



# Cumbria County Council Parking Services



## Parking Enforcement Policy

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## 1.0 Introduction

- 1.1** Cumbria County Council is responsible for the enforcement of on-street parking across the county and selected off-street parking places. Enforcement is carried out by the Council's in-house Parking Services team to ensure that the finite number of parking spaces are shared fairly between residents, businesses and visitors. The Council is also responsible for issuing a variety of parking restriction exemption permits or certificates in certain areas of the county. The Service fulfills an essential role in supporting and delivering Moving Cumbria Forward: Cumbria Transport Plan Strategy 2011-2026.
- 1.2** In common with other areas of the United Kingdom Cumbria has experienced an increase in the number of vehicles using the county's highways network. Certain areas of Cumbria suffer from congestion and there are seasonal increases in visitors in some localities due to the county's tourist based economy along with a limited number of parking spaces for all road users. The management of parking is therefore an important function for Cumbria County Council.

## 2.0 Areas of Legislation

- 2.1** The following legislation is applicable to the Council's parking enforcement activities:
- a) The Road Traffic Regulation Act 1984, and Regulations and various Traffic Regulation Orders made under it, accessible at [tro.parking-adjudication.gov.uk/](http://tro.parking-adjudication.gov.uk/)
  - b) The Traffic Management Act 2004 and Regulations made under it.

## 3.0 Aims and Objectives

- 3.1** The aims of Cumbria County Council's Parking Services team are to:
- a) Manage parking to improve road safety and traffic movement.
  - b) Manage available parking for the benefit of the local economy and community.
  - c) Cover the costs of parking enforcement, including parking restriction signs and lines, from Penalty Charge Notice (PCN) income.
  - d) Provide a better understood Parking Service and improved public facing role for Civil Enforcement Officers who will act as ambassadors on behalf of the Council.

- 3.2** The management of parking contributes to achieving the aims of the Cumbria Local Transport Plan and specifically supports the delivery of Community Strategy and Council Plan priorities:
- To safeguard children and support families and schools so that all children in Cumbria can grow up in a safe environment, and can fulfil their potential
  - To support older, disabled and vulnerable people to live independent and healthy lives
  - To enable communities to help shape their local services, promote health and wellbeing and support those in poverty
  - To provide a safe and well managed highways network, secure infrastructure improvements and support local economic growth
  - To be a modern and efficient council

- 3.3** In delivering these aims and objectives the Parking Service will work with Cumbria's 6 district/borough councils, the Lake District National Park Authority and other partners who manage the majority of off-street parking facilities around the county. The above organisations also work with Cumbria County Council in their capacities as planning authorities to consider new developments and associated parking provisions and travel options.

## 4.0 Summary of Enforcement Policy

- 4.1** Cumbria County Council enforces on-street parking regulations in a fair, consistent, lawful and proportionate manner. Civil Enforcement Officers (CEOs) work every day of the year, including public holidays, with the exception of Christmas Day, Boxing Day and New Year's Day. The Council does not clamp or remove vehicles and where parking causes an obstruction on the highway officers will work in partnership with Cumbria Police who are responsible for enforcing obstruction issues.
- 4.2** Guidance produced under the Traffic Management Act 2004 encourages a transparent approach to parking enforcement with authorities recommended to publish their policies and procedures. The Parking Service adheres to the Department for Transport publication

*The Secretary of State's Statutory Guidance to Local Authorities on Civil Enforcement of Parking Contraventions.* In addition Cumbria County Council has developed a policy outlining the circumstances when a PCN may be cancelled. This document, *Countywide guidance policies for the enforcement and cancellation of Penalty Charge Notices*, can be accessed on the Council's web-site at [www.cumbria.gov.uk/parking](http://www.cumbria.gov.uk/parking)

- 4.3** Motorists contravening parking restrictions are issued with a PCN by one of the Council's authorised CEOs. The PCN is usually fixed to the vehicle or handed to the driver. In some cases the CEO may not be able to serve the notice in this manner, such as if the recipient has been abusive or driven away, and in these circumstances the PCN is issued via the post. Recipients are given 14 days to pay at the 50% discounted rate or challenge the PCN. The Council will investigate every challenge on its own merits and mitigating circumstances will be taken into account. Challenges can be made in writing to the Council's Parking Services offices or via the on-line portal at [www.parkingcumbria.org.uk](http://www.parkingcumbria.org.uk)
- 4.4** If a challenge to a PCN is received and the Council elects not to waive the charge the 50% discounted rate is held for a further 14 days from the date of rejection. Motorists electing to pay the PCN can do so via cheque or postal order by post to the Parking Services offices, on-line via [www.parkingcumbria.org.uk](http://www.parkingcumbria.org.uk) or via the 24 hour automated payment line **0300 1117766**. No cash payments are to be accepted at council offices.
- 4.5** In cases where no payment is received within 28 days after the issue of the PCN, regardless of whether the recipient has previously challenged the charge, the Council will obtain details of the registered owner or keeper of the vehicle from the Driver and Vehicle Licensing Agency. It is the registered owner or keeper of the vehicle who is responsible for payment of the PCN. On receipt of these details from the Driver and Vehicle Licensing Agency the Council will send a "Notice to Owner" to the named individual or entity. At this stage the registered owner or keeper may submit a formal representation to the Council which will be investigated by Parking Services. The Council's CEOs take several photographs of the vehicle and location at the time the PCN is issued which will assist the recipient in understanding the reason the PCN was served.

- 4.6** If the Council elects not to accept the formal representations a formal "Notice of Rejection" is sent to the appellant including details of the appeals process with the independent adjudicator at the Traffic Penalty Tribunal. The Tribunal comprises individually appointed, independent adjudicators and a small team of administrative staff who work on their behalf. Adjudicators consider appeals against Penalty Charge Notices issued by the majority of councils in England and Wales. In cases where an appeal is submitted to the Tribunal the Council must place the case on-hold pending the decision of the adjudicator. The appeals service is free of charge and appeals can be made via post, on-line or in person and the Council can elect to participate in the process. In Cumbria face-to-face hearing are offered at a venue in Penrith however appellants can nominate any of the locations used by the Tribunal throughout the country. The Tribunal has the power to award costs, either to the appellant or the council, if either party has behaved in a vexatious or frivolous manner. The adjudicator's decision is final however in certain limited circumstances the decision can be reviewed in the High Court. Further details of the process can be found at [www.trafficpenaltytribunal.gov.uk/](http://www.trafficpenaltytribunal.gov.uk/) or [www.patrol-uk.info/](http://www.patrol-uk.info/)
- 4.7** In cases where the recipient of a PCN does not make a payment or appeal to the Traffic Penalty Tribunal the Council will send a "Charge Certificate" to the registered owner or keeper which increases the original charge by 50%. If no payment is made within 14 days the Council will register the debt with the Traffic Enforcement Centre at Northampton County Court which increases the charge by a further £8 to cover the court fee. The registered owner or keeper will be informed of this debt registration and Enforcement Agents may be instructed to recover the debt on behalf of the Council.

## 5.0 Performance Management

- 5.1** It is imperative that the Parking Service deals with parking contraventions in a fair and consistent manner. CEOs are ambassadors for Cumbria County Council who not only enforce parking restrictions but also act as a visible presence in Cumbria's urban and rural areas. During a typical shift officers will provide directions to local services and places of

interest, report crimes and assist other agencies including the emergency services. The Council has developed a suite of internal policies and procedures which will assist in providing a uniform and transparent approach to service delivery while at the same time having regard to the individual needs of Cumbria's diverse communities.

- 5.2 All Parking Service staff are trained to the same standards via in-house training and external courses. The Council recognises that training is fundamental to delivering a consistent service and as such both CEOs and office based staff receive personal development opportunities.
- 5.3 The Council receives feedback from residents, businesses, visitors, partners and stakeholders which can be used to enhance service delivery. Complaints are investigated in accordance with the Council's procedures as outlined in section 6 below and any learning outcomes are discussed with relevant team members and integrated into operational activities as appropriate.

## 6.0 Customer Service Standards

- 6.1 Cumbria County Council is committed to providing a high quality service for all customers and feedback is essential to this. The Council welcomes all compliments, comments and complaints which help to review and improve services to provide the best possible product for all users.
- 6.2 Compliments are an important way for the Council to celebrate and publicise its successes. On occasions the Parking Service receives positive feedback regarding the conduct of team members and in such cases comments are relayed to the team member concerned and brought to the attention of the appropriate manager. In addition the Parking Manager will make contact with the correspondent to acknowledge their comments.
- 6.3 Not all customers who have useful feedback wish to make a complaint. Upon receipt comments will be acknowledged and referred to the appropriate team member for action or for information. Comments and suggestions from service users and stakeholders may be used to reshape service standards and delivery.

## 7.0 Annual Review

- 7.1 The Council will monitor the performance of the Parking Services team in applying this Parking Enforcement Policy. This will enable the Parking Service to assess the effectiveness and impact of the Parking Enforcement Policy and ensure it remains current and valid to deliver the Council's aims and objectives. Feedback from customers, partners, stakeholders and Council Members will be utilised to review, revise and refresh the Parking Enforcement Policy on an annual basis in addition to considering any emerging trends. Cumbria's diversity dictates that individual communities will have their own parking related requirements and concerns and as such the Council will engage on a regular basis with all parties having an interest in the Service.

## 8.0 Contact Details

t: 0300 303 2992  
*Please note - cost of calls may vary depending on mobile provider*  
 e: [parking@cumbria.gov.uk](mailto:parking@cumbria.gov.uk)  
 w: [www.cumbria.gov.uk/parking](http://www.cumbria.gov.uk/parking)

**Cumbria County Council**  
**Parking Services**  
 Parkhouse Building  
 Baron Way  
 Kingmoor Business Park  
 Carlisle  
 Cumbria CA6 4SJ



