wholly or partly on a cycle track or lane	Higher	0
99	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	2

The following statistics provide further information for the financial year 2013/14:

Table 3: PCN statistics (1st April 2013 – 31st March 2014)

	Total
Number of PCNs issued	3120
Number of PCNs paid	2843
Number of PCNs paid at discount rate	2316
Number of PCNs against which an informal or formal representation was made	996
Number of PCNs cancelled as a result of an informal or a formal representation is successful	84
Number of PCNs written off for other reasons (eg CEO error or driver untraceable)	263
Number of vehicles immobilised	0
Number of vehicles removed	0

7 Financial Summary

The income and expenditure of local authorities in connection with their on-street charging and their on-street and off-street enforcement activities are governed by Section 55 (as amended) of the Road Traffic Regulation Act 1984.

The CCC parking enforcement budget is mainly comprised of income from PCNs, less any expenditure on enforcement, processing and administration, parking enforcement infrastructure and debt recovery.

A summary of the expenditure and income for the South Lakeland area is summarised in Table 3.

Table 3: On-street parking account summary for South Lakeland area

	Income (PCN charges)	Expenditure (including staff costs & processing)	Total
2013/14	£94,772	£241,713	- £146,941

In 2013/14 the accounts showed a deficit of £146,941.

Further information

More information about on-street parking enforcement and fines can be found on the County Council website at:

<http://www.cumbria.gov.uk/roads-transport/highways-pavements/traffic-parking/parking/parking-enforcement-and-fines/onstreetparkingenforcement.asp>