



Parking Policy



Essex County Council
Highways
and Transportation



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INTRODUCTION

This document sets out the County Council's policy regarding on-street parking for both police enforcement and local authority enforcement (decriminalisation). Local determination has led to decision-making powers being delegated to district councils. With decisions on parking issues being made at local level, for consistency to be achieved, it is essential that there is a strategic car parking policy covering the whole county.

A parking policy is an integral part of a local authority's traffic management policy. It will allow consistent decisions to be made and will enable district councils to review their own restrictions and the way in which they are implemented, to ascertain which objectives are being met and where improvements may be needed. Out of date or unnecessary restrictions should be removed if public acceptance of the policy is to be maintained and, if decriminalisation is adopted, the authority should not be seen to be simply making money from punitive restrictions.

In making its parking policy Essex County Council is mindful of police policies and objectives. As the police currently enforce parking restrictions (making any offence criminal) the implementation of new restrictions must be weighed against police enforcement resources. The County Council is often asked to support the implementation of parking restrictions to which the police have objected (on the grounds that the restriction is against police policy and enforcement will therefore have low priority). Whilst the County Council wishes to support the introduction of parking restrictions to complement district traffic management policies and the county TravelWise campaign, the need to support the police will be a significant factor.

Where parking restrictions are enforced by the police, the County Council will only permit the introduction of restrictions if they are intended to significantly improve traffic flow or improve safety, not only for other drivers by improving visibility at junctions but also for pedestrians and cyclists by improving their prominence in the 'street scene'.

The County Council's Transport Strategy aims to reduce car dependency, particularly in town centres and urban areas. Car parking policy is an essential element of this strategy which can be implemented through planning controls, district plans and parking controls but is a long term process as much parking space is in private ownership. The commercial viability of town centres must be considered and short term parking for shoppers and other town centre users should be provided at a level sufficient to maintain commercial activity in the town. Long term parking should generally be restricted as it is these workers and commuters who contribute to peak hour congestion. Long term parking can be restricted by reducing the number of available spaces or by pricing policies so that these spaces are available for shoppers or essential business users.

In support of TravelWise and traffic management objectives the County Council would support restrictions implemented for reasons other than safety or to improve congestion if the district was the enforcing authority (decriminalisation) or if the district was to enforce on-street parking schemes such as controlled parking zones (CPZs). The disadvantage of a CPZ is that the yellow lines within the area may become the target of indiscriminate parking if the police are unable to enforce these at a level commensurate with local authority enforcement of the permitted areas. In decriminalised areas this will not be a problem because all restrictions will be the responsibility of the enforcing (local) authority. The County Council will look more favourably at funding schemes which contribute to the overall transportation policy or which assist the police in the management of their resources.

The County Council will not accept responsibility for any financial losses incurred as a result of district councils' on-street parking schemes. The county budget is distributed in the form of locally determined funds and there is therefore no county fund left for district matters. District councils may, however, use their locally determined funds to support on-street parking schemes where

necessary but it is felt that all such schemes should be self-financing.

Previous experience has shown that the number of visitors' permits should be restricted and should generally be priced in line with the nearest car park to prevent residents selling permits to commuters for financial gain.

It is important that parking restrictions are consistent within an area. With the change in meaning of yellow lines and the requirement of the Traffic Signs Regulations and General Directions 1994 that all changes are implemented by 1 January 1999, it is essential that drivers and enforcement personnel alike are easily able to interpret what restriction is in force.

The County Council acknowledges that footway parking occurs, particularly in areas of older housing where there is no scope for residents creating their own off-street parking facilities. If waiting restrictions are enforced in such situations, the problem of illegally parked vehicles is likely to move to a neighbouring street. The most important factor in allowing footway parking is the need to protect enough footway for pedestrians (in line with the Essex County Council Pedestrian and Mobility Policy). This will normally require physical protection such as bollards, kerbing or other street furniture but occasionally white lining may suffice. In some cases the existing footway may not meet the minimum standards specified in the Pedestrian and Mobility Policy. Where this situation arises footway parking will not be permitted even though enforcement of parking restrictions may cause displacement of vehicles and difficulty for some residents. This situation highlights the need for restrictions to be reviewed on an area basis.

It must be recognised that parking provision to satisfy demand may not be achievable or desirable and that preferential conditions should be offered to the more sustainable forms of transport. It should also be remembered that the highway is intended for passing and re-passing and that no right of parking on the highway exists. Parking provision is therefore a concession and, however desirable, should not be at the expense of the purpose of the highway. However, where it is safe and desirable to allow parking, distinction between residents' cars and those of others can only be made through residents' parking schemes. It should also be remembered that the police may deal with parked vehicles which are causing obstruction, regardless of whether there are parking restrictions in force.

Against this background, the policies detailed in section 2 will provide the Highway Authority with a framework against which district councils will review and implement parking-related Traffic Regulation Orders. This will provide consistency at a time when major changes in legislation may affect the way in which Orders can be enforced.

Under the Road Traffic Act 1991, the Government will consider applications from local traffic authorities outside London to enforce on-street parking restrictions. These powers of enforcement are currently vested in the police, making parking offences criminal. Local authority enforcement would make parking offences civil, thereby 'decriminalising' them. The County Council supports the principles of decriminalisation and has adopted policies (section 3) should districts wish to take up decriminalisation. Section 4 contains advice and information on decriminalisation.

PARKING POLICIES

1. Where parking restrictions are enforced by the police, on-street parking will be restricted only where it is necessary to:-

- significantly improve traffic flow
- remove obstruction to visibility or turning movements
- reduce accidents

improve quality of life for residents, shoppers and other road users by reducing:-

- i. conflict between vehicles and pedestrians/cyclists
- ii. vehicle speeds
- iii. danger

2. Wherever it is possible, desirable and safe to park vehicles, taking into account the access needs of emergency service vehicles, this should be allowed. The conditions relating to who may park and for how long will be tailored to meet local needs. Liaison will take place between district, town and parish councils to determine the conditions. The Highway Authority will not support limited waiting unless it is supported by the police. However, schemes may be accepted if the district council or the local community are willing to pay for an appropriate level of enforcement through an on-street parking Order.
3. Where free traffic flow is the prime concern, the proposals will generally be determined in accordance with the road classification and hierarchy.
4. Restrictions will be standardised within areas. A single yellow line should cover restrictions between 8.00am and 6.00pm Monday to Saturday and limited waiting should always be for an allowed period of 1 hour with return prohibited within 3 hours (ie: a 1 in 4 restriction). Exceptions to these standards will be allowed only to standardise restrictions within an area and with the agreement of Essex Police, unless the local authority is responsible for enforcement. Ease of understanding for the motorist should be of paramount importance.
5. A footway parking problem is normally indicative of scarcity of parking and, as such, where it can be permitted, the Traffic Regulation Order should be changed to reflect this. A minimum footway width of 1.8 metres should be retained (in line with the Pedestrian and Mobility Policy). Where possible this should be increased on shopping frontages and should also take account of passing cyclists. Bollards or kerbing may be required to protect the reserved footway and strengthening to protect underground services may be required in places. Proper segregation to protect the rights of pedestrians is essential.
6. Localised parking restrictions will benefit local residents but displacement of parked vehicles should not inconvenience other residents. Parking restrictions will always be considered on an area basis and within a minimum of 0.5 miles from an area of high demand (town centres/stations).
7. The County Council will, with the agreement of the district councils, employ organisations, usually the district councils under contract, to enforce on-street parking schemes on its behalf. It will be the contracted organisation's responsibility to identify all running/operating costs and to propose a level of charge to recover such costs. The County Council will not accept responsibility for any financial loss resulting from the introduction of districts' on-street parking schemes.

8. The provision of Controlled Parking Zones including bays for meters, pay and display systems, voucher systems, motorcycles, cyclists etc. will be encouraged to relieve long stay parking problems around town centres, stations and other areas of high demand. Such zones will always be considered in preference to limited waiting.
9. The needs of visitors to obtain access to buildings in permit parking areas/controlled zones will be taken into account, particularly where carers, ambulances and other services are regularly required and the needs of those with a mobility impairment must be considered (in line with the Pedestrian and Mobility Policy). Special bays may be required if other options are exhausted.
10. The number of visitors' permits will be restricted (to avoid permits being sold) with no specific condition on price other than that all running and operating costs (including maintenance of the signs and lines) should be recovered through the scheme or any revenue costs covered by the district councils.



DECRIMINALISATION POLICIES

1. The County Council, together with district councils, will investigate the implications of decriminalisation and, where appropriate, pursue powers to allow local authority enforcement. In view of the significant efficiency gains in having a unified, decriminalised parking enforcement operation, the County Council will delegate powers to district councils.
2. District Council Members will determine whether decriminalisation should be pursued in each district without further involvement of County Members.
3. Each district council which has determined that it has a parking problem that may be addressed by decriminalisation and is therefore interested in pursuing powers, will satisfy the County Surveyor, County Secretary and County Treasurer that:-
 - the scheme is in accordance with Local Authority Circular 1/95. Any exceptions must be agreed with the County Secretary and the County Surveyor
 - the scheme is financially viable in its area to the satisfaction of the County Treasurer. This does not mean that the scheme must be self-financing but the district council must enter into a formal agreement to meet any on-going shortfall in revenue. It should be noted that LAC 1/95 states that each authority should aim to make the new system overall at least self-financing as soon as possible.
4. Each district council will be allowed to use locally determined funds allocated by the County Council for ascertaining whether individual schemes would be practical and financially viable and, where practical and financially viable, for the initial setting up costs of such schemes.
5. Where schemes are viable and the district council has supplied adequate information, the County Secretary will request approval in principle from the Department of Transport, followed by a request for full powers at the appropriate time.
6. If decriminalisation powers are requested the district council, in association with the County Surveyor, will publicise both the policies and the new enforcement regime to ensure that the public is aware of the new legislation.
7. The East Anglian Car Park Managers Forum is commissioning a study to determine the feasibility of providing adjudication and other services through a Parking Committee for East Anglia. In the first instance district councils wishing to introduce decriminalisation are recommended to take into account the recommendations of the study.
8. In addition to the reasons for which parking restrictions may be implemented [given in Parking Policies (1)], if local authority enforcement is undertaken, parking restrictions may also be implemented to:-
 - encourage a transfer to sustainable transport modes i.e. through park and ride schemes
 - improve quality/accessibility of public transport, including discouraging car use where justified by road condition and public transport facilities
 - provide priority routes for buses and bicycles



DECRIMINALISATION PRACTICE

In order to introduce decriminalisation the County Council must first request powers from the Secretary of State for Transport. The details of information required from district councils in support of applications are listed in Appendix A.

In view of the significant efficiency gains in having a unified, decriminalised parking enforcement operation it is considered that the County Council should not enforce Permitted and Special Parking Areas and should delegate these powers to district councils.

Both the Essex and Metropolitan Police have been involved at all stages of the discussions to date and have stated that they will take no action regarding the removal of current enforcement activity until the County Council has decided on its own policies.

HOW DECRIMINALISATION WORKS

1. The essential elements of decriminalised parking enforcement are:-
 - With the exception of endorsable offences, parking enforcement ceases to be the responsibility of the police and becomes the responsibility of the local traffic authority. The parking offences in question will thus be decriminalised and enforced as civil contraventions.
 - Parking attendants place parking tickets, known as 'Penalty Charge Notices', on the vehicles contravening parking regulations and can, in appropriate cases, authorise the towing away or wheelclamping of the vehicles.
 - The penalty charges are civil debts due to the local (enforcing) authority and enforceable through a streamlined version of the normal civil debt recovery process.
 - Drivers wishing to contest liability for a penalty charge may make representations to the local authority and, if these are rejected, may have grounds to appeal to independent adjudicators, whose decision is final.
 - Only local traffic authorities (e.g. County Councils and unitary authorities) can apply to introduce the new system, but the Government envisages close co-operation between county and borough/district councils.
 - Endorsable parking offences, broadly those involving dangerous or obstructive parking, and parking related offences, such as parking at night facing against the direction of traffic flow and tampering with a parking meter will remain criminal and can be enforced only by the police.
 - Outside areas where the new decriminalised system is introduced all parking offences will remain subject to criminal law.
 - The provision and management of parking attendants, wheelclamping and vehicle removal services will become subject to Compulsory Competitive Tendering.
2. If decriminalisation powers are obtained for either the entire county or certain parts of the county it is anticipated that the same organisation would enforce both on and off-street parking restrictions. It is likely that district councils would take the lead in preparing any application and, under an agency agreement, carry out on-street enforcement operations. However, it should be noted that the operation of decriminalised off-street parking will be subject to Compulsory Competitive Tendering.

In order to implement these policies it may be appropriate for the County Council and district councils to use joint powers for providing off-street parking where it is desirable to remove on-street schemes. The County Council may wish to use its properties for this purpose.

Local traffic authorities (e.g. County Councils or unitary authorities) may apply to the Secretary of State for Transport for Orders creating either:-

- Permitted Parking Areas (PPAs) - where contraventions of permitted on-street places such as meters and residents' bays will no longer be criminal, or
- Special Parking Areas (SPAs) - where most other non-endorsable offences, such as yellow line offences and lorry parking on verges, will no longer be criminal.

In general the areas will overlap but there may be difficulties in selecting boundaries as the public may find it both confusing and unfair to have parking in the town centre as a civil offence with a lower penalty (even though the chances of being caught will be higher) than parking out of town where it would be a criminal offence with a higher fine. If the concentrated urban enforcement is decriminalised it is unlikely that the level of contravention in suburban or rural areas would justify the deployment of traffic wardens on a regular basis. It is anticipated that, in general, whole district areas will be decriminalised and this should be organised to coincide with police divisions where possible.



District councils will be encouraged to work together because, in some instances, the application of powers in one area may have the effect of driving shoppers to shop in another area in which decriminalisation is not in operation or which has large areas of private off-street parking. There may also be significant financial benefits in sharing adjudication and other services.

Powers to wheelclamp and remove vehicles will be requested in the initial application although it is anticipated that these powers will not be used from the outset. Where decriminalisation is in operation, the demand for clamping and removals will be assessed after an initial 'settling down' period and likely target areas identified. Only when financially viable will clamping and removals be introduced. It may be that, in the first instance, facilities for storage of removed vehicles can be shared with neighbouring authorities, or that local garages may be used.

Secure and convenient payment centres would have to be introduced. Consideration would also need to be given to policies on waiving of payments in certain circumstances and for certain vehicles that would be exempt from clamping and removal (such as vehicles driven by disabled people). These issues would be the subject of a further report on the introduction of a clamping/removal policy.

District councils will first have to review their parking restrictions and should aim to have signs and lines in accordance with the 1994 Traffic Signs Regulations and General Directions. This will have to be completed by 1 January 1999 regardless of whether or not decriminalisation is pursued.

District councils wishing to apply for delegated powers must demonstrate that they have reviewed their policies in line with the revised County Policy. They must also review the way in which these policies are implemented to ascertain which objectives are being met and where improvements are needed. The review will cover:-

- existing and predicted levels of demand
- availability and pricing of on and off-street parking places
- nature and extent of on-street parking places
- adequacy, accuracy and quality of existing signing and lining
- acceptable compliance levels and levels of enforcement necessary to achieve it
- police views
- future development plans

The District council's Traffic Regulation Orders must be realistic, reflect local demands and must be in line with County Policy. Orders should be consolidated. Parking meters need to be changed to remove 'initial' and 'excess' payments and the Orders will need to be changed to reflect this.

Each district council should adopt an enforcement package based on chosen policy objectives from chapter 3 and this should be assessed as follows:-

- will compliance levels be achieved
- where will previous offenders park
- will measures lead to displacement of vehicles
- acceptance to public/trade/residents
- effect on cyclists/pedestrians/public transport
- effect on disabled people/deliveries/statutory undertakings
- expected financial results

3. BENEFITS

The main benefit of decriminalised parking enforcement (based on experience from London) is that local authorities will be able to ensure that their parking regimes are enforced to definable standards. This may result in improved traffic flow, better management of overall traffic levels, accident reductions and fairer distribution of available parking places.

The integration of enforcement and parking policy responsibilities may also provide better monitoring of the effectiveness and value of parking controls so that parking provision becomes responsive to local needs.

Better enforcement will lend support to the 'TravelWise' initiative and have environmental benefits.

Local authorities will be able to use the revenue they receive from Penalty Charge Notices (PCNs) to fund their enforcement activities. Any surpluses can be used to improve off-street

parking facilities or, where this is unnecessary or undesirable, for certain other transport related purposes.

Initial indications from London are that since the decriminalisation of enforcement of on-street parking restrictions the number of parking contraventions has fallen and use of off-street car parks has increased. Bus companies have also commented that delays caused by illegally parked vehicles have been reduced. Groups representing disabled people have welcomed better enforcement of the London pavement parking ban and borough councils have been able to introduce new, realistic parking schemes in the knowledge that they have the resources to enforce them.

4. *CONSIDERATIONS*

Observations to date have been based on the experience in London where the demand for parking far outweighs capacity and parking problems are a part of everyday life, severely restricting traffic flows and network capacity. Essex does not generally have the same level of problem although in some urban areas the situation can be similar. Finding areas within the county where schemes will be viable therefore needs careful consideration.

A draft report by the Traffic Management Working Group of the County Surveyors' Society Environment Committee indicates that, without such a high demand for parking spaces, it is likely that strict enforcement of on-street parking will simply have the effect of driving vehicles into the off-street car parks. Whilst this is desirable, if the car park is not owned by the on-street enforcing authority, it would not directly create the revenue needed to enforce on-street restrictions. It is likely that the only way in which sufficient revenue could be created would be to charge for on-street parking.



The start-up costs for any scheme will be high, whether the district councils contract out, keep in-house or accept private venture capital. Staff and computer costs for in-house schemes will be very high and consultants will almost certainly be required by each district council to undertake feasibility studies and then to compile an application for powers if a scheme is considered viable. District councils will need to consider budget allocation to determine whether to opt for decriminalisation and take the matter forward. Some London borough councils have borrowed from their off-street parking account using the profit from off-street car parks to finance the start-up costs for decriminalisation. It is anticipated that this will be paid back in 3-5 years.

RESOURCE IMPLICATIONS

District councils may use locally determined funds allocated by the County Council for ascertaining whether individual schemes would be practical and financially viable and for the initial setting up costs of such schemes.

No on-going costs should fall on the County Council from decriminalisation. Any shortfall in revenues compared with costs will have to be met by the relevant district council.

However, in the event of a district council deciding to terminate an agreement on the grounds that the scheme was not self-financing, the police will not be in a position to re-employ traffic wardens and take back the enforcement.

In connection with the decriminalisation of parking, properties may be required for payment centres, removal pounds etc. but initially existing properties are likely to suffice.

Extra personnel may be required, both to make the application and to implement a decriminalised system. District councils will need to ascertain their requirements after assessing their proposed enforcement regime.

The County Council will contribute funds for a feasibility study into the provision of an adjudication service and parking committee for East Anglia through the East Anglian Car Park Managers Forum.

Costs to the enforcing authority will include:-

- assessment of viability of scheme
- client management to monitor/maintain/improve service
- attendants; £11-16,000 pa to issue 20-40 Penalty Charge Notices (PCNs) per day
- training of attendants - £800 each
- clamping/removal - indirect cost only as charge should be set to recover cost of operation only. As a deterrent, it is likely to make the whole system more efficient and reduce the need for attendants
- representations - calls or letters regarding around half of all PCNs issued
- adjudication for about 1-2% of all PCNs issued at around £20.00 each
- PCN processing - around £5.00 each if contracted out. If not contracted then computer IT costs should be considered
- signing, lining and servicing machines
- computer linking to DVLA etc
- affiliation to a Parking Committee - Upward of £20,000 for Parking Committee for London (PCfL), possibly more if Regional Committee started
- preparation of submission to Secretary of State
- record keeping and publishing of figures
- advertising/awareness of system

Costs to be borne by the County Council will include:

- checking of submissions to Secretary of State
- possibly advertising, to develop awareness of the system
- support, through the locally determined budgets, for the surveys, preliminary investigations and setting up costs
- funding for a feasibility study into the provision of an adjudication and parking service for East Anglia through the East Anglian Car Park Managers Forum

It is likely that, for at least 6 months either side of implementation, expenditure will exceed revenue and this period may be longer if some operations are kept in-house and computer equipment is needed.

Enforcing authorities should set their PCN charges to discourage unnecessary trips, particularly commuting, where realistic alternatives exist (in accordance with 'TravelWise'). Charges may be £20, £30 or £40 and, in general, should be uniform for one area although it may be that there is one charge for permitted parking offences and another for restricted parking offences.

Enforcing authorities will be able to use the revenue they receive from PCNs to fund their enforcement activities. Any surplus may be used to improve off-street parking facilities in the area or, where this is undesirable or unnecessary, for certain other transport related purposes. It is anticipated that the enforcing authority will collect all the revenue.

5. ADJUDICATION

A driver may appeal to the local authority against a Penalty Charge Notice (PCN) and, if this appeal is rejected, may appeal to parking adjudicators who are lawyers independent of the Highway Authority. Adjudication will be managed by Regional or National Parking Committees similar to the Parking Committee for London (PCfL). Such a committee must be in place some months before decriminalisation can commence. A minimum of four local authorities, from at least two counties, is probably required to set up a satisfactory Regional Joint Committee. If there is insufficient interest to initiate a Regional Committee, as Essex is geographically close to London, it is possible that the services of the PCfL could be bought in. The regional committees would gradually evolve and be affiliated to a National Committee which would help promote independence and consistency. Training for the Regional/National Committee could be bought in from London to minimise start up costs.

A Regional Committee could also provide central notice processing, a telephone information service for information on removal/clamped vehicles, electronic links to the DVLA and Parking Enforcement Centre (PEC), a payment exchange service and a training standards system for parking attendants. It could also develop a Code of Practice, undertake certain public relations activities, maintain a register of persistent offenders, undertake monitoring and act as a clearing house for penalties paid to the wrong district.

In the first instance it may be cost effective to buy in services from the PCfL. Annual charges starting at £20,000 will vary depending on the level of service requested. Costs will be reduced if district councils work together using central PCN processing systems and by forming a consortium to request the services of the PCfL.

Essex County Council is providing financial and officer support to the East Anglian Car Park Managers Forum to commission a feasibility study into an adjudication service and parking committee for East Anglia. Such a study will determine the viability of participating districts joining either the PCfL or any regional committee.

6. PAYMENT OF PENALTY CHARGE NOTICES

Payment centres need to be an integral part of the enforcement system so that payment can be recorded immediately in order to prevent further action on the same offence being taken. On-line registers may be required and credit card facilities will be essential if clamping and removals are introduced. Payment centres must be safe, secure and open at all reasonable hours to allow payment after the closure of the normal working day. Experience from London indicates that most payments of PCNs will be by post. Facilities may be needed to enable payment at adjudication centres so that people can not only pay promptly but claim refunds.

Notice to Owners (NtOs) are issued if PCNs are not paid within 28 days to remind drivers of the PCN, that they have the right of appeal and to inform them that the fee will increase by 50% in 28 days time. An electronic link to the DVLA is required to obtain names and

addresses for this purpose. Liaison with the DVLA regarding data transmission is therefore required at a very early stage. The consideration of representations arising from NtOs cannot be contracted out.

Charge certificates can be issued if the PCN is not paid within the time allowed and have the effect of increasing the charge by 50%. If this is not paid within 14 days the authority can register the Charge Certificate at Cardiff County Court which is the Parking Enforcement Centre (PEC). If the Charge Certificate is not paid the PEC can authorise the use of bailiffs to seize and sell goods to the value. Money can also be recovered from bank accounts, or from earnings, and the sale of houses and land can be prevented until the Charge Certificate is paid. It is essential that the PEC's Code of Practice is obtained so that its requirements may be met.

7. COMPULSORY COMPETITIVE TENDERING (CCT)

The following services **MUST** be subject to CCT unless the gross value of each item is less than £100,000:-

- issuing PCNs
- wheelclamping
- removals
- storage and disposal of unclaimed vehicles

The following items are **NOT** subject to CCT but may be subject to Voluntary Competitive Tendering (VCT):-

- maintaining meters
- operating payment centres
- issuing waivers/dispensations
- processing PCNs

The following item must be carried out in-house:-

- considering representations regarding PCNs and NtOs

Having a number of small contracts encourages competition and ensures that the authority would be able to change a contract should the need arise and prevents a major crisis should one contractor cease trading. The contract for issuing authorisations to clamp or remove should be independent of the contract to carry out the physical clamping or removal.

The enforcement level should be set in the contract by visits per day/week, number of attendants or number of PCNs issued. Tendering can take 8-12 months from advertising to commencement.

8. CONSULTATION/PUBLICITY

It is essential to liaise with neighbouring authorities to ensure consistency. It may be possible to share PCN processing systems and the process for collecting unpaid PCNs. Shared links to the DVLA may be possible and shared removal service and compounds may be used. Liaison will also make it easier to identify and treat persistent evaders. Other local authorities and the police must be consulted before application for powers is made to the Secretary of State.

Prior to introduction the proposals must be advertised to ensure that the public is aware of the new system and its implications. Leaflets, newspaper articles and posters can also be used to publicise the matter and parish councils should be informed. Information should highlight where drivers CAN park, both on and off-street. It may be beneficial to have a user group to ensure that all users' interests are addressed.

9. RECORDS

Records must be kept to allow the publication of annual figures which will enable realistic future targets to be set. Performance should be judged against these targets and the effectiveness of policies reviewed as necessary. Parking account legislation (Road Traffic Act 1984 Section 55) will be amended to include the fact that decriminalisation annual returns will be required by the Home Office.



APPENDIX A

DETAIL OF APPLICATIONS REQUIRED FROM DISTRICTS

Applications from districts must include:-

- whether SPA, PPA or both
- proposed commencement date
- area of SPA/PPA, schedule and reasons for exclusion of roads/areas (maps to be included)
- evidence of parking policy review and a review of the way in which these policies are implemented
- confirmation that TROs will be amended by implementation date, markings and signs will be clear (and to the 1994 Traffic Sign Regulations and General Directions) and meters will be updated within 6 months of implementation of decriminalisation.
- assessment of the extent of self-finance, income and expenditure
- evidence that policies and procedures with respect to exemptions/waivers have been reviewed
- copies of correspondence with police, other local authorities and Highways Agency if trunk roads involved
- details of attendants, including confirmation of training, uniforms, conduct etc. (service conditions)
- confirmation of PCN and NtO details
- confirmation of the use of standard contravention descriptions
- evidence of adequate payment facilities
- details of arrangements for issuing NtOs and for considering representations. Also details regarding issuing and enforcing Charge Certificates including confirmation that DVLA and the PEC are satisfied with arrangements
- request for an Order under section 106, Road Traffic Regulation Act 1984 to give police and traffic wardens authority to clamp in the area.

For this information to be provided it would appear that the system must be up and running for powers to be granted. The Department of Transport expects the applicant to be at least 90% of the way towards introduction for powers to be granted. However, to prevent large amounts of work being abortive, applications showing the borough/district council's intentions should be submitted to the County Surveyor at an early stage so that approval in principle may be obtained, allowing them to progress with confidence, knowing that the County Council will be granted powers once the system is operational.







