

Appendix A

**Maidstone Borough Council
Parking Services**

Annual Report 2014/15



Introduction

In accordance with the requirements of *The Department for Transport Operational Guidance to Local Authorities, Parking Policy and Enforcement* (section 4.15/4.24) and the *Local Government Transparency Code 2014* (part 2.2), Maidstone Borough Council has a responsibility to publish an Annual Report detailing on-street and off-street parking statistics.

The aim of the report is to summarise what services the Parking Services department provides and give an overview as to why Civil Parking Enforcement is required within Maidstone, how we operate and how well we are performing.

Reporting is an important part of our accountability. The transparency given by regular and consistent reporting should help the public gain a better understanding of Civil Parking Enforcement.

Monitoring also provides the Council with management information for performance evaluation and helps to identify where improvements are needed. In addition, it also provides a framework for performance comparisons between other local authorities.

I hope that you will find the contents of this report helpful and informative.

Should you have any further enquiries please feel free to contact Parking Services at:

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Councillor David Burton
Chair of Strategic Planning, Sustainability & Transportation Committee

Abbreviations

The following abbreviations are used within this report;

CEO	Civil Enforcement Officer
CPE	Civil Parking Enforcement
DfT	Department for Transport
MBC	Maidstone Borough Council
P&D	Pay & Display
PCN	Penalty Charge Notice
TRO	Traffic Regulation Order
TPT	Traffic Penalty Tribunal

Background to Parking in the Borough of Maidstone

Parking restrictions are placed at key locations throughout the borough of Maidstone to specifically ensure the free flow of traffic and to maintain highway safety for both drivers and pedestrians.

The Road Traffic Act 1984 empowered local authorities to implement TROs in order to control traffic movements and parking provision. Responsibility at this time for enforcing observed contraventions came under the Police via on-street traffic wardens.

However, the Police service soon became increasingly unable to deal with the ever escalating volume of parking offences and the subsequent cost of funding the traffic warden service.

Consequently, the Road Traffic Act 1991 was implemented which de-criminalised illegal parking activity to allow the Police to deal with more serious matters and to free up the magistrate courts that were becoming overwhelmed with parking related issues.

This change in legislation (and later amendments) allowed local authorities to manage illegal parking through Civil Parking Enforcement agreements which enabled CEOs to enforce parking restrictions under Section 6 of the Traffic Management Act 2004, in accordance with the relevant TRO.

All existing and preceding TROs may be viewed online at <http://www.maidstone.gov.uk/residents/parking-and-streets/traffic-regulation-orders-tro>

Parking Policy

Parking Policies are an essential part of the Council's Integrated Transport Strategy. In accordance with the DfT's "*Full Guidance on Local Transport Plans*" the Council's policies are aimed at tackling congestion and changing travel behaviour. In setting these policies the Council has taken account of:

- Existing and projected level of demand for parking by all classes of vehicle.
- The availability and pricing of on and off street parking places.
- The justification for, and accuracy of, existing TROs.
- The adequacy, accuracy and quality of signing and lining which either restricts or permits parking.

With regards to enforcement operations, the Council has set and continues to appraise:

- The optimum level of compliance with parking controls.
- The level of enforcement necessary to secure that compliance.
- The need to effectively resource the operation and ensure all staff are appropriately trained and familiar with all restricted areas in Maidstone.

When formulating policies the Council consults with local individuals and businesses that have a range of parking needs. The Council's key parking control policies are to:

- Regulate the use of vehicles in the busiest and most congested areas
- Regulate parking, both on street and off street, and provide adequate P&D facilities.
- Improve traffic flow and road safety
- Encourage the use of public transport usage; e.g. Park & Ride.
- Safeguard the needs and requirements of local residents, visitors and businesses.

Civil Parking Enforcement

Maidstone Borough Council has contracted the CPE operation to an external agent, *APCOA Parking*, for a term of 5 years with effect 1 July 2011. A total of 12 CEOs and a Contract Manager are employed under this contract.

It is a common misconception the CPE operation is purely a revenue making scheme and that the officers work to targets; this is incorrect. All members of staff under this contract are salaried and not in receipt of a commission based rate of pay or any other performance related incentives.

In accordance with the relevant TRO, the CEOs can legally enforce:

- Single and double yellow lines
- Loading bays and restrictions
- Disabled bays
- Limited waiting bays
- Resident parking bays
- Taxi bays
- Motorcycle bays
- School keep clear markings
- Crossing zig zag restrictions
- On-Street P&D bays
- Off-street P&D car parks

Yellow line restrictions are enforceable from the centre of the road to the nearest property boundary. Where a vehicle is parked partially or fully blocking the footway, CEOs are able to issue a PCN, not against the obstruction but against the yellow line contravention. Where a vehicle is observed as parked blocking the footway but where no yellow line restrictions apply CEOs are unable to deal with the obstruction; Kent Police have retained the delegated authority to deal with such offences under highway obstruction powers.

MBC implemented cycle patrols in February 2014 to improve efficiency by responding faster to instances of illegal parking and assisting the public with any technical P&D faults; the CPE contract specifies such faults are to be responded to within 20 minutes.

The case study for implementing this scheme is detailed within the preceding Annual Report for 2014/15, available at:
http://www.maidstone.gov.uk/_data/assets/pdf_file/0007/87577/Maidstone-Parking-Services-Annual-Report-2013-14.pdf

Penalty Charge Notices

Where illegal parking is observed, the CEO on patrol has a responsibility to record the relevant contravention and issue a PCN accordingly.

With effect 31 May 2008, the Secretary of State decided that PCNs would be issued at two different tiers, £70.00 or £50.00, depending on the relevant parking contravention; prior to this date, PCNs were issued at £60.00 irrespective of the seriousness of the offence, of which many recipients deemed as unfair.

The higher level charge would be applicable if parking is observed in places where it is prohibited e.g. on yellow lines during prescribed hours of enforcement or in a disabled bay without displaying a valid blue badge.

The lower level charge would be applicable where parking is permitted but a less serious contravention has occurred e.g. failing to display a valid Pay & Display ticket or parked outside the remit of a marked bay.

PCNs continue to be reduced by 50% if paid within 14 days of issue.

A CEO will serve a PCN by either attaching it to the vehicle or placing it under the windscreen wiper, should the notice be issued during inclement weather. The penalty charge will specify the contravention that has been observed, amount payable and the methods available for the recipient to informally challenge the notice.

Although discretion may not be considered by a CEO upon an observation of illegal parking, any mitigating circumstances relevant to the motorist at the time of receiving a PCN remain a consideration of the Parking Services appeals officer as part of the statutory appeals process.

Information on the appeals process and all applicable parking contraventions can be viewed online at <http://www.patrol-uk.info/site/index.php>

Parking Provision and Services

Car parks

MBC currently provides 17 off street P&D car parks which generate income that is used to counterbalance the Council's associated costs in general maintenance and parking enforcement.

There are a total of 1,465 controlled off-street parking spaces in the borough.

MBC also provides several on street parking bays throughout the town centre located at: Union Street, Mill Street, King Street, Brewer Street, Church Street, Union Street (Upper), Wheeler Street, Brewer Street, County Road, College Horseway, James Whatman Way & Albion Place.

MBC's P&D machines are manufactured by *Metric Group* and operate on a pre-paid payment basis; accepting 5p, 10p, 20p, 50p, £1 and £2 coins. MBC has recently implemented *Pay by Phone* parking at all on street and off street locations with effect 13 October 2014.

Information regarding car park locations and tariffs can be viewed online at <http://www.maidstone.gov.uk/residents/parking-and-streets/car-parks>

Permits and Season tickets

Parking Services administer all resident, visitor, business and carers permit applications in addition to season ticket requests; works permits are processed separately by the MBC's Customer Services team.

Information on existing permit and season ticket prices is available online at <http://www.maidstone.gov.uk/residents/parking-and-streets/residents-parking-permits2>

Civil Parking Enforcement

The Road Traffic Regulation Act 1984 sets out under section 55 how any collective surplus can be used from:

- PCN income
 - On-Street P&D income
 - Residents Parking Permit income
- This may be used for:
- Make good the Parking CPE fund of any amount charged to that fund in the 4 years immediately preceding the financial year in question;
 - Meeting all or any part of the cost of the provision by the local authority of off-street car parks.

If it appears to the local authority that the provision in their area of further off-street parking is unnecessary or undesirable, any surplus may be used for the following purposes –

- Meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services.

Park & Ride

Arriva Kent & Surrey operates the Park & Ride scheme on behalf of MBC. Bus services operate from Willington Street, London Road & Sittingbourne Road every 20 minutes throughout the day, Monday to Saturday.

MBC re-branded the service in June 2014, as part of the new contractual arrangements with Arriva. A new livery was agreed for the bus fleet and on-board Wi-Fi has since been installed all vehicles; these provisions were arranged and provided by Arriva directly, at no cost to MBC.

Information regarding bus stop locations, timetables and ticket fares can be viewed online at <http://www.maidstone.gov.uk/residents/parking-and-streets/park-and-ride>

Statistical Information

Park & Ride passenger trends

	<i>501 Willington Street</i>		<i>503 London Road</i>		<i>506 Sittingbourne Road</i>	
	<i>Total Passengers</i>	<i>(of which are) Concessionary</i>	<i>Total Passengers</i>	<i>(of which are) Concessionary</i>	<i>Total Passengers</i>	<i>(of which are) Concessionary</i>
Apr 14	22,350	13,221	21,983	12,109	22,393	6,572
May 14	20,540	12,043	19,807	10,776	21,259	6,188
Jun 14	19,454	11,521	18,623	10,115	20,202	5,817
Jul 14	19,769	9,638	19,986	9,068	22,037	5,178
Aug 14	18,471	10,633	20,046	10,720	22,042	6,422
Sep 14	19,296	11,701	18,673	10,667	19,761	6,111
Oct 14	21,075	12,880	20,158	11,583	22,547	7,023
Nov 14	22,843	13,467	21,887	12,610	23,727	7,330
Dec 14	26,262	15,066	25,707	14,019	24,302	8,278
Jan 15	19,650	11,925	19,595	11,171	19,257	6,171
Feb 15	18,496	11,133	18,218	10,314	19,766	5,720
Mar 15	20,337	12,654	19,388	11,353	20,454	6,409
Totals	248,543	145,882	224,071	134,505	257,747	77,219

On Street & Off Street performance

	2013 - 2014			2014 - 2015		
	<i>On Street</i>	<i>Off Street</i>	<i>Total</i>	<i>On Street</i>	<i>Off Street</i>	<i>Total</i>
No. of Higher level PCNs	11,586	317	11,903	15,120	272	15,392
No. of Lower level PCNs	8,052	11,738	19,790	5,692	11,463	17,155
Total number of PCNs	19,638	12,055	31,693	20,812	11,735	32,547
Number of PCNs paid at discounted rate	9,614	6,163	15,777	7,531	4,623	12,154
Number of PCNs paid at non-discounted rate	1,889	1,152	3,041	5,370	2,717	8,087
Total number of PCNs paid	11,503	7,315	18,818	12,901	7,340	20,241
Total number of PCNs registered with Traffic Enforcement Centre	1,487	725	2,212	3,125	1,763	4,888
Total number of resident permits issued	3,419			3,625		
Total number of visitor permits issued	3,622			4,016		
Total number of season tickets issued	134			214		
Total number of business permits issued	144			93		
Total number of carers permits issued	58			65		

Financial Performance

Income & Expenditure

	1	2	3	4
2014/15	On-Street Parking & Enforcement	Off-Street Enforcement	Combined Enforcement Account (1+2)	Off Street Provision & Operations
Salaries	£94,607.20	£47,889.24	£142,496.44	£23,844.00
Premises	£25,497.12	£5,890.02	£31,387.14	£263,726.25
Transport	£3,492.92		£3,492.92	£2,054.32
Supplies & Services	£66,217.32	£11,960.98	£78,178.30	£69,157.59
Parking Enforcement contract	£285,845.07	£122,486.78	£408,331.85	£63,550.05
Recharges	£170,018.62	£73,948.65	£243,967.27	£43,109.96
Capital Charges			£0.00	£1,751,762.00
Total Expenditure	£645,678.25	£262,175.67	£907,853.92	£2,217,204.17
Penalty Charge Notices	£577,015.70	£248,115.30	£825,131.00	
Pay & Display	£216,635.12		£216,635.12	£1,625,581.91
Other income	£215,894.79		£215,894.79	£11,799.55
Total income	£1,009,545.61	£248,115.30	£1,257,660.91	£1,637,381.46
Balance (net income)	-£363,867.36	£14,060.37	-£349,806.99	£579,822.71

Maidstone Borough Council funds the administration of Civil Parking Enforcement (CPE) services through the income from CPE enforcement, on-street pay and display and permits.

Where the CPE fund exceeds the cost of administration of the current or previous years, Maidstone Borough Council may either roll the surplus forward to cover the costs of future parking controls or it may use the surplus for approved purposes, as set out only in accordance with section 55 (as amended) of the Road Traffic Regulation Act 1984:

<http://www.legislation.gov.uk/ukpga/1984/27/section/55>.

In 2014/15 the Civil Parking Enforcement fund was used to support the cost of providing Park & Ride services in accordance with these regulations.

Thank you for taking the time to read this report.