

Parksmarter
The Derbyshire Parking Partnership
Annual Parking Report
2009 - 2010



MAKING DERBYSHIRE'S
ROADS SAFER



CONTENTS

- 1. Foreword**
- 2. Introduction**
- 3. Parking objectives**
 - a. Schools**
 - b. Residents Parking**
 - c. Business Parking**
 - d. Congestion**
 - e. Traffic Safety**
 - f. Car Parks**
- 4. The Police and Civil Parking Enforcement (CPE)**
- 5. Appeals**
- 6. Future Plans**
- 7. Glossary**
- 8. Contacts**
- 9. Statistics: Finance, Penalty Charge Notice (PCN) Data**

Foreword

As a parking partnership, Parksmarter went live with Civil Parking Enforcement (CPE) on 19 February 2009 and this is the first opportunity to provide an annual report. The partnership consists of Derbyshire County Council, Amber Valley Borough Council, Bolsover District Council, Chesterfield Borough Council, Derbyshire Dales District Council, Erewash Borough Council, High Peak Borough Council, North East Derbyshire District Council and South Derbyshire District Council. The aims of the partnership are listed later in the report, but it is clear, even one year down the line, that there has been a clear improvement in turnover time generally in limited waiting bays, and car parks, most areas of yellow lines are being kept free, and disabled persons' parking bays are clearer than ever of inconsiderate drivers. As a partnership, we are mindful that we cannot patrol every street and car park every day, but we believe we are resourced in such a way that we cover most areas frequently. If you know of an area that continues to cause problems please let us know as we are keen to resolve problems as soon as they arise.

The 2009-2010 Annual Parking Report explains the challenge of parking management within the very areas that make up Derbyshire - from a large National Park to a large town, like Chesterfield, the industrial areas in the east and small market towns throughout the County. Each presents a different aspect to Derbyshire and the Report demonstrates how we cater for the needs of many visitors every year, a varied calendar of events throughout the County, as well as our residents and businesses. The local economy is supported by greater turnover in limited waiting bays and car parks, development of residents parking zones (such as the improved scheme in Chesterfield) which allow residents to park outside their own homes, and the provision of school keep clear lines plays a significant part in improving road safety. The shared use of Nottinghamshire's Central Processing Unit has allowed us to maintain low costs, and the use of APCOA, to provide us with trained CEOs, provides a greater degree of professionalism and again allows us to keep costs down. The Annual Parking Report also outlines parking finances and how much the service costs. Next year's report will highlight what happens to any surplus monies made by the service.

The provision of parking places, the use of parking restrictions and the enforcement of those restrictions can be contentious issues. We hope that this report will provide an insight why parking controls are necessary and why and how local Derbyshire authorities enforce them.

The report includes useful information on our Parking objectives, Schools, Residents Parking, Business Parking, Congestion, Traffic Safety, and Car Parks. It covers powers retained by the Police and gives a general outline on the appeals process.

We hope that you will find the content of this report both interesting and informative. If you have any questions that remain unanswered, please contact Parking Services at any of the partner authorities (their details are included later on in the report) or visit our website at www.Parksmarter.org.uk.

Thank you.

Cllr Chris Jackson
Cabinet Member for Highways and
Transport
Derbyshire County Council

Cllr Jack Brown MBE
Cabinet Member for Cleaner, Greener,
Safer
Amber Valley Borough Council

Cllr David Stone
Lead Member for Safe, Active, and
Healthy Communities
Chesterfield Borough Council

Cllr Carol Valentine
Chairman of the Partnership and
Regeneration Committee
Derbyshire Dales District Council

Cllr Barbara Harrison
Lead Member Environment
Erewash Borough Council

Cllr Emily Thrane - Executive Councillor
Corporate Services
High Peak Borough Council

Cllr Graham Baxter
Leader of the Council
North East Derbyshire District Council

Cllr John Bladen, Chair of Environmental
and Development Services Committee
South Derbyshire District Council

Introduction

Derbyshire's Parking Partnership came into being on 19 February 2009 and since then has been responsible for:

- the enforcement of car parks, and on street parking restrictions;
- appeals to all penalty charge notices (PCNs); and
- parking permits for car parks, residents parking zones, and dispensations.

The Traffic Management Act 2000 (TMA) and subsequent Statutory Instruments set out the duties that the local authorities must undertake to enact CPE.

The aims of CPE in Derbyshire are to:

- Maintain and, where possible, improve the flow of traffic, thereby making the County a more pleasant and environmentally safe place to live and visit.
- Take into account the needs of local residents, shops and businesses, thereby sustaining the local economic growth.
- Actively support the needs of disabled people bearing in mind that, in some cases, they are unable to use public transport and are entirely dependent upon the use of a car. This will ensure that people with disabilities are able to have equal access to all facilities within the County.
- Actively discourage indiscriminate parking that causes obstruction to other motorists, public transport, pedestrians, cyclists and people with disabilities. This will ensure that the Districts/Boroughs remain accessible to all equally and safely.

CPE links closely with the overall aims of Derbyshire's Local Transport Plan which can be found at www.derbyshire.gov.uk. The partnership's Enforcement Policy and more information about the partnership can be found at www.parksmarter.org.uk.

How the Partnership Works

Derbyshire County Council oversees the partnership, which includes the contractual agreements with APCOA, the provider of the Civil Enforcement Officers (CEOs), and with Nottinghamshire County Council which runs the Central Processing Unit. Day to day operational management of where the CEOs go on street and off street is handled by Amber Valley Borough Council, Chesterfield Borough Council, Derbyshire Dales District Council, Erewash Borough Council and High Peak Borough Council for their own areas.

Derbyshire County Council oversees the daily operational management for Bolsover District Council, for North East Derbyshire District Council and for South Derbyshire District Council. Appeals against PCNs are handled at the informal stage by the Central Processing Unit. At the formal stage, each District or Borough is directly involved in appeals against their off street PCNs, and Derbyshire County Council in all on street PCNs appeals. More details on how the appeals system works can be found in the section on Appeals. APCOA is paid for the number of staff hours it provides, not the number of PCNs issued. CEOs combine the role of parking attendants with some of the powers of the old traffic warden system. This efficiency allows CEOs patrolling from one car park to another to enforce on street restrictions

As a reminder **Parksmarter** is not a private company but is a partnership between the County Council, the District and Borough Councils. It does not include Derby City Council. The partnership shares Nottinghamshire's Central Processing Unit which deals with all the appeals and payments of PCNs. APCOA provides the partnership with trained CEOs, but the partnership retains full operational control of the areas patrolled by the CEOs, the Enforcement Policy and the appeals process.

Parking Objectives

Throughout Derbyshire there are many conflicting demands on parking space and time. Residents, shoppers, workers, businesses, deliveries, tourists and local visitors all vie for the same space, either to park or drive. There is finite space and, therefore, it needs to be managed.

Traffic Congestion One vehicle parked in an awkward or dangerous position at the wrong time of day can lead to hold ups on many arterial routes through the County. So the presence and enforcement of double and single yellow lines is designed to prevent this, keeping roads as clear as possible allowing traffic to flow. Equally, enforcement of limited waiting bays not only creates a greater turnover in the bays but also reduces the amount of circling traffic looking for an available space to park.

Support to Local Businesses The enforcement of limited waiting bays increases greater turnover in these bays. This means greater turnover in towns leading, in theory, at least, to greater footfall in shops. Enforcement of loading bays similarly keeps these areas clear for local businesses to get deliveries into and out of their premises. Where businesses may find difficulties is when loading or unloading on double and yellow lines. It would be normal for a CEO to issue a PCN to any unattended vehicle after 5 minutes. Businesses may sometimes struggle to meet this time and the appeals process allows for mitigating circumstances to be considered which were outside the observation of the CEO.

Bus stop enforcement is also vital. Cars blocking bus stops force buses to drop and collect passengers whilst the bus is in the road, causing traffic hold ups and possibly increasing the likelihood of accidents in these areas. Keeping these areas clear allows the service to flow and allows passengers to alight safely.

Support to Local Residents Residents' parking schemes are currently running in Bakewell, Buxton, Chesterfield, Ilkeston and Long Eaton. These schemes are self funding as residents can purchase one vehicle pass for their own use, and a visitors' pass for use by guests or businesses carrying out work at the property. These schemes enable residents to park near their homes. As with any scheme there is finite space, and so no guarantee of a parking place. These schemes are managed by the local District or Borough council and all requests for permits should be directed there in the first instance.

Dropped Kerbs In February 2009, the partnership assumed the power to enforce dropped kerbs, thus keeping driveways and tactile crossing points clear. This is intended to, and does, help residents by keeping their driveways clear and accessibility groups, such as those visual impairments, wheelchair and mobility scooter users and people with prams and pushchairs to cross the road safely. For more details on how to report someone blocking your drive, please see our website www.parksmarter.org.uk.

Accessibility Groups Blue Badge holders are entitled to park in some restricted areas using their badge. Guidance can be found in the Department for Transport's booklet 'The Blue Badge Scheme: rights and responsibilities in England'. The enforcement of the blue badge bays both on street and in car parks has greatly increased the level of accessibility for those with blue badges.

Support to Local Schools All schools have had the opportunity to undertake a School Travel Plan over the last few years and this identifies how pupils and staff get to school. Through 2009/10 there were complaints with regard to parking at drop-off or pick-up times at over 50 primary schools. The County Council is putting traffic orders on as many of the school keep clear lines as possible to make them enforceable. There are parking restrictions around most of these schools and these will have been put in place to make the area safe for school children. In most cases it is the parents who are contravening these restrictions, thus making it unsafe for their own children. The CEOs will be patrolling schools throughout 2010 to increase parental awareness of these restrictions and hopefully, this will press schools and parents to review their Travel Plans. Most of the schools that have been identified as having problems have higher than the national average (55%) walking to school percentages. The School Travel Plans aim to increase this percentage by encouraging walking buses, or by identifying with the school areas to park safely, such as pub or village hall car parks.

Compliance Testing Prior to assuming the powers of Civil Enforcement, compliance testing was undertaken in Buxton, Chesterfield and Alfreton. A second test was conducted in November 2009. The results of this second test indicated that across the six beats checked average non compliance had been 34.4%, after 10 months of civil enforcement it had been reduced to 17.8%. Derbyshire County Council, as Highway Authority, will continue to do annual on street compliance testing.

District and Borough Car Parks

Amber Valley Borough Council Amber Valley covers an area of over 265 square kilometres and is made up of the four market towns of Alfreton, Belper, Heanor and Ripley, as well as many villages and other smaller settlements.

In providing off street pay and display car parks, the Borough Council seeks to promote the vibrancy of the town centre retail areas, by ensuring a sufficient number of both long and short stay car parking spaces. Charges are set at a level that seeks to ensure that the cost of providing car parks does not become a burden on local council taxpayers, whilst remaining competitive with neighbouring areas. Regular users of long stay car parks can also purchase longer-term parking permits, which provide a discount of up to 48%, when compared with the daily pay and display charges. Blue badge holders can park for free, up to the maximum stay of the car park they are using.

The Council undertakes an appropriate level of enforcement in the off street car parks in order to maximise the availability of parking spaces, by preventing inconsiderate parking, and through the effective enforcement of parking limits.

The Council is rightly proud of its popular free residents' and over 60s' parking permits. These provide free parking for any Amber Valley resident after 4pm and additional free parking for the over 60s' after 2pm on Tuesdays and Thursdays.

Significant investment has been committed by the Borough Council for the upgrading of car park facilities, with the recent resurfacing of car parks at Rogers Lane East, Rogers Lane West, Crossley Street, Shirley Road and Belper River Gardens.

The safety of car park users also remains paramount, and the Borough Council, therefore, maintains five Police administered 'Park Mark' awards, which recognise car parks that provide a high level of personal security.

Future proposals in 2010/11 include the replacement of the existing Pay and Display machines and the re-surfacing and re-lining of a number of car parks. In addition, a number of 'free to use' out of town car parks are due to be transferred at no cost to Parish Councils.

Chesterfield Borough Council

A succession of land use and Transport Policy reviews have concluded that the volume of off-street parking within the town centre is generally adequate for the foreseeable future whereby usage would be optimised through demand management measures including an appropriate pricing structure. This view is reflected in the most recent edition of the Town Centre Masterplan which recognises that whilst the way parking is provided may change in the future, including the provision of underground or multi-deck solutions including some adjustments to capacity, the provision of public parking is viewed as a key element of a thriving retail and commercial centre.

Contribution to Wider Community Objectives

In addition to its core activity of delivering quality parking facilities in support of an accessible and economically viable town centre, the Parking Service makes a significant contribution to the Borough Council's aims and objectives, and those of the wider community strategy:

Crime and Community Safety

Over 80% of facilities have achieved the 'Park Mark' award for safe parking. Service personnel are part of the wider Police family that is intended to join up action to address issues of crime and anti-social behaviour.

Regeneration and Liveability

The provision of secure, clean and user friendly parking facilities has a positive impact on the local economy encouraging people to frequent the area, thus supporting economic regeneration and enhancing the street scene; key liveability factors.

Sustainability

Parking Policy, from a demand management perspective, makes a valuable contribution to the creation of sustainable communities; where the demand for parking is influenced by price and availability, thus encouraging users of private transport to consider less damaging modes of travel.

Pricing Structure

Generally, the advice of the Audit Commission is followed whereby charges are higher at the more popular sites. From a sustainability perspective, prices at certain locations are cheaper for long stays to encourage visitors to combine shopping visits via one vehicle

journey, thus reducing adverse impacts on the environment associated with the use of private transport.

The Borough Council is mindful of public perception when setting charges for parking, as this in itself, will influence demand.

The principal objectives when reviewing charges include the need to:

- Balance supply and demand.
- Limit congestion.
- Support the local economy.
- Adhere to the Council's corporate charging policy.

Charges are reviewed annually where the views of stakeholders on parking policy and charges are gathered in a variety of ways:

- the annual Council Tax consultation process provides valuable input to the review process, as does less frequent but equally important consultations;
- customer surveys undertaken every three years (2008);
- the National Place Survey (2008/09);
- Citizen Panel Survey (2008);
- Equalities Advisory Group (2009);
- Town Centre Masterplan consultations (2009), etc.

In addition, price comparisons are undertaken with other service providers: at the local level within Chesterfield, the County Council, Derbyshire's District/Borough Councils and the Audit Commission Family Group of local authorities.

The Borough Council's corporate principles for charging require that where charges are reduced from full costs, the reason for the reduction is reviewed periodically to ensure it remains valid.

This has resulted in extensions of the charging period to encompass evenings and Sundays, and a reduced concession for Blue Badge holders. However, Blue Badge holders can still park for up to four hours for a fee equivalent to one hours parking at certain sites.

Consultations with the Equalities Advisory Group have resulted in changes to policy where bays reserved for Blue Badge holders are gradually being converted into wide bays accessible from both sides of the vehicle to enhance access particularly for wheel chair users.

In recent years, the Borough Council has introduced a number of initiatives in support of towns centre trade that have included:

- Measures to encourage visitors to stop and shop for longer:
 - Introduced cheaper parking for stays of longer duration at key locations'
 - Extended customer friendly pay-on-return systems of parking control to some of the larger surface car parks so that visitors do not have to worry about overstaying their paid-for time as payment is made at the conclusion of their stay.
- Incentives to encourage residents to shop local:
 - Issued residents with a fee parking disc that allows residents to park freely early morning and late afternoon on Mondays and Tuesdays at key locations'
 - Launched a loyalty scheme that utilises vouchers issued with parking tickets at a central car park that can be redeemed within participating local shops to secure a discount on goods purchased.

The surplus income derived from off-street parking is used to support the Borough Council's key priorities e.g. a safer and healthier community through the provision of sport, recreation and amenity facilities.

Derbyshire Dales District Council Derbyshire Dales is a major tourist destination and the District Council's parking policy aims to balance the needs of visitors and the local community, to secure economic growth. The District Council has operated pay and display car parks for more than 30 years, implementing charges that encourage the use of more sustainable forms of transport by visitors to the area, whilst ensuring that those who choose to park contribute to the cost of providing the excellent range of services that make the Dales a great place to live, to work and visit. Throughout this time, parking enforcement in the Derbyshire Dales has proved an essential tool in keeping traffic moving safely, providing access for residents and visitors alike, while ensuring the pay and display revenue stream is maintained.

As well as supporting the range of local services expected of a popular tourist destination, pay and display income is used to maintain, improve and increase public parking places in the Dales. Sixteen of the District Council's car parks have 'Park Mark' status, the recognised National safety standard. The Derbyshire Dales and High Peak Community Safety Partnerships originally developed a rural secure car park standard that has subsequently been adopted and modified for use throughout the country as part of the current 'Park Mark' scheme. Vehicle crime plummeted by 44% in the District's car parks between 2002 and 2005 and last year, Derbyshire Dales had one of the lowest vehicle theft rates in the whole of England and Wales.

The District Council has, since 2000, also provided grants to town and parish councils, designed to assist in the development of village parking projects that address localised rural parking issues. Since its introduction, the District Council's Village Parking Scheme has supported 16 successful projects and awarded more than £90,000.

In recognition of the needs of residents to access local services, the District Council provides every household with a Parking Concession Badge that allows residents to park for free in its car parks before 11am and after 4pm every day of the year. Since its introduction in 1997, this successful scheme has been used as a best practice model by other local authorities.

Erewash Borough Council Erewash is a Borough of contrast; to the eastern side are the market towns of Ilkeston and Long Eaton, whilst the west is more rural with some isolated villages. The two large cities of Derby and Nottingham both border the Borough and have an influence on the area.

Erewash has 25 single level car parks spread between the two main towns offering comprehensive parking provision allowing exceptionally easy single level access to the town centres. The emphasis is on small scale and local parking rather than the large impersonal multi-storey parking more often associated with cities. The Borough Council currently provides 972 off street parking places in 16 car parks throughout Ilkeston of which 63 are for designated use by blue badge holders. In Long Eaton 9 car parks provide 688 spaces of which 39 are for blue badge holders only.

The cost of maintaining and improving this provision is currently met through the sale of Pay and Display tickets issued from 36 machines, and associated enforcement. The Borough Council is keen to keep its 'market town' atmosphere of its town centres. The parking fees are, therefore, comparable with similar towns in the region and offer considerable value when compared to the tariffs used in the neighbouring cities.

Erewash has recently reviewed charges and responded to local business by introducing limited and selective free parking as an incentive to shoppers during the recent economic downturn. The Council is committed to improving parking services and is the recipient of the 'Park Mark' Safer Parking Award at six of its busiest car parks. Erewash Borough Council is working towards a comprehensive parking strategy to balance the competing demands of road users and fulfilling its corporate aims of increasing the ease of travel and of improving the economic vitality of the Borough.

High Peak Borough Council High Peak is a semi-rural area within Derbyshire with a mix of historic market towns and villages and areas of outstanding natural beauty. Part of the area is within the Peak District National Park. There are large numbers of visitors throughout the year but especially during the 'peak' summer months with a large majority using High Peak Borough Council's car parks and on-street parking facilities. The Borough Council's car parks provide residents and visitors alike with sufficient parking facilities to promote accessibility to the town centres and local attractions. Parking charges are set at a level which will attract visitors and shoppers whilst not burdening the local residents with the cost of providing the service.

In line with the Council's corporate aim to ensure its town and village centres are attractive, vibrant and distinctive places for business and the local community, its car park portfolio is managed to ensure they are Disability Discrimination Act compliant. Several have attained the British Parking Association's 'Park Mark' award for secured car parking facilities. The Borough Council operates discretionary allowances within its car parks to assist with this aim and includes free and unlimited parking for all 'Blue Badge' holders throughout the High Peak area. Free parking for residents in most of the Borough car parks is available before 10am and after 4pm from Monday to Saturday and all day on Sundays.

Enforcement is a necessary tool used by the Borough Council in ensuring that its car park usage and availability is optimised and regulations adhered to. CPE was not designed to raise income but to be self financing after the first year. As predicted, this was the case in the High Peak area as a small deficit was accrued against the off-street service. Any deficits in future years will be borne by the Borough Council and any surplus monies will be 'ring-fenced' to be spent by the Borough Council in the High Peak area on its off-street facilities.

North East Derbyshire District Council North East Derbyshire District Council operates 16 public car parks which are subject to Traffic Regulation Orders under the North East Derbyshire District Council (Off Street Parking Places) (Civil Enforcement and Consolidation) Order 2009, which applies 24 hours per day, 7 days a week.

Parking is free in all car parks. However, time-limited restrictions are enforced at the following locations:

(No 1) Market Street, Clay Cross

Eyre Street, Clay Cross

Civic Centre, Dronfield

Manor House, Dronfield

Details of all our car parks are contained on the Council website – North East Derbyshire on-line (www.ne-derbyshire.gov.uk)

South Derbyshire District Council South Derbyshire District Council aims to ensure safe use of roads and car parks for all. For this reason, the Council provides 18 car parks in strategic locations to facilitate access to retail, leisure and open space facilities. Each car park has parking restrictions designed to provide the best balance of short-term or all day access as calculated to be of greatest benefit to the users of that area. In Swadlincote town centre, a balance is sought between pedestrian access to create a pleasant atmosphere, to promote trade, and the need for business to unload supplies. Consequently, a system of restricted hours for vehicles and passes to allow loading of goods is deployed to minimise their adverse impact on trading conditions.

The Council is, by instinct, a reluctant user of enforcement but it recognises that without it unsafe and unfair practices would become the norm for example, unsafe parking on streets and able bodied people using all the disabled persons parking bays, etc, thus impinging on the even more fundamental rights of other drivers. Consequently, the Council wishes to provide a relatively low key level of enforcement that maintains safety and fundamental access rights for all whilst avoiding becoming a tiresome burden on safe and lawful road users. The Council will continue to develop parking enforcement cautiously, whilst listening to public feedback in order to ensure the correct balance is found.

The Police and CPE Since the transfer of parking enforcement on street from the Police to the County Council there are still many issues on street that can only be enforced by the Police. The lists below indicate some of the responsibilities of each body:

What CPE Enforces

- Limited Waiting Bays
- Double / Single Yellow Lines
- On Street Pay and Display Bays
- Residents' Parking Zones
- Blue Badge Bays
- Loading Bays
- Bus Stops
- Taxi Bays
- School Keep Clear Lines
- Clearways
- Dropped Kerb Access – and Police
- Double Parking – and Police
- Pedestrian Crossings – and Police
- Car Parks (with orders)

What the Police deal with

- Double White Lines
- Obstruction – e.g. Pavements with no parking restrictions
- Dangerous parking and no restrictions
e.g.:
 - Bends
 - Brows of Hills
 - Junctions
- Dropped Kerb Access – and CPE
- Double Parking – and CPE
- One Way Traffic
- Box Junctions
- Access Only
- White Hatched Areas
- Pedestrian Crossings – and CPE

Parking on the pavement is not illegal unless there are parking restrictions such as a clearway, double or single yellow lines. However, the Police could issue a fixed penalty notice to a driver if it is believed the parking caused obstruction or a danger to another road user. The Highway Code is quite explicit that these apply to the carriageway, pavement and verge. Driving on the pavement is illegal and is only enforceable by the Police.

Appeals The appeals system is designed to enable drivers who have received PCNs to provide mitigating circumstances as to why they parked as they did. There are comprehensive guidelines on both the partnership's website www.parksmarter.org.uk, and at the Traffic Penalty Tribunal's website www.patrol-uk.info. All informal appeals are handled by our Central Processing Unit (CPU) which is a combined unit with Nottinghamshire County Council. All formal appeals are administered by the CPU, but the decision is taken by the local authority (County Council for on street, and local District or Borough Council for off street) as the enforcement authority. There is a third level of appeal should the appellant be unsatisfied by the results of the previous two appeals and that is to an Independent Adjudicator at the Traffic Penalty Tribunal. The decision of the Adjudicator is final and binding on both the appellant and the local enforcement authority.

A 50% discount is applied if a PCN is paid within 14 days of issue. An informal appeal puts the 14 day deadline on hold. Once a decision has been made to reject the informal appeal, the driver has 14 days to pay at the discount rate before it increases to the original rate of £50 or £70. After the Notice to Owner (NtO) has been sent out and if a formal appeal is made the full payment is required.

Future Plans

Plans for the future include a review for pay and display on street, including charges. These charges would be matched to off street tariffs to encourage maximum use of car parks for long term parkers and the use of on street for shorter term parking.

Derbyshire County Council's Countryside Service will be introducing Pay and Display in nine of their car parks.

There are reviews taking place to consider more residents parking in Buxton, Glossop, Ilkeston, and Long Eaton, and Chesterfield.

The partnership will begin to use the bailiff system to recover unpaid PCNs.

Glossary

Abbreviations

The following abbreviations are used in this report;

CEA	Civil Enforcement Area
CEO	Civil Enforcement Officer
CPE	Civil Parking Enforcement
DfT	Department for Transport
DVLA	Driver and Vehicle Licensing Authority
TPT	Traffic Penalty Tribunal
NtO	Notice to Owner
PCN	Penalty Charge Notice
RTA 91	Road Traffic Act 1991
TEC	Traffic Enforcement Centre
TMA 2004	Traffic Management Act 2004

Challenge

An objection made against a PCN before an NtO is issued.

Differential Parking Penalties

This is the name for the different levels of charges implemented by the TMA 2004. Higher level contraventions are £70 and lower levels are set at £50. The different charges reflect the seriousness of the offence.

Cancellations

A PCN can be cancelled when we believe that there is either an applicable exemption or there are significant mitigating circumstances why a contravention occurred.

Civil Enforcement Officer – CEO

This is the name given to officers who used to be known as Parking Attendants, or Traffic Wardens. They must be employed by the Council or through a specialist contractor. In Derbyshire, they are employed through APCOA.

Civil Parking Enforcement – CPE

This is the name given to the enforcement of parking regulations by CEOs under the TMA 2004.

Contravention

Failure of the motorist to comply with traffic or parking regulations as set by local Traffic Regulation Orders (TRO).

Controlled Parking Zone - CPZ

An area where parking is restricted during specified times. This ensures that the needs of all motorists are met within a town. Signs are placed at entry points throughout the zone and where the restrictions differ to those on entry. There is no requirement to sign double or single yellow lines.

Department for Transport – DfT

This is the Government department responsible for the English transport network and transport matters in Scotland, Wales and Northern Ireland which are not devolved. The department is run by the Secretary of State for Transport.

Fixed Penalty Notice - FPN

These were introduced in Great Britain in the 1950s to deal with minor parking offences. These can only be issued by the Police.

Local Transport Plan – LTP

These are an important part of transport planning within England. We are required to prepare them as plans for the future and present them to the DfT.

Notice to Owner – NtO

This is a statutory notice that is served by the authority to the registered keeper of the vehicle that was issued with the PCN. This will be served when a PCN is unpaid for 28 days. When the registered keeper, or the person the council believed to be the keeper of the vehicle, receives this they can either;

- make a payment of the full charge.
- make representation (an appeal).

Off Street Parking

These are facilities provided through car parks.

On Street parking

These are facilities provided on the kerbside such as pay and display or permit parking.

Penalty Charge Notice – (PCN)

This is issued to a vehicle that is believed to be parked in contravention of the local TRO.

Registered Keeper

The person who is deemed to be legally responsible for the payment of a PCN. These details are obtained from the Driver and Vehicle Licensing Agency (DVLA).

Representation

This is a challenge against the PCN after the NtO is issued.

Special Parking Area - SPA

An area where on-street parking is subject to CPE. Local authorities will enforce the regulations through CEOs.

Traffic Management Act 2004 – TMA 2004

This Act was passed by the UK Government in 2004. This law details street works and parking regulations. The act has been implemented since 31 March 2008.

Traffic Penalty Tribunal –TPT

The TPT decides appeals against parking penalties issued by CEAs in England (outside London) and Wales and against bus lane penalties issued by CEAs in England (outside London). The TPT is the final stage of appeal for motorists or vehicle owners against a penalty issued by a council in England (outside London) and Wales.

Traffic Regulation Order – TRO

This is the statutory legal document necessary to support any enforceable traffic or highway measures.

Contacts:

Before you contact your local council please consider if the issue is one of obstruction or dangerous parking. If it is, and there are no parking restrictions involved, please contact the Police. The Police retain responsibility for all offences which are not civil offences and where penalty points are awarded against a motorist.

Contact the Police:

- www.derbyshire.police.uk - 0345 123 3333

If you live in Bolsover, North East Derbyshire or South Derbyshire please contact Derbyshire County Council on 08 456 058 058 or email parking@derbyshire.gov.uk.

For all other Borough and District Councils please use the contacts below, asking for Parking Services:

Council	Tel No	Email	Website
Amber Valley Borough Council - or email	01773 570222	enquiry@ambervalley.gov.uk	www.ambervalley.gov.uk or www.parksmarter.org.uk
Chesterfield Borough Council	01246 345593	parkingservices@chesterfield.gov.uk	www.chesterfield.gov.uk or www.parksmarter.org.uk
Derbyshire Dales District Council	01629 761100	carparks@derbyshiredales.gov.uk	www.derbyshiredales.gov.uk or www.parksmarter.org.uk
Erewash Borough Council	0115 9072244	enquiries@erewash.gov.uk	www.erewash.gov.uk or www.parksmarter.org.uk
High Peak Borough Council	0845 129 7777	carparks@highpeak.gov.uk	www.highpeak.gov.uk or www.parksmarter.org.uk
Derbyshire County Council	08 456 058 058	parking@derbyshire.gov.uk	www.derbyshire.gov.uk or www.parksmarter.org.uk

PCN appeals

For advice on how to appeal against your PCN, please phone the number on the back of your PCN.

Amber Valley Borough Council Off Street

Finance

Income	2009/10
Pay and Display	£526,678
PCNs	£74,200
Residents Permits	£13,330
Derbyshire County Council (DCC) Management Fee	£13,837
Other Income	£1,670
Total Income	£629,715
Expenditure	
Employee Costs (including training and IT support)	£50,942
Enforcement Costs	£78,492
Lines and Signs, and Car Park Maintenance	£13,043
CPU (Includes DVLA, TPT)	£28,660
Other Costs	£203,092
Capital Charges	£196,368
Total Expenditure	£570,597
Surplus	£59,118

PCNs and Appeals

PCNS Issued	
No. Higher level issued	721
No. Lower level issued	3005
Total No PCNs issued	3726
No. of PCNs paid at discount	2332
No. of PCNs paid at face value	187
No. of PCNs paid at Charge Certificate	33
Total number of PCNs paid	2552
No. of PCNs where a representation was made	1481
No. of PCNs cancelled as a result of representation (mitigation)	691
No. of PCNs cancelled for other reasons	209
No. of representations that are rejected	563

TPT Appeals and Adjudication

No. of appeals received	10
Ratio of appeals to PCNs issued	0.27%
Appeals not contested	3
Appeals allowed by Adjudicator	1
Appeals refused by Adjudicator	2
Appeals awaiting a decision	4

Bolsover District Council Off Street

Bolsover District Council's car parks are not part of the enforcement scheme as there are no car park orders placed on them. Their car parks are free and there are no time limits on parking.

Chesterfield Borough Council Off Street

Finance

Income	2009/10
Pay and Display	£2,679,738
PCNs	£167,865
Residents Permits	£3126
Business Permits	£33,650
DCC Management Fee	£20,860
Other Income	£51,559
Total Income	£2,956,798
Expenditure	
Employee Costs (including training and IT support)	£341,971
Enforcement Costs	£95,385
Lines and Signs, and Car Park Maintenance	£84,435
General Running Costs	£880,142
CPU (Includes DVLA, TPT)	£59,370
Capital Costs	£53,645
Total Expenditure	£1,514,948
Surplus	£1,441,850

PCNs and Appeals

PCNS Issued	
No. Higher level issued	564
No. Lower level issued	7122
Total number of PCNs issued	7686
Total number of PCNs paid	5681
No. of PCNs paid at discount	5080
No. of PCNs paid at face value	508
No. of PCNs paid at Charge Certificate	93
No. of PCNs where a representation was made	3452
No. of PCNs cancelled as a result of representation (mitigation)	1355
No. of PCNs cancelled for other reasons	605
No. of representations that are rejected	1492

TPT Appeals and Adjudication	
No. of appeals received	23
Ratio of appeals to PCNs issued	0.30%
Appeals not contested	12
Appeals allowed by Adjudicator	6
Appeals refused by Adjudicator	5
Appeals awaiting a decision	0

Derbyshire Dales District Council Off Street

Finance

Income	2009/10
Pay and Display	£1,709,777
PCNs	£109,522
Residents Permits	£5,647
Discount Season Tickets	£48,074
DCC Management Fee	£19,415
Other Income (Lettings, Access, Rents etc)	£55,065
Total Income	£1,947,500
Expenditure	
Employee Costs (including training and IT support)	£114,895
Enforcement Costs	£84,019
Lines and Signs, and Car Park Maintenance	£102,530
CPU (Includes DVLA, TPT)	£38,843
Services and Utilities	£230,365
Capital works: refurbishment/renewals etc	£116,753
Total Expenditure	£687,405
Surplus	£1,260,095

PCNs and Appeals

PCNS Issued	
No. Higher level issued	673
No. Lower level issued	4375
Total number of PCNs issued	5048
No. of PCNs paid at discount	3419
No. of PCNs paid at face value	1794
No. of PCNs paid at Charge Certificate	41
Total number of PCNs paid	3831
No. of PCNs where a representation was made	1749
No. of PCNs cancelled as a result of representation (mitigation)	779
No. of PCNs cancelled for other reasons	182
No. of representations that are rejected	788

TPT Appeals and Adjudication

No. of appeals received	14
Ratio of appeals to PCNs issued	0.28%
Appeals not contested	4
Appeals allowed by Adjudicator	6
Appeals refused by Adjudicator	3
Appeals awaiting a decision	1

Erewash Borough Council Off Street

Finance

Income	2009/10
Pay and Display	£635,135
PCNs	£36,895
Residents Permits	£3,747
DCC Management Fee	£13,369
Other Income	£298
Total Income	£689,444
Expenditure	
Employee Costs (including training and IT support)	£29,921
Enforcement Costs	£36,087
Lines and Signs, and Car Park Maintenance	£28,150
CPU (Includes DVLA, TPT)	£14,156
Total Expenditure	£108,314
Surplus	£581,130

PCNS Issued

No. Higher level issued	163
No. Lower level issued	1679
Total No PCNs issued	1842
No. of PCNs paid at discount	1127
No. of PCNs paid at face value	139
No. of PCNs paid at Charge Certificate	0
Total number of PCNs paid	1273
No. of PCNs where a representation was made	320
No. of PCNs cancelled as a result of representation (mitigation)	41
No. of PCNs cancelled for other reasons	34
No. of representations that are rejected	34

TPT Appeals and Adjudication

No. of appeals received	2
Ratio of appeals to PCNs issued	0.11%
Appeals not contested	1
Appeals allowed by Adjudicator	1
Appeals refused by Adjudicator	0
Appeals awaiting a decision	0

High Peak Borough Council Off Street

Finance

Income	2009/10
Pay and Display	£1,075,344
PCNs	£39,673
Residents Permits	£20,587
DCC Management Fee	£12,967
Other Income	£4,270
Total Income	£1,152,841
Expenditure	
Employee Costs (including training and IT support)	£142,550
Enforcement Costs	£33,497
Lines and Signs, and Car Park Maintenance	£371,277
CPU (Includes DVLA, TPT)	£14,870
Total Expenditure	£562,194
Surplus	£590,647

PCNs and Appeals

PCNS Issued	
No. Higher level issued	177
No. Lower level issued	1756
Total number of PCNs issued	1933
No. of PCNs paid at discount	1189
No. of PCNs paid at face value	141
No. of PCNs paid at Charge Certificate	23
Total number of PCNs paid	1353
No. of PCNs where a representation was made	565
No. of PCNs cancelled as a result of representation (mitigation)	293
No. of PCNs cancelled for other reasons	128
No. of representations that are rejected	272

TPT Appeals and Adjudication

No. of appeals received	7
Ratio of appeals to PCNs issued	0.36%
Appeals not contested	2
Appeals allowed by Adjudicator	2
Appeals refused by Adjudicator	0
Appeals awaiting a decision	3

North East Derbyshire District Council

Finance

Income	
PCNs	£16,800
Total Income	£16,800
Expenditure	
Employee Costs (including training and IT support)	£3000
Enforcement Costs	£4594
Lines and Signs, and Car Park Maintenance	£7600
CPU (Includes DVLA, TPT)	£5428
DCC Management Fee	£863
Total Expenditure	£21485
Deficit	-£4685

PCNs and Appeals

PCNS Issued	
No. Higher level issued	250
No. Lower level issued	533
Total No PCNs issued	783
Total number of PCNs paid	578
No. of PCNs paid at face value	25
No. of PCNs paid at Charge Certificate	2
No. of PCNs paid at discount	551
No. of PCNs where a representation was made	511
No. of PCNs cancelled as a result of representation (mitigation)	114
No. of PCNs cancelled for other reasons	28
No. of representations that are rejected	369

TPT Appeals and Adjudication

No. of appeals received	1
Ratio of appeals to PCNs issued	0.013%
Appeals not contested	0
Appeals allowed by Adjudicator	1
Appeals refused by Adjudicator	0
Appeals awaiting a decision	0

South Derbyshire District Council

Finance

Income	2009/10
PCNs	£12,145
Total Income	£12,145
Expenditure	
Enforcement Costs	£4,199
Lines and Signs, and Car Park Maintenance (includes salting and gritting)	£5,615
CPU (Includes DVLA, TPT)	£4,395
DCC Management Fee	£786
Total Expenditure	£14,995
Deficit	-£2,850

PCNs and Appeals

PCNS Issued	
No. Higher level issued	260
No. Lower level issued	254
Total No PCNs issued	514
Total number of PCNs paid	380
No. of PCNs paid at discount	351
No. of PCNs paid at face value	28
No. of PCNs paid at Charge Certificate	1
No. of PCNs where a representation was made	149
No. of PCNs cancelled as a result of representation (mitigation)	62
No. of PCNs cancelled for other reasons	15
No. of representations that are rejected	72

TPT Appeals and Adjudication

No. of appeals received	0
Ratio of appeals to PCNs issued	0%
Appeals not contested	0
Appeals allowed by Adjudicator	0
Appeals refused by Adjudicator	0
Appeals awaiting a decision	0

Derbyshire County Council (All On Street areas individually and combined)

	AVBC	BDC	CBC	DDDC	EBC	HPBC	NEDDC	SDDC	ALL AREAS
	2009/10	2009/10	2009/10	2009/10	2009/10	2009/10	2009/10	2009/10	
Income									
Pay and Display	£0	£0	£106,988	£16,054	£0	£142,261	£0	£0	£265,303
PCNs	£76,812	£13,945	£121,896	£74,595	£56,435	£143,968	£13,480	£20,565	£521,696
Residents Permits	£0	£0	£3,129	£4,984	£6,749.82	£12,101	£0	£0	£26,964
Management Fee From Districts/Boroughs	£0	£0	£0	£0	£0	£0	£862	£787	£1,649
Total Income	£76,812	£13,945	£232,013	£95,634	£63,185	£298,330	£14,342	£21,352	£815,613
Expenditure									
Employee Costs (including training and IT support)	£10,691	£2,775	£24,394	£16,705	£8,471	£14,905	£864	£628	£79,432
Management Fee to Districts/Boroughs	£13,837	£0	£20,860	£19,415	£13,369	£12,967	£0	£0	£80,449
Enforcement Costs	£58,128	£15,167	£134,525	£93,381	£47,287	£84,139	£19,601	£14,692	£466,919
CPU (Includes DVLA, TPT)	£20,179	£3,800	£34,874	£21,554	£17,043	£41,709	£4,276	£5,179	£148,614
Total Expenditure	£102,834	£21,741	£214,653	£151,056	£86,170	£153,720	£24,741	£20,499	£775,414
Surplus or Deficit	-£26,022	-£7,796	£17,360	-£55,422	-£22,985	£144,610	-£10,399	£853	£40,199
PCNs issued									
No. Higher level issued	2285	377	2405	1446	1726	2641	333	675	11888
No. Lower level issued	333	112	2101	1333	353	2782	132	1245	8391
Total Number of PCNs issued	2618	489	4506	2779	2079	5423	465	1920	20279
Total number of PCNs paid	2225	391	2073	2236	1520	4320	371	543	13679
No. of PCNs paid at discount	1895	361	1674	2019	1355	3908	332	495	12039
No. of PCNs paid at face value	306	26	367	197	149	375	33	40	1493
No. of PCNs paid at Charge Certificate	24	4	32	20	16	37	6	8	147
No. of PCNs where a representation was made	608	171	1319	632	758	1557	136	244	5425
No. of PCNs cancelled as a result of representation (mitigation)	180	42	345	185	236	339	34	108	1469
No. of PCNs cancelled for other reasons	122	22	234	70	111	201	30	30	820
No. of representations that are rejected	306	107	740	377	411	1017	72	106	3136
TPT Appeals and Adjudication									
No. of appeals received	4	0	15	3	11	27	3	1	64
Ratio of appeals to PCNs issued	0.15%	0.00%	0.33%	0.11%	0.53%	0.5%	0.65%	0.05%	0.32%
Appeals not contested	1	0	4	1	8	9	0	0	23
Appeals allowed by Adjudicator	0	0	6	1	1	5	0	0	13
Appeals refused by Adjudicator	1	0	5	1	1	9	2	0	19
Appeals awaiting a decision	2	0	0	0	1	4	1	1	9