

THE CITY AND COUNTY OF SWANSEA
PARKING SERVICES DEPARTMENT
ANNUAL REPORT
1ST SEPTEMBER 2008 – 31ST MARCH 2009

1. Introduction

- 1.1 On the 1st September 2008 The Welsh Assembly Government designated The City and County of Swansea a Civil Enforcement Area for Parking Contraventions and a Special Enforcement Area. This removed the responsibility for the enforcement of 'on street' parking contraventions from South Wales Police and placed the onus of responsibility on the Council. Having been granted these powers this responsibility cannot return to the Police.
- 1.2 This document reports on the performance of the service from the 1st September 2008 to the 31st March 2009 for both enforcement operations in car parks and on street.
- 1.3 Parking in contravention of the parking regulations, is no longer a criminal offence, although it is still an illegal act. The legislation under which the service currently operates is the Road Traffic Act 1984, the Road Traffic Act 1991, the Traffic Management Act 2004, Road Traffic Wales, Statutory Instruments 2008 numbers, 609, 612, 613, 614, 615, 616 and 620. In addition there are two Traffic Regulation Orders these being 'The Council of the City and County of Swansea (Off Street, Parking Places)(Pay and Display) Consolidated Order 2008 and 'The Council of the City and County of Swansea(Prohibition and Restriction of Waiting and Loading and Parking Places)(Consolidation) Order 2008. Since the introduction of the two consolidated orders a number of local traffic regulation orders have also been introduced.
- 1.4 The Council has been responsible for enforcement of parking contraventions in it's car parks for a number of years. Contraventions were dealt with via excess charge notices with a penalty of £40 (discounted to £20 if paid within 14 days) persons failing to pay the excess charges were summons to magistrates courts The penalty imposed by magistrates were fines from which the Council received no remuneration as all fines are collected and remain with the Lord Chancellors Department.
- 1.5 Civil enforcement of both off street and on street regulations have a number of benefits to the council. Such benefits include having the responsibility to enforce traffic regulation orders it imposes thereby addressing issues it considers critical. This ensures improved traffic flow, parking places will be

easier to find due to a higher turnover in parked vehicles, pollution will be reduced due to fewer cars circulating to find an empty parking space, improved access for emergency vehicles and public transport due to a lack of illegal parking obstruction. In addition all the penalties imposed on motorists who contravene the traffic orders are retained by the Council to off set the costs running the operation.

- 1.6 In August 2008 the Council agreed the penalty charges for parking contraventions would be £50 for the lower range contraventions and £70 for the higher range contraventions. In line with legislation these charges are discounted by 50% if they are paid within the first 14 days however if they are not paid within 56 days the penalty rises by 50% and ultimately should they not be paid the Council registers the debt with the County Court and Debt Recovery Service companies (bailiffs) are instructed to recover the outstanding penalty charges.
- 1.7 A comprehensive appeals process runs in parallel to the recovery procedures outlined in paragraph 1.6. There are three stages for appeal with motorists having a final option to appeal to the Traffic Penalty Tribunal. Cases are adjudicated by independent solicitors and both parties are bound to the decisions of the Tribunal.
- 1.8 To facilitate these processes, in addition to the enforcement staff recruited, a comprehensive administrative process was set up with a software programme designed to manage all penalty charge notices from issue to closure. The operations and administration of Parking Services Swansea is located in the City Centre.

2. Off Street Parking

- 2.1 The City and County of Swansea has a total of 53 car parks listed in the 'The Council of the City and County of Swansea (Off Street, Parking Places)(Pay and Display) Consolidated Order 2008'.
- 2.2 Three City Centre multi storey car parks are pay on exit whilst all other car parks are pay and display. In addition there are three park and ride car parks located on the peripheries of the City. These are also pay and display.
- 2.3 Charges do vary in different car parks with car parks designated as 'long stay', 'short stay', 'foreshore,' and 'suburban'. In addition thirteen car parks are currently identified as free however it is possible charges may be introduced in some of these car parks in the near future. Two car parks are designated for season ticket holders only and one solely for the use of disable badge holders.
- 2.4 Charges vary from £1.30 per hours in City Centre multi storey car parks to 50p per hours in suburban car parks.

- 2.5 In addition to three NCP multi storey car parks within the City Centre all of which have a higher tariff than the council multi storey car parks, Tesco and Sainsbury's (both have large stores in the City Centre) offering 2 hours free parking.
- 2.6 During the reporting period a total of 2,658 penalty charge notices were issued in respect of contraventions detected in our car parks. Table 1 below identifies the various contraventions and as can be seen the greatest number of contraventions relate to not clearly displaying a parking ticket.

Table 1

Contravention Code	Contravention	Number of PCN issued
70	Parked in loading area	2
80	Parked longer than permitted	34
81	Parked in a restricted area	6
82	Parked after payment expired	418
83	Parked without clearly displaying	1,770
84	Feeding the metre	0
85	Parked in a permit bay	299
86	Parked beyond bay markings	65
87	Disabled persons parking without badge	63
92	Obstruction	1
93	Parked in a closed car park	0
	Total	2,658

- 2.7 During the preceding five months prior to the introduction of civil enforcement a total of 1,021 excess charge notices were issued and during the financial year 2007 – 2008 3,434 excess charge notices were issued. The introduction of civil enforcement and additional staff has increased the average monthly issue figures from 286 in the financial year 2007 - 2008 to 366 for the first seven months of the civil parking regime.

3. On Street Parking

- 3.1 The City and County of Swansea has a variety of 'on street' parking restrictions. The introduction of Civil Parking Enforcement required the Council to train staff to undertake this role. In addition, four traffic wardens employed by South Wales Police transferred to the Council. On the 1st September 2008 a total of 2 supervisors, 7 cashiers/enforcement officers¹ and 13 enforcement officers had undertaken training in the roles and responsibilities of civil enforcement officers

¹ Cashiers/enforcement officers have a dual role. They are responsible for the maintenance of and collection of cash from the 86 pay and display ticket machines, the reconciliation of the cash and liaison with Group4 during the collection of the cash from the Civic Centre.

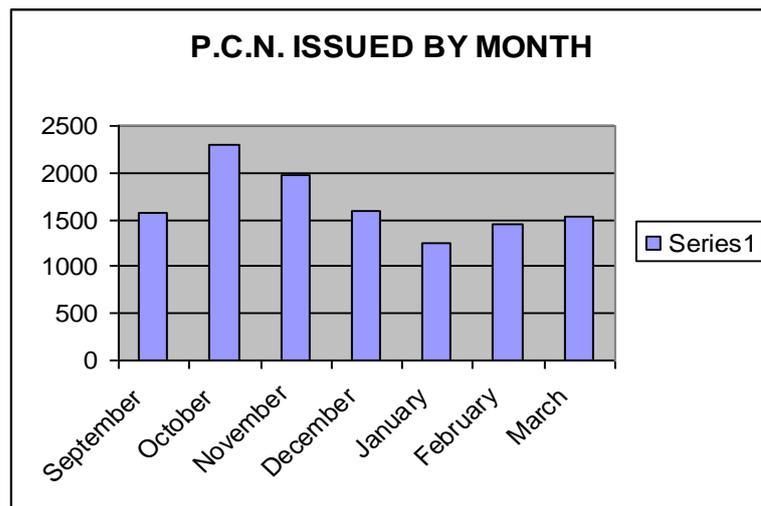
(parking) and conflict resolution. These officers all were successful in obtaining qualifications with the City and Guilds Institute.

3.2 Due to the uncertainty as to exactly how many traffic wardens would transfer from South Wales Police and the contractual difficulties experienced with car park staff on September 1st there were five vacancies (1 supervisor and 4 civil enforcement officers). These posts were not filled until April 2009.

3.3 The Parking Services Department, in addition to the enforcement role maintained their responsibilities for the supervision of car parks and the collection and reconciliation of the cash from 86 pay and display machines located throughout the Council area.

3.4 As this was a new regime which had the potential to have a major impact of the motorists in Swansea it was agreed to issue warning notices during September. This also ensured staff who had no previous experience of on street enforcement were mentored by the 4 traffic wardens to allow them to become competent in their role. Whilst it is fair to say they became competent in a relative short period of time their confidence levels did not develop as quickly and a number of staff voiced their concerns regarding the roles and in particular the health and safety issues surround confrontation by annoyed and/or angry motorists.

3.5 On the 1st October officers moved from issuing warning notices to penalty charge notices for all on street contraventions. The graph below shows the monthly issue rate for the reporting period.



3.5 A total of 1,478 warning notices were issued in September and 7,511 penalty charge notices were issued between the 1st October 2008 and the 31st March 2009. Table 2 below identifies the various contraventions and as can be seen the greatest number of contraventions relate to parking in restricted streets (i.e. double yellow lines) and parked in residents bays without displaying a permit.

Table 2

Contravention Code	Contravention	Number of PCN issued
01	Parked in a restricted road	2082
02	Loading in a restricted street	619
05	Parked after payment expired	13
06	Parked without clearly displaying a pay and display ticket or voucher	73
12	Parked in a Residents bay	2087
16	Parked in a permit space	33
19	Parked in residents or shared use bay displaying invalid	51
21	Parked in a suspended bay	0
22	Re-parking within prohibited time	2
23	Wrong class of vehicle	43
24	Not parked correctly	5
25	Parked in a loading bay	848
26	Double parking	12
30	Parked longer than permitted	840
40	Disabled person's parking	288
45	Taxi Rank	33
46	Clearway	372
47	Restricted bus stop	71
47	Restricted school area	19
49	Cycle track or lane	1
99	Pedestrian crossing	9
	Total	7511

- 3.6 During the preceding five months traffic wardens and police officers stationed in Swansea had issued 4,790 fixed penalties notices relating to parking contraventions. And during the 2006 – 07 year 16,456 and 2007 – 08 year 14,941. These figures however relate to all endorsable fixed penalty notices which include a number of offences in addition to parking.

4. Correspondence

- 4.1 During the reporting period a total of 6,329 separate items of correspondence were sent to motorists who had received penalty charge notices.
- 4.2 Having received a penalty charge notice motorists can initially make an informal challenge by writing to the Parking Services Department. Whenever an informal challenge is received this suspends the 14 day discount period until such time as decision is made and communicated to the motorist. Should the

- 4.3 challenge be rejected a further 14 day discount period is offered. During the reporting period a total of 1,759 such challenges were received and answered.
- 4.4 If after 28 days no payment has been received DVLA are contacted to request the name and address of the keeper of the vehicle. This allows the Council the opportunity to correspond with the owner and advise them of the current position with the penalty charge notice and their rights to make a formal representation against the notice. A total of 3692 such requests were made during the reporting period.
- 4.5 These requests resulted in 2,674 notices to owners being sent. The variances in the number of requests to the DVLA and the number of notices to owner's results from motorists either paying the penalties or entering into correspondence with us in the time between the request being made to DVLA and the notice to owner being sent.
- 4.6 The sending of the notices to owners resulted in further appeals being received and a total of 438 items of correspondence were received and answered.
- 4.7 Should the penalty charge remain outstanding a charge certificate which increases the penalty by 50% is sent. 1,268 charge certificates were sent during the reporting period.
- 4.8 During the reporting period the Council had not commenced the next stages of recovery advising the vehicle owner of debt registration, debt registration at the Northampton County Court, advising the owner the debt has been registered and finally the appointment of bailiffs to recover the debt. Clearly each outstanding case does require a significant amount of further correspondence.
- 4.9 Throughout the reporting period the response to appeals and correspondence has not extended past 14 days with the majority being dealt with within 7days. The software programme we operate does not identify time scales for response however the management exercises a proactive approach to mail monitoring.

5. Payments

- 5.1 Payments received in respect of the penalty charge notices issued during the report period are shown in Table 3 below. In addition the table shows the numbers and percentages paid at discounted rate full rate and surcharged rate.

Table 3

	Off street		On Street	
	Number	Percentage	Number	Percentage
Total issued	2658		7511	
Stopped	549	20.56%	1460	19.43%
Fully Paid	1,842	69.30%	5,306	70.64%
Discount rate	1,335	50.23%	4,281	57%
Full rate	315	11.85%	615	8.19%
Surcharged rate	184	6.92%	368	4.9%
Total paid	£67,638		£225,014	

5.2 The total amount paid in respect of these penalty charge notices is £290,892

6. Expenditure

6.1 During the financial year 2008 – 2009 the set up costs for the introduction of civil enforcement resulted in there being a significant deficit. Details of the expenditure for both the set up and operational running costs for the period are outlined below in table 4

Table 4

Expenditure	Amount
Employment costs	£225,000
Premises Costs / Rent	£20,700
Transport	£7,400
I.T. Costs	£92,100
Equipment	£14,900
Uniforms	£9,100
General Office/ Stationary	£7,500
Advertising	£137,900
Agency	£16,400
Consultancy	£58,200
Total	£589,200

6.2 The above expenditure relates to both on and off street enforcement. The advertising and consultancy expenditure relate specifically to on street enforcement whilst all other costs are associated to both on and off street activities.

6.3 Expenditure differentials between on street and off street have been assessed as 53% of costs being related to on street and 46% to off street. This may appear disproportionate when compared with the issues statistics of 26% off

street to 74% on street and payment statistics of 71% off street and 79% on street.

- 6.4 The expenditure differentials are based on the time staff spends on the roles. As there is a requirement to staff car parks, maintain and collect from pay and display machines, count and reconcile the income and liaise with Group 4 security these roles require more time than on street enforcement.
- 6.5 The expenditure linked to on street parking for the financial year 2008 -09 is £404,443. Income was £225,013 resulting in a deficit of £179,430.
- 6.6 The expenditure linked to off street parking for the same period is £180,826. Income was £67,638 resulting in a deficit of £113,188.
- 6.7 The financial outcomes of the initial seven months of operation surpassed the forecasts contained within the business case. This is even more impressive considering the enforcement team commenced in September with four vacancies and these vacancies were not filled until April 2009. In addition it must be borne in mind that considerable set up costs were incurred and these appear in the expenditure figures.