



DARLINGTON BOROUGH COUNCIL

Civil Parking Enforcement Annual Report

01/04/2015 – 31/03/2016



Introduction

1. Civil Parking Enforcement (CPE) places the responsibility for enforcing on-street parking restrictions, in addition to off-street car parks with the Council rather than the police. The Council operates its parking enforcement service under the provisions of the Traffic Management Act 2004 (TMA).

The regulations made under Part 6 of the Traffic Management Act 2004 enable a Local Authority in England, provided it has been given the relevant power by the Secretary of State, to enforce parking contraventions within a particular geographical area and to enforce other contraventions such as double parking and parking across a dropped footway within a Special Enforcement Area. Darlington Borough Council is operating CPE for both on street and off street contraventions in both areas covering the entire Borough area with the exception of the trunk roads (A1(M) and A66) which remain the responsibility of the Highways England.

This report will provide an account of parking enforcement activity in Darlington between 01st April 2015 and 31st March 2016

Civil Parking Enforcement in Darlington

- 2 From the 31st December 2010 the Council has been operating decriminalised parking enforcement (CPE). Our objectives for CPE are compatible with our Local Transport Plan as follows:-
 - To reduce congestion and ensure expeditious movement of all road traffic
 - To improve air quality and the local environment
 - To maximise safety and reduce accidents
 - To support economic regeneration
 - To comply with the council's Parking Management Strategy
3. CPE is a key component of effective traffic management and improving traffic flow. The integration of enforcement and parking policy should provide better monitoring of the effectiveness and value of parking controls, so that parking provision becomes more responsive to the public's needs. Poor, dangerous, and obstructive parking can pose a danger to pedestrians by blocking pavements and forcing them onto the roads. It also reduces visibility for other motorists and impedes traffic flow. Through CPE all residents, visitors, schools and businesses will benefit from better enforcement of parking regulations and the reduction of incorrectly parked vehicles.
4. CPE transfers the responsibility for enforcing on street parking restrictions (such as double yellow lines, no loading restrictions etc), to the Council rather than the Police. This is in addition to on and off street parking enforcement (car parks, residents parking areas etc) which was carried out by the Council and was ultimately dealt with through the magistrates courts as a criminal matter prior to CPE.

5. Enforcement is carried out by an in-house team of Civil Enforcement Officers (CEOs). Civil Enforcement Officers work within a stringent set of guidelines governed by the Traffic Management Act. CEOs will at the time of issuing a Penalty Charge Notice (PCN) make notes and take photographic evidence to substantiate the reason for the issue. This will be used by the back office processing staff if a challenge is received.
6. The Council does not set PCN issue targets for our CEOs and they do not receive any financial gain based on the number of PCNs issued.
7. Income from PCNs is used to finance the enforcement and adjudication systems. Any on-street surpluses (including ticket sales) must be used only for the purposes set out in Section 55 (as amended) of the Road Traffic Regulations Act 1984. The Council is required to keep separate accounts of parking income from on-street and off street parking bays. Any surplus from off street ticket sales can be used for investment in the Council's transport and environmental policies and to promote Local Transport Plan objectives.

Parking Initiatives, projects and Improvements

8. The following initiatives, projects and improvements have either been started/completed or have been ongoing from the previous year:
 - A. Central Park South (Yarm Road) Junction
 - B. Feethams Multi Storey Car Park opened
 - C. Sugarhill Park Cycleway opened
 - D. Central Park Link Road construction
 - E. Feethams Bus and Coach Facilities opened
 - F. Beaumont Street One Way system
 - G. Department of Education Feethams Car Park
 - H. Barnard Street Car Park Improvement
 - I. Winston Street Car Park Improvement
 - J. Inner Ring Road Stonebridge Junction Improvement

Structure

9. Responsibility for Parking in Darlington is split between 3 teams within 2 departments:

A	Team	Officers	Department
	Parking Strategy & Commissioning	1x Head of Service 1x Principal Policy Officer 1x Transport Officer	Economic

Responsible for:

Car Parking Strategy

B	Team	Officers	Department
	Highway Network Management	1x Traffic Manager 1x Traffic Management Engineer 1x Traffic Management Technician	Place
	Legal Services	1x Principal Legal Assistant	Resources

Responsible for:

- Statutory Highway Network Management Duty
 - Consideration and prioritisation of requests for new or amended restrictions
 - Preparation of processing of Traffic Regulation Orders (TROs)
 - Exemptions, waivers and permissions
 - Maintenance of signing and lining associated with restrictions
 - Maintenance of car parks
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C	Team	Officers	Department
	Parking Processing & Parking Enforcement	1x Licensing, Parking, Trading Standards & CCTV Manager 1x Processing Appeals Co-Ordinator 1x Parking Enforcement Co-Ordinator 1x Parking Processing Officer 1x Parking Processing Assistant 2x Civil Enforcement Supervisors 5x Full Time equivalent CEOs	Economic

Responsible for:

Civil Parking Operational Enforcement

Management of day to day operation of all pay and display machines

Penalty Charge Notice Appeals

Bailiff Enforcement – Unpaid Penalty Charge Notices

Management of Cash Collections from pay and display machines

Preparation of cases for consideration by independent adjudicator (Traffic Penalty Tribunal)

Freedom of information requests relation to civil parking enforcement

Management of Resident, Staff and Contract Parking Permits

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10. The management and back office appeals and processing staff deal with all correspondence from the first informal challenge to a Penalty Charge Notice being registered with the bailiff. All back office staff have received full training and have obtained City & Guilds qualifications in accordance with the Traffic Management Act 2004. Staff who deal with penalty notice representations refer to a published framework which provides guidance so that each representation is considered on its own merits. These procedures are published on the Council website and can be viewed at

<http://www.darlington.gov.uk/Transport/carparking/carparking.htm>

11. During the year the Council employed 7 full time equivalent CEOs (including 2 Senior CEOs) who patrol borough wide 7 days a week. All CEOs shadow a more experienced staff member as part of their training to familiarise themselves with the responsibilities of the role. This will continue until management are satisfied that they are competent to patrol alone. All CEOs have or are working towards a City and Guilds Level 2 qualification in Parking Enforcement.
12. CEOs are equipped with mobile radios to keep in constant contact with the back office and each other. They also wear video cameras on their person to record live footage, to assist with health and safety and challenges against PCNs.
13. The CEOs follow enforcement procedures which are included in the published framework on the Council website and can be viewed at:

<http://www.darlington.gov.uk/transport-and-streets/car-parking/>

Locations and Spaces

14. During the year the council operated and regulated 19 pay and display car parks. There are also a number of privately operated car parks in the Town Centre. In Feb 2016 the 650 space Feetham's multi storey (MCSP) pay on exit car park opened. In March 2016 the car park known as Beaumont Street East situated on the land next to the MCSP was closed. Between 01st April 2015 and 31st March 2016 just under 1.1 million pay and display tickets were purchased within the Council owned car parks, this echoes last year's ticket sales. There are designated disabled spaces in 90% of council operated car parks. Vehicles displaying valid disabled badges can park in any marked bay. Car Park Locations/Number of Spaces can be viewed at:

<http://www.darlington.gov.uk/transport-and-streets/car-parking/car-parks-and-charges/>

15. There are now 292 On Street pay and display spaces which are restricted to a maximum stay of 2 hours with no return within an hour (with the exception of Grange Road which has a maximum stay of 3 hours). This is to support turnover in these areas so there are available spaces for the public to visit local businesses. 6 spaces were removed from Beaumont Street as the layout was re-developed to accommodate the Multi Storey Car Park entry and exit system. **See Appendix 1**
16. The Council now has 4 permit holder contract parking areas. 3 are open to local businesses to serve operational parking needs. Four Riggs, located on Bondgate, Beaumont Street West & Feethams Multi Storey Car Park both located on Beaumont Street. The 4th Winston West located on Winston Street is a business car park rented to the local Primary Care Trust. All contract parking enquires contact Carolyn Pistellato, Parking Processing and Appeals Co-Ordinator 01325 405977 or email carparks@darlington.gov.uk

17. **Appendix 2** shows the recorded levels of car crime within Darlington car parks for 2008 – 2015.

Disabled Parking

18. The Council provides designated disabled spaces within most of our car parks. Disabled badge holders can park for 3 hours free within a Short Stay car park and they can park all day for free within a Long Stay Car Park.

Parking fees do apply to disabled badge holders in the Feethams Multi Storey as it is a pay on exit car park.

19. Disabled badge holders may currently park without charge and without limit in all On Street pay and display areas.
20. The Darlington Association on Disability (DAD) closed their Market Square office in May 2016 and terminated their shopmobilty scooter and wheelchair hire service. DAD have re-located to premises in Enterprise House, Valley Street, Darlington.

Residents Parking

21. There are 16 Resident Permit Zones within the Borough of Darlington. A new resident zone was implemented November 2015 in and around St Johns Crescent & Neasham Road. Parking is restricted to permit holders 8am to 6pm Monday to Sunday. Out of the 16 zones, 12 require payment for a residents permit and 4 are designated free zones due to parking congestion being created after the construction of the college and football stadium. Permit charges are currently 12 Months £40, 6 Months £24 and 3 month (temporary permit) £12. In total there are 1509 resident permit spaces. Income received for 2015-2016 is **£43,879**

Trader permits were introduced in July 2014. Charges for permits are currently 12 months £150, 6 Months £90 and £50 13 week permit (for long term jobs on a single property). This year we gave issued 41 permits. The permit enables tradesman to park in restricted parking areas when carrying out work, the permit does NOT allow parking in disabled parking bays, no waiting/loading bans and car parks. Income received for 2015 – 2016 is **£4900.**

Tradesmen can also purchase 24hr parking waivers from the council for when they need to park in a restricted area, the charge is £5 per 24hrs. Income received for 2015-2016 is **£11,449**

Performance

22. Civil Parking Enforcement commenced on the 31st December 2010 within the borough of Darlington. Differential penalty charge levels which are set nationally were introduced. A higher level of £70.00 (reduced to £35.00 if paid within 14 days) is levied for more serious parking contraventions i.e. no waiting/loading areas, bus stop clearways etc. A lower level of £50.00

(reduced to £25.00 if paid within 14 days) is levied for lesser contraventions i.e. parked after ticket expired, not displaying a valid ticket etc.

23. Between 01st April 2015 and 31st March 2016 Civil Enforcement Officers issued 14,318 Penalty Charge notices. This figure is a touch higher compared to last year but still down on previous years. We are hopeful that improved compliance by motorists will continue. .

Appendix 3 shows the number of penalty charge notice appeals received between 01st April 2015 and 31st March 2016. This has been broken down into appeals which were allowed (cancelled, no payment) rejected (payment required) cases at TPT (Traffic Penalty Tribunal) (drivers have the option to have their appeal heard by an independent adjudicator) and penalty notices referred to bailiff.

24. **Appendix 4** shows the income received from penalty charge notices as of 08/08/2016 between 01st April 2015 and 31st March 2016 which is **£321,848**
25. **Appendix 5** shows the breakdown of the Council's total expenditure on Civil Parking which is **£5,142,510**
26. The Traffic Management Act 2004 (part 6) requires that all income from Civil Parking Enforcement (CPE) (including RPZs) should not exceed the cost of running the service. For Darlington in 2015/2016 the outturn position was: Income **£2,480,369** see **Appendix 6** against a running cost of £5,142,510

Lessons Learned

27. The operational requirements for the Feethams multi storey have been a unique challenge for the council being that it is the first automated pay on exit car park the council have operated. The technology which controls the barrier system and the pay machines is state of the art. The car park is pay on exit and drivers also have the option of paying for parking via credit/debit card. The building has 24hr CCTV surveillance and we do consider it to be the most secure car park in Darlington.

We continue to learn from the outcome of appeals from the Traffic Penalty Tribunal (TPT) and where the TPT has ruled against us we apply this learning to future cases e.g. where a TPT decision noted that our signage may appear to be confusing or inadequate this information will be forwarded onto our transport policy team to investigate and resolve.

Next Year

28. We continue to strive for a reduction in penalty notice numbers by encouraging increased compliance from motorists.
29. Parking charges are to be introduced to Blue Badge Holders in all off street car parks, this change is intended to be implemented in Spring 2017.

30. The council intend to procure new disabled accessible pay and display machines for all off street car parks. Pay by phone parking is available in all council car parks (except feethams pay on exit multi storey). This facility allows drivers to purchase & top up parking at any time without need to use the pay and display machines.

For all enquires contact Carolyn Pistellato, Parking Processing Co-Ordinator

Email: carolyn.pistellato@darlington.gov.uk

Tel: 01325 405977

Appendix 1 – Council On Street Spaces

On Street	Spaces	On Street	Spaces
Beaumont Street	10	Raby Street	2
Grange Road	38	Primrose St	5
Northumberland St	14	Powlett St	12
South Arden St	4	Larchfield St	10
Winston Street	25	West Powlett St	2
Barnard Street	13	Gladstone St	37
Duke Street	34	North Lodge Tce	6
Napier Street	8	Kendrew St	7
Kendrew Street	7	Victoria Embank	9
Park Place	24	Victoria Road	7
Hargreave Terrace	13	Swan Street	5

Appendix 2 – Recorded Car Crime Levels

Car Park	2008	2009	2010	2011	2012	2013	2014	2015
Abbotts Yard	0	0	0	0	0	1	0	0
Archer Street	1	2	0	0	0	1	0	2
Barnard Street	0	1	0	0	1	1	1	0
Beaumont Street	2	0	0	1	1	2	1	1
Commercial Street	0	1	0	2	1	0	1	0
Crown Street	0	0	0	0	0	0	0	0
East Street	0	1	0	1	0	0	1	0
Garden Street	0	0	0	1	0	0	0	0
Kendrew/Gladstone Street	0	0	0	1	2	2	1	0
Market Place	0	0	0	0	0	4	0	1
Park Place	0	1	0	0	1	5	0	0
St Hildas	0	0	0	0	0	0	0	0
Town Hall	1	0	5	0	0	0	0	0
Total	4	6	5	6	6	16	5	4

These figures show car crime in council operated car parks year upon year is exceptionally low considering we sell over a million pay and display tickets annually.

Appendix 3 – Penalty Charge Notices Appeals, Tribunal and Bailiff

Motorists have 2 opportunities' to lodge a written appeal against a PCN. Each appeal received is recorded against the PCN. The actual number of appeals allowed and rejected will always be lower than the number of appeals received

Month	Apr 15	May 15	Jun 15	Jul 15	Aug 15	Sep 15	Oct 15	Nov 15	Dec 15	Jan 16	Feb 16	Mar 16	Total
PCNs Issued	1024	1402	1255	1259	1026	1147	1262	1387	1290	1126	994	1146	14318
Appeals Received	334	552	627	522	400	483	543	516	577	389	441	393	5777 (40.35%)
Appeals Allowed	176	243	326	262	158	192	237	204	148	120	144	158	2368 (40.99%)
Appeals Rejected	64	80	82	77	75	81	76	81	131	77	76	60	960 (16.26%)
Successful TPT Cases		2		1	1	1	1						6 (0.62%)
Unsuccessful TPT Cases		2								1			3 (0.31%)

Month	Apr 14	May 14	Jun 14	Jul 14	Aug 14	Sep 14	Oct 14	Nov 14	Dec 14	Jan 15	Feb 15	Mar 15	Total
PCNs Issued	1227	1205	1229	1098	1061	1226	1448	1320	1378	1029	840	952	14083
Appeals Received	482	395	439	498	397	428	502	427	527	475	329	408	5307 (37.68%)
Appeals Allowed	208	163	179	229	163	197	227	193	221	213	126	172	2291 (43.16%)
Appeals Rejected	103	109	104	108	80	108	113	100	120	78	59	76	1158 (21.82%)
Successful TPT Cases						3							3 (0.26%)
Unsuccessful TPT Cases	2	2											4 (0.34%)

Appendix 4 PCN Income Levels - Current and Previous Year Totals

Month	Income
Apr 15	£22,169
May 15	£25,843
Jun 15	£27,301
Jul 15	£28,821
Aug 15	£25,688
Sep 15	£25,687
Oct 15	£27,482
Nov 15	£27,769
Dec 15	£29,616
Jan 16	£25,797
Feb 16	£26,995
Mar 16	£28,682
Total	£321,848

Month	Income
Apr 14	£31,556
May 14	£29,982
Jun 14	£32,152
Jul 14	£29,772
Aug 14	£27,459
Sep 14	£26,867
Oct 14	£31,215
Nov 14	£30,605
Dec 14	£31,808
Jan 15	£27,456
Feb 15	£22,205
Mar 15	£26,486
Total	£347,563

Appendix 5 Expenditure - Current and Previous Year Totals

Description	2015/2016	2014/2015
Car Parks Repairs/Maintenance, Highway Maintenance, Road Lighting Maintenance, Traffic Management, Bridge Maintenance	£3,919,230	£4,437,601
Salaries & other officer costs - Parking Enforcement, Parking Processing & Transport Policy (including overhead costs)	£315,203	£352,620
Legal Fees – Publications (including Traffic Regulation Orders)	£29,584	£23,859
Civil Parking Enforcement – prudential borrowing	£27,780	£27,780
Other Supplies & Services e.g. telephone costs/printing/clothing/machine collections / machine maintenance/equipment/stationary/subscriptions/advertising	£115,880 (A)	£63,369
Appeal Processing Costs (DVLA, PATROL & HMCTS)	£15,642	£16,990
Transport (Van Leasing/Mileage/Fuel etc)	£1255	£4557
ICT Hardware, Software & Training, Maintenance, Equipment	£32,269	£27,417
Employee Training & Security Check	£742	£731
Support Services from other departments	£315,282 (B)	£93,032
Building Costs & Security	£47,888	£44,929
Other (Provision for Bad Debt/Capital Charges, court costs recovered)	£321,755	£355,309
Total	£5,142,510	£5,448,194

(A) Increase in machine collection contract and multi storey car park costs now included

(B) Includes one off revenue contribution to capital for new car parks at the Central Park & Morton Palms development

Appendix 6 Income - Current and Previous Year Totals

Description	2015/2016	2014/2015
Penalty Notice Payments	£321,848	£347,563
Resident Permit Payments	£43,879	£42,769
Income from Off street car parks	£1,541,631 (C)	£1,628,898
Income from On Street pay and display areas	£398,686	£389,502
Income from Contract Parking and Staff Permits	£133,330	£139,698
Daily/Weekly Parking Waivers for Tradesman	£11,449	£13,010
Parking Permits for Tradesman i.e. 12/6/3 months	£4,900	£3330
PCN debt recovered by bailiff enforcement	£24,646	£25,199
Total	£2,480,369	£2,589,969

(C) Income was lower in 2015/2016 as the council impletement the following offers

- 1) Buy 2hrs get a 3rd free in all car parks
- 2)Archer St, Garden St, Kendrew St East & Kendrew St West long stay car parks were reduced from £1.00 an hour to 50p
- 3) East Street Multi Storey daily ticket prices were reduced from £4 to £2