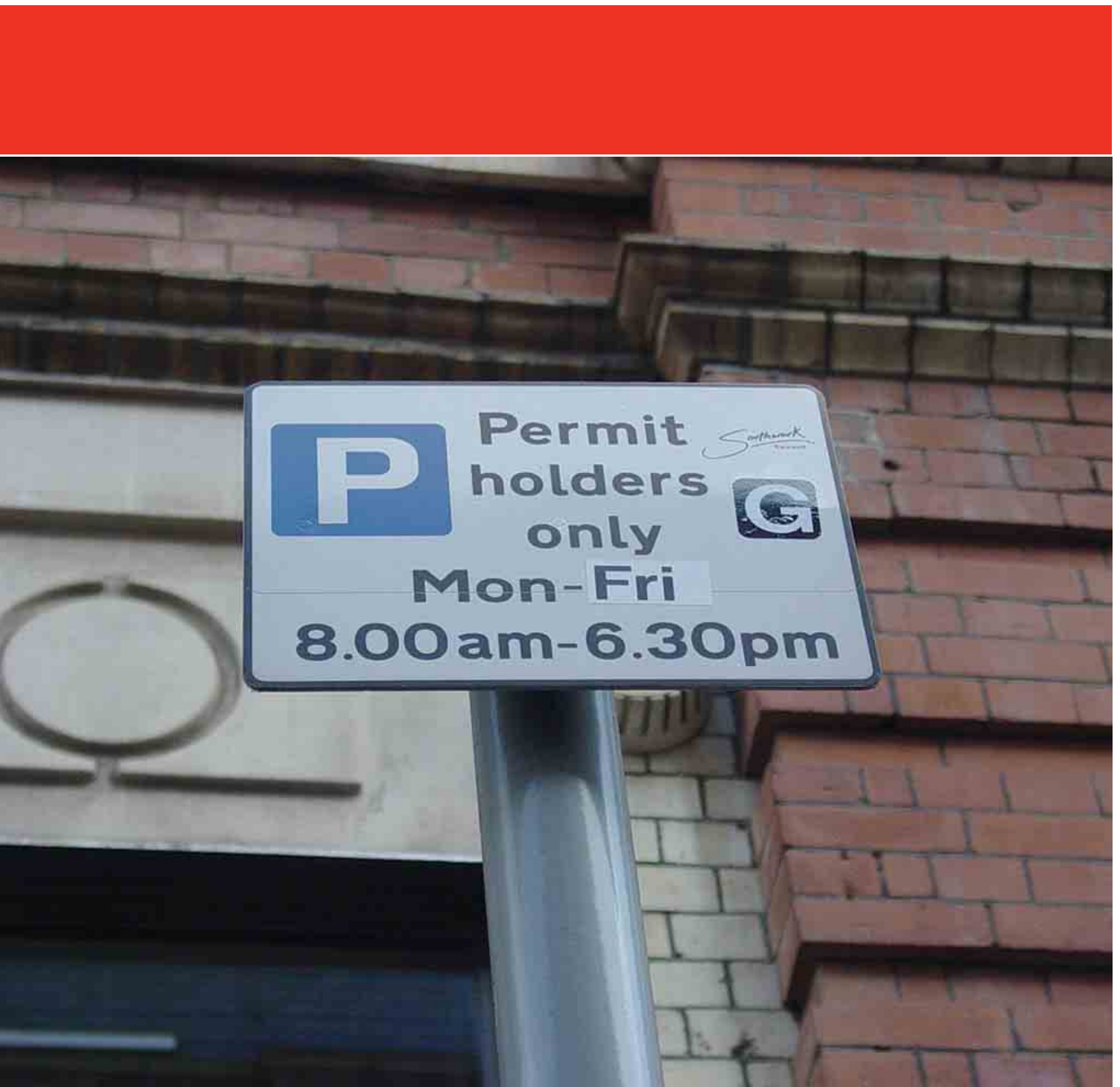


## **Parking enforcement in London**

Investigation into parking controls and their enforcement in London  
June 2005





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**Greater London Authority**  
**June 2005**

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## **Membership of the Transport Committee for the parking enforcement meetings**

Lynne Featherstone	- Chair (Liberal Democrat)
Roger Evans	- Deputy Chair (Conservative)
John Biggs	- Labour
Angie Bray	- Conservative
Elizabeth Howlett	- Conservative
Peter Hulme Cross	- Veritas-UKIP
Darren Johnson	- Green
Murad Qureshi	- Labour
Graham Tope	- Liberal Democrat

The Transport Committee's general terms of reference are to examine and report on transport matters of importance to Greater London and the transport strategies, policies and actions of the Mayor, Transport for London, and the other Functional Bodies where appropriate. In particular, the Transport Committee is also required to examine and report to the Assembly from time to time on the Mayor's Transport Strategy, in particular its implementation and revision.

### **Contact for this report:**

Paul Watling, Scrutiny Manager

[paul.watling@london.gov.uk](mailto:paul.watling@london.gov.uk)

020 7983 4393

## Terms of reference

To investigate the enforcement of parking regulations in London including:

- The recent development of parking and enforcement policies, including the reasons for decriminalisation of enforcement;
- The legislative background for parking and enforcement policies, including regulations, signing and financial issues;
- The basis for parking regulations including enforcement on the street, numbers of penalty charge notices issued, numbers of vehicles clamped and removed, and directions given to parking attendants;
- Procedures for dealing with challenges to and appeals against parking penalties;
- The effectiveness of the enforcement of parking regulations, including the different approaches of borough parking enforcement and red route enforcement by TfL;
- The use of private contractors for parking enforcement and the conditions of their appointment;
- Issues surrounding the safety and security of parking attendants;
- Evidence of common standards and procedures between boroughs and moves to establish good practice;
- Issues surrounding the co-operation between the different agencies involved in aspects of parking enforcement;
- Views of road users on the enforcement of parking regulations in London.





## Chair's Foreword



There is nothing like coming back to your car and finding an 'unfair' parking ticket to raise not only our blood pressure, but also our innate sense of fair play. But what is 'fair'?

In a city which has too many cars to move around or park without associated rules, we accept restrictions and penalties – so long as their purpose is to alleviate traffic problems and not to raise revenue.

Over recent years, with an steep increase in the number of Penalty Charge Notices issued – there has been a fair bit of squealing going on – both from motorists and in the media.

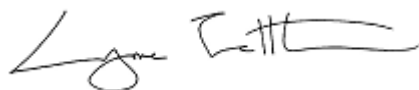
Justified or not? That is what the London Assembly set out to investigate in this scrutiny into parking enforcement in London.

Several Local Authorities and the Association of London Government were concerned that such a spotlight might trigger unwarranted attacks from residents and the media on them for their parking policies. However, this investigation seeks not to point the finger at any individual authority – that is a matter for local focus, local investigation and local elections.

This London Assembly investigation seeks to question and highlight those areas where the public believe difficulties lie and suggest common sense ways forward to alleviate the seeming growing tensions between restriction and compliance.

With such a 'hot' topic, there have been a variety of views expressed to the Assembly on this issue – many very strong views – but on both sides. Our report seeks to reflect the evidence, both written and verbal, in our findings and recommendations. And whilst this report will not resolve those tensions overnight, our aspiration is that it will begin the process.

Finally I would like to thank all those hundreds of members of the public and other organisations who contributed their time and views to this investigation.

A handwritten signature in black ink, appearing to read 'Lynne Featherstone'.

**Lynne Featherstone**

Chair of the London Assembly's Transport Committee for the parking enforcement investigation



## **Executive summary**

1. Parking controls and the enforcement system were originally designed to serve the objectives of ensuring road safety and maintaining the free flow of traffic on London's streets. As the number of cars and other vehicles in London have grown, additional controls have been introduced to manage kerb space where demand for parking exceeds supply.
2. The 1991 Road Traffic Act decriminalised parking enforcement, passing responsibility for this from the Metropolitan and City police forces to the London boroughs. The Act paved the way for a widespread change in the approach to parking enforcement as Local Authority Parking Attendants were created and empowered to issue penalty charge notices and to authorise vehicles to be clamped or removed.
3. By 2003/04 nearly six million penalty charge notices were issued in London bringing in an income of some £300 million pounds for boroughs who, after expenditure, made surpluses of more than £113 million pounds for their parking accounts.
4. The transition from the relatively benign police enforcement to the much more efficient enforcement by or on behalf of London boroughs has been predictably controversial and even confrontational, as both motorists and the London boroughs embarked on a steep learning curve.
5. Generally there is public support for parking enforcement, and the Committee accepts the need for those controls which are vital to London's economic and social well being. But there is growing diversity of opinion about whether the current system is either too lenient, or too harsh. In essence, people are asking, is it fair? Has the right balance been arrived at between the need for these controls and, at the same time, ensuring that the process is operating both fairly and effectively?
6. Of all the responses received by the Assembly to this investigation from members of the public, businesses and other organisations, the issues of revenue raising, proportionality and discretion consistently appear to raise the most concern. Other issues surround problems with signage, the complexity of regulations operating in London and difficulties of dealing with the challenge and appeal process.

### **Revenue Raising**

7. There is undoubtedly for many Londoners a suspicion that the nature of parking enforcement contracts, the number of tickets being issued as well as the instances of improperly issued tickets – whatever the magnitude – represent parking enforcement being used as revenue raising.
8. The Committee saw no explicit evidence that this is the case but understands public perceptions to the contrary. If the purpose of the parking enforcement system is to prevent illegal parking then Londoners must be clear as to what they are expected to do, and in return have absolute confidence that boroughs are acting only for the purposes of ensuring road safety, maintaining traffic

flows and managing kerb space where demand exceeds supply. We urge the boroughs to do more if they are to reassure the public that, as they state, the purpose of parking enforcement is, and will continue to be, to manage traffic.

### **Proportionality**

9. We received considerable evidence that motorists are being fined for minor breaches of regulations such as overstaying pay and display bays for a few minutes, cars parked inches outside marked bays or with a wheel barely on a kerb.
10. There seems to be an emerging recognition that there is an argument that divides between contraventions in permitted parking – overstaying on a meter for example – as opposed to more significant and absolute contraventions such as parking on a yellow line where it is prohibited.
11. We believe that a study of differential parking penalties is needed and that further work should be done on the practicability of operating two tier penalties for minor contraventions in permitted parking, as opposed to more serious overstay or contraventions of prohibited parking regulation.

### **Complexity of regulations**

12. The existence of so many different regulations between boroughs, and within the same boroughs, is a source of confusion which leads to many unintentional violations of parking controls.
13. The Committee sees logic in public and business desires to harmonise regulations, however there are good reasons why controls need to vary from place to place. It is unlikely that constant hours of operating are appropriate across London. The Committee is aware that many calls for controls come from specific local demands to meet particular local needs.
14. While a commonsense approach is clearly needed to ensure consistency, consideration of local needs should remain the primary driver for instituting parking controls. Of course raising public awareness will go some considerable way in reducing any confusion, and this is why we welcome the publication of any standards, guidance or directions given to those enforcing regulations.

### **Challenges and appeals**

15. We were told that the real test of the robustness of the enforcement process lies not in those Penalty Charge Notices that are routine but in those the motorist challenges. Indeed there is evidence that many people give up having had their representations challenging ticket issue rejected, when in fact they have well-founded grounds for contesting liability.
16. Parking enforcement is a public service, although often paid for by a reluctant customer. In any case it would seem obvious that boroughs should ensure standards of customer care in the challenge service are the highest possible – as they should be for any other service provided by a local authority. Boroughs should ensure their “back office” functions are adequately resourced, and should aim to obtain some quality standards so that this aspect of the system offers the best possible service to the public.

17. We recommend that all local authorities have arrangements in place for carefully considering the advice and feedback received from the Association of London Government and Appeals Service and acting on it if this can improve the challenge process.

### **Impacts on business**

18. Parking and deliveries are essential activities for most businesses, and are an essential part of economic activity. However, some businesses believe the existing high level of fines borne by business, running into millions of pounds a year, could threaten the capital's economic competitiveness. From the evidence received, business finds the current loading and unloading facilities inadequate, and feels that the imbalance needs to be rectified.
19. Much of the impact of parking enforcement activity on business seems to stem from the varying regulations and interpretations of them. Boroughs and contractors need to review the training of Parking Attendants so that they fully understand the laws and regulations about the loading and unloading of vehicles and also their knowledge of the freight industry's needs. Equally, business needs to ensure employees are aware of local regulation.
20. Boroughs should seriously consider the proposals made by the Freight Transport Association with regard to the "London Delivery Disc" and agree the best practice and standards that companies would have to adopt in order to qualify for the scheme and the way in which this system would be enforced.

### **Safety and security of parking attendants**

21. Incidents of assault on parking attendants, be it verbal or physical, occur daily. Unfortunately the issues surrounding the safety and security of Parking Attendants have not decreased in London in the ten years since the advent of decriminalised parking and in some instances have become worse. Being a Parking Attendant is a difficult and demanding job and there is no such thing as a safe area.
22. It is imperative that the safety and security of staff remains the highest priority and that there is a concerted effort by all involved to protect them and support them. We believe that boroughs and contractors should review the appropriateness of schemes such as Kensington and Chelsea's "side by side" initiative and ensure that risks to Parking Attendants are reduced by measures such as; recording and reporting all assaults; minimising the instances of patrolling alone, particularly in known trouble spots, and regularly reviewing risk assessments.

### **Conclusions**

23. Public perception of how the system is operating is critical to its success. But in recent years there has been a growing amount of negative publicity about parking enforcement in the media, which has gone some way to damaging confidence in the system.
24. It is evident that the boroughs are recognising that there is an issue of public confidence and it is in their interest to demonstrate that everything they do

leading to a ticket is valid, proportionate and fair. Boroughs are slowly moving in that direction, we agree that they are moving a bit too slowly and have moved a bit late, but generally that is the direction they are moving in.

25. The Committee hopes that this pace of progress can be accelerated across London. There is nothing to gain from a system which allows authorities to impose a penalty on a citizen without that citizen being fully aware of the reasons for that penalty and having absolute confidence that the fine is being imposed fairly, efficiently and transparently.

# 1 Introduction

- 1.1 Parking controls, and the enforcement of those controls, were introduced to serve two key objectives: ensuring road safety and maintaining traffic flows. With increasing numbers of vehicles in London further controls have been introduced to manage kerb space where demand for parking exceeds supply. The policies developed to meet all these objectives must also allow safe and un-obstructive parking and comply with relevant legislation.
- 1.2 Public perception is crucial to the success of parking enforcement. While parking enforcement in most cases produces a surplus, which is legal, it should not deliberately set out to maximise a profit. Over the last few years there has been growing coverage of this issue in the media, mostly negative, which has fanned much public suspicion as to the real motives for parking enforcement.
- 1.3 Some members of the public now believe the distinction between the need for maintaining safe traffic flow and regulating parking space has become blurred. Many view parking enforcement as an invisible tax.
- 1.4 Whatever income is generated through enforcement action must be balanced by ensuring standards of customer care are the highest possible – as they would be for any other service provided by a local authority. The sensitivity of the subject, and the importance of maintaining public support for proper and relevant parking controls, means that regular scrutiny of the subject is vital.
- 1.5 This scrutiny is a timely one. The Road Traffic Act 1991 decriminalised parking enforcement. The first borough started enforcement in 1993 and by 1996 all London boroughs had taken on parking enforcement. It is therefore just over ten years since boroughs started to take over the control of parking and it would seem appropriate to review what has happened in that time.<sup>1</sup>
- 1.6 This investigation has also attracted a huge response from Londoners. While parking enforcement always receives some press coverage, the past few months have seen considerable public concern about elements of decriminalised parking enforcement as carried out by boroughs.<sup>2</sup>
- 1.7 The growth of parking enforcement activity also makes it worthy of investigation. In 1990/91, the last full year of police enforcement before the 1991 Act started to encourage the police to start to reduce their activities, 1.8 million fixed penalty notices were issued by the Metropolitan Police and the traffic warden service.
- 1.8 By 1996/97 over 3.5 million PCNs resulted in just over 27,000 appeals. In 2003/04 over 5.9 million tickets were issued attracting nearly 44,000 appeals.

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<sup>1</sup> At the same time as the Transport Committee launched this investigation the British Parking Association also announced that it was undertaking an initiative to review the way that Decriminalised Parking Enforcement (DPE) is operated throughout the country, primarily to find out whether DPE is being operated effectively and fairly.

<sup>2</sup> ALG TEC Executive Sub-Committee Report, 22 July 2004

- 1.9 Generally there is public support for parking enforcement, but there is growing diversity of opinion about whether the current system is either too lenient, or too harsh. In essence, people are asking, is it fair?
- 1.10 A recent report has explored the essential requirements of any system whereby local authorities seek to use penalty notices as part of an enforcement role. "If enforcement is to be effective, it needs to be fair. Enforcement must be equitable, proportionate and governed by clear and transparent standards. Performance should be monitored, reviewed and audited, and the public needs to fully understand how the penalty notice system fits into the administration of justice. The system must be democratically accountable, and it must be perceived to be by the public".<sup>3</sup>
- 1.11 The main purpose of this scrutiny is therefore to investigate whether the right balance is being maintained between the need to introduce and enforce parking controls and, at the same time, ensuring that the process is both operating, and importantly seen to be operating, both fairly and effectively.
- 1.12 This report is set out in two main sections:
- The legislative framework for parking controls and the historical development of controls and enforcement in London and;
  - Issues relating to the current enforcement regime in London; concerns raised by individuals and organisations who have contributed to this investigation, the boroughs responses to these concerns and possible improvements to the system.

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<sup>3</sup> The New Enforcers, Local authorities and the penalty notice system. Fellows' Associates, December 2004



## **2 Background to the development of parking enforcement in London**

- 2.1 The Association of London Government (ALG) evidence to the Committee provides a useful summary of the objectives of parking controls, enforcement of these controls and how these have developed over time in London.

### **Objectives of parking enforcement**

- 2.2 The issue of parking enforcement in London cannot be considered without an understanding of the basis for parking regulations. The first parking restrictions were introduced in the 1920s, with the first meters (in Manchester Square) in 1958.
- 2.3 In Britain, and in central London in particular, it was not uncommon to find cars double or even triple parked in various locations. A study of road accidents in London in 1947/48 showed an overall increase in accidents of 8 per cent whereas in another part where several miles of road had had parking controls introduced, accidents fell by 31.5 per cent.<sup>4</sup>
- 2.4 Studies following the introduction of the new metered controlled zones showed that the number of parked vehicles was halved, and traffic speeds increased by 16 per cent from 8.2mph to 9.6mph. Traffic accidents decreased by 21 per cent in the zone but in similar uncontrolled areas the number of accidents rose by 22 per cent.<sup>5</sup>
- 2.5 As the number of cars have grown controls have been introduced to manage kerb space where demand for parking exceeds supply.<sup>6</sup> Further controls have been introduced as boroughs seek to implement policies such as traffic reduction and to encourage people to use their cars less.<sup>7</sup>
- 2.6 These policies must take into account the different requirements of all stakeholders involved. These include:
- The motorists who park;
  - The motorists who wish to drive through the area being enforced;
  - The retailers who rely on motorists for their business and probably park themselves;
  - Other businesses who require parking for their employees and visitors;
  - Residents.<sup>8</sup>
- 2.7 Each of these stakeholders will have different ideas of what is 'good' enforcement. The retailer will want to maximise parking for his customers but will not want them to receive PCNs, the resident wants to ensure that spaces are

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<sup>4</sup> Research on Road Traffic, Road Research Laboratory 1965

<sup>5</sup> ALG written evidence

<sup>6</sup> According to the 2001 Census there were 2.6 million vehicles owned by Londoners in 2001

<sup>7</sup> ALG evidence presents a different view – paragraph 3.14 below

<sup>8</sup> NCP written evidence

reserved for them and the through-driver does not want to be delayed by unlawful and obstructive parking.

### **Historical and legislative background**

- 2.8 Parking enforcement was traditionally the responsibility of the Metropolitan and City police forces. Traffic wardens were introduced in 1969 to supplement the work of police officers in this area as police officers were unable to enforce the regulations effectively and lack of enforcement was an issue.
- 2.9 Despite this move enforcement was not carried out effectively or efficiently. Studies in the 1980s indicated that only one illegal parking act in 100 was penalised and more than 50 per cent of those fixed penalty notices (FPNs) issued did not result in the penalty being paid.<sup>9</sup> The Metropolitan Police did not consider parking enforcement a priority and resources were limited. Additionally, the MPS parking enforcement service cost nearly £40m in 1990.
- 2.10 Following lobbying by the London boroughs, the Road Traffic Act 1991 allowed for the decriminalisation of parking enforcement and its transfer to local authorities in special parking areas (SPAs). In London, SPAs were created to cover the whole of London, except for the red route network, the Whitehall security zone and the Royal Parks. These became operational during 1993/94 with a pilot scheme starting in part of Wandsworth in July 1993. All boroughs operated borough-wide SPAs by July 1994.
- 2.11 The 1991 Act provided for a widespread change in the approach to parking enforcement. On the street, local authority parking attendants were empowered to issue penalty charge notices (PCNs) and to authorise vehicles to be clamped or removed. At this time the Government required this service to be subject to compulsory competitive tendering (CCT) as a way of introducing private sector involvement.
- 2.12 Legislation in London Local Authorities Acts in 1995 and 2000 and London Local Authorities and Transport for London Act 2003 modified the 1991 Act, while the London Local Authorities Act 1996 provided for local authority enforcement of bus lanes. The joint 2003 Act allows for decriminalised enforcement of other moving traffic offences, such as stopping in box junctions.
- 2.13 The Traffic Management Act 2004 consolidated this legislation and extended the provisions contained in the London Acts to the rest of the country.
- 2.14 London has seen such a dramatic change in the approach to parking regulations and their enforcement over the last forty years that it was almost inevitably going to generate some debate.
- 2.15 And it did. “The transition from the benign or laissez faire police enforcement and the much more efficient and enthusiastic enforcement by, or on behalf of London Boroughs has been predictably controversial and even confrontational, as both motorists, Parking Attendants and the London Boroughs embarked on a steep learning curve”.<sup>10</sup>

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<sup>9</sup> ALG written evidence

<sup>10</sup> RAC Foundation for Motoring written evidence.

### **3 The current system**

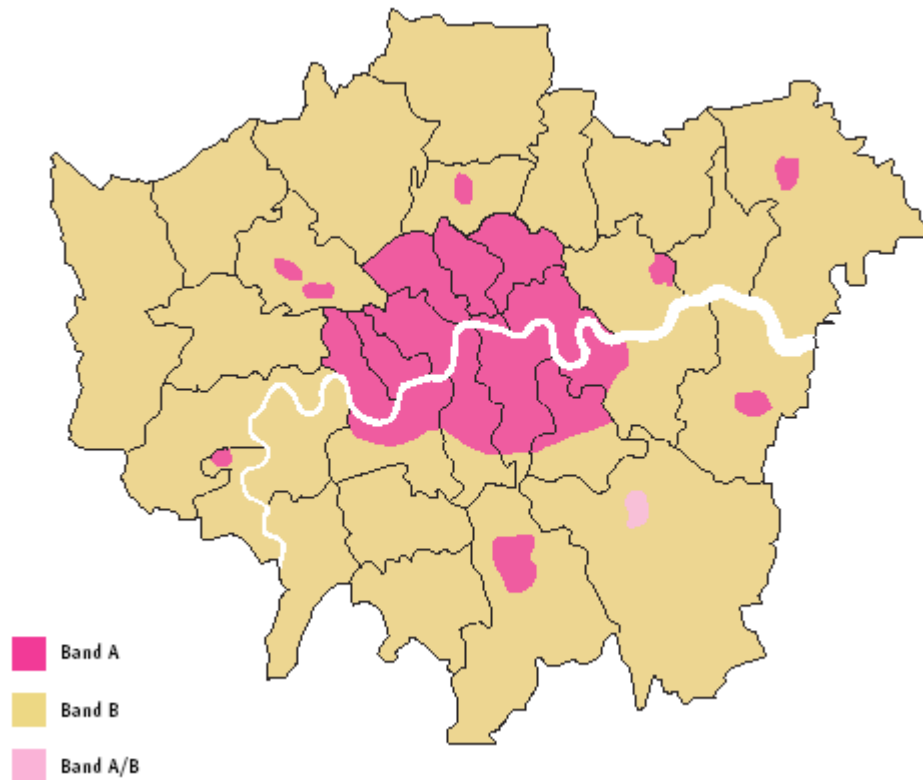
- 3.1 ALG evidence to the Committee again outlines the basic procedures for operating parking enforcement in London.
- 3.2 As set out in the previous section, the 1991 Act paved the way for a widespread change in the approach to parking enforcement in London. Local authority parking attendants were created and empowered to issue PCNs and to authorise vehicles to be clamped or removed.
- 3.3 From the outset, the majority of PCN issue has been computerised, with attendants carrying hand held computers or hand held remote terminals. Parking attendants must also maintain a log book, recording all of their activity and supplementary information about any vehicles issued with a PCN or other incident. This includes, for example, the vehicle's tax disc serial number and evidence that this has been recorded gives weight to proving the attendant was present beside the vehicle when issuing the PCN. All conversations with the driver of a vehicle should also be recorded.<sup>11</sup>
- 3.4 An important change introduced at the time was the withholding of much of the traffic wardens' discretion from parking attendants. The attendants cannot cancel a PCN after it has been issued.
- 3.5 PCNs show a "contravention code" and a description of the offence on the front. The 27 codes operating in London, and descriptions of them, are set out in Appendix 1, with further information about the contravention.

#### **Penalties**

- 3.6 Decriminalised parking penalties in London are set by a joint committee of the London boroughs (ALG Transport and Environment Committee) on borough roads or TfL on the Transport for London Road Network (TLRN). Penalty levels are reviewed annually and in depth every four years.
- 3.7 Penalty levels are divided into three bands. Band A applies primarily in inner and central London and the main town centres; band B applies to the rest of outer London; band C is generally used in car parks in outer London.
- 3.8 The map below shows the location of bands A and B in London.

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<sup>11</sup> ALG written evidence



Source: ALG TEC Statistics 2003/04

Current penalty levels are:

	Full Penalty	Discounted Penalty
Band A	£100	£50
Band B	£80	£40
Band C	£60	£30

3.9 ALG also sets charges for declamping, pound release, vehicle storage and disposal which are currently:

Release from clamp	£65
Release from pound	£150
Vehicle storage	£25 per day
Vehicle disposal	£65

3.10 The principle the ALG TEC has adopted in setting penalties is that the lowest penalty which provides sufficient deterrent with a coherent pattern of penalties should be used. The legislation also provides for a discounted penalty where early payment is made.<sup>12</sup>

### PCN processing

3.11 PCNs are processed by councils following the basic arrangements set down in the 1991 Act. In brief, these set out that:

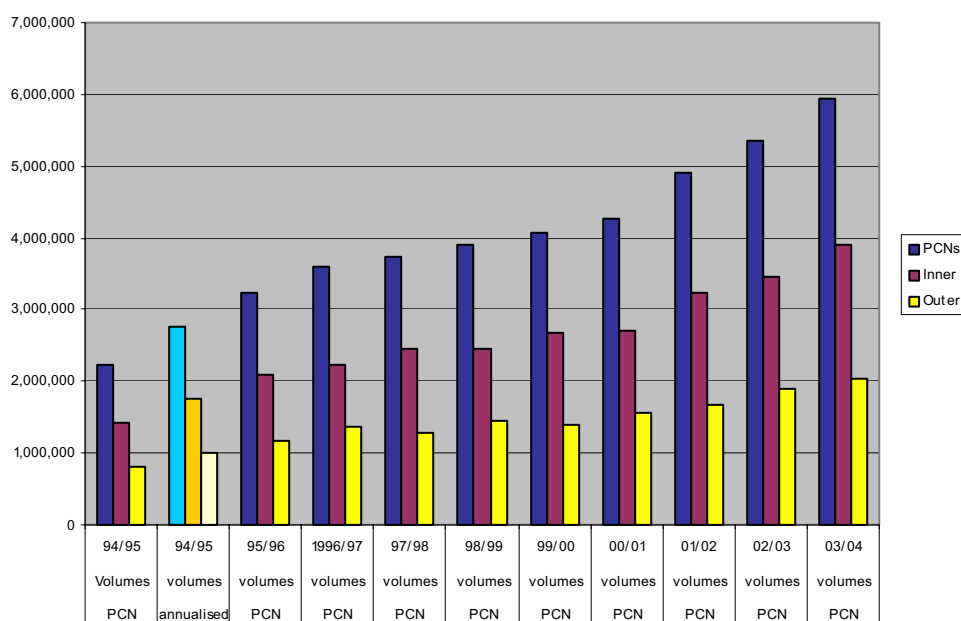
- If the PCN is paid within 14 days a discount (50 per cent) applies;

<sup>12</sup> ALG written evidence

- If the PCN is not paid within 28 days, the council may issue a Notice to Owner (NtO) to the keeper of the vehicle, who is then legally liable for the penalty. The NtO allows for formal representations to be made to the council against liability for the penalty;
- If neither payment nor representations are received within 28 days, the council may issue a charge certificate which has the effect of increasing the penalty by 50 per cent;
- If the charge certificate is not paid within 14 days, the council may register the penalty as a debt at the county court. This results in a court order requiring the person to pay the penalty at the charge certificate level plus £5 registration charge;
- If this is not paid within 21 days, the council may apply for a warrant of execution, allowing bailiffs to seize goods to pay for the debt. By this stage the amount owing will include regulated bailiffs' fees.

### Growth in parking enforcement activity

3.12 PCN numbers have increased from just over 2 million per annum in 1994/95 to nearly 6 million per annum in 2003/04 as shown in the diagram below and in Appendix 2.



Source: ALG written evidence

3.13 The ALG explain this growth in activity by saying that: "Over the period from 1970 to 1994 there was, in effect, a moratorium on the creation of new controlled parking zones because of the lack of police resources to enforce them. This was in spite of increasing demands from the public as the pressure on parking spaces, driven by increased car use, grew. Following decriminalisation in 1994, there has been a big increase in the number of CPZs, in part, catching up with the backlog created during the '70s and '80s. More than 100 new CPZs or extensions have been created since 1994".<sup>13</sup>

<sup>13</sup> ALG written evidence

- 3.14 ALG goes on to add: “CPZs are not created for policy purposes such as reducing car use, but in response to public pressure.<sup>14</sup> Growth in the volume of controls has followed with both more zones and extended hours. Whereas, before 1994, controlled hours finished at 6.30pm (reflecting the fact that traffic wardens would then be off shift), hours now extend until later in the evening and include both Saturday afternoons and Sundays”.

### **Finance and income**

- 3.15 PCN penalty income is retained by boroughs and most boroughs make a surplus on their parking accounts. Appendix 4 sets out the income, expenditure and surplus/deficits for London boroughs in 2002/03. Boroughs for which the ALG provided the Committee figures<sup>15</sup> showed the London authorities made a total income in parking accounts of about £300 million. Against this, operational costs accounted for about £185 million, leaving a surplus of about £113 million.
- 3.16 PCN income, together with income from on-street parking charges, must go into a separate parking account, regulated in terms of the Road Traffic Regulation Act 1984. This Act provides that any surplus of income over expenditure can only be used in limited circumstances:
- For the provision of further parking facilities, on or off-street, within or without the borough boundaries; and, where further expenditure on parking facilities is either unnecessary or undesirable:
    - On public transport facilities, services or improvements;
    - On highway improvements;
    - On road maintenance;
    - On schemes to support the transport strategy of the Mayor of London;
    - On environmental improvements.<sup>16</sup>
- 3.17 Parking surpluses provide for much of the cost of the Freedom Pass which provides free public transport for London’s elderly and disabled residents.
- 3.18 Each authority must submit an annual report on their parking account to the Mayor of London, including an account of what use has been made of any surpluses.
- 3.19 However, the Traffic Management Act 2004 allows authorities defined as ‘excellent’ under Comprehensive Performance Assessment appraisal to spend enforcement revenue on anything. They will not be restricted to the limited circumstances set out above.<sup>17</sup>

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<sup>14</sup> This is questioned by statements in a number of borough parking plans which do cite policy objectives such as traffic reduction targets and reduction in car use as set out in paragraph 2.5

<sup>15</sup> Figures were not provided for four boroughs or for TfL parking income

<sup>16</sup> ALG written evidence

<sup>17</sup> Audit Commission assessments for 2004 show there are 8 London boroughs rated “excellent” and 12 in the next category “good” <http://www.audit-commission.gov.uk/cpa/downloads/CPAAssessmentFrameworkDecember20041.xls>

## Consultation and review

- 3.20 All parking regulations, parking penalty levels and their application are subject to consultation with residents, users and other stakeholders before a final decision is made. The case of *Cran v LB Camden* (1995) made clear the approach that boroughs must have towards consultation, particularly that it must be thorough and open minded. Specifically the judgment sets out that local authorities must consult about the principle as well as the detail of any proposed CPZ.
- 3.21 “The process of consultation must be effective; looked at as a whole, it must be fair. This requires that: consultation must take place while the proposals are still at a formative stage; those consulted must be provided with information which is accurate and sufficient to enable them to make a meaningful response; they must be given adequate time in which to do so; there must be adequate time for their responses to be considered; the consulting party must consider the responses with a receptive mind and in a conscientious manner when reaching its decision”.<sup>18</sup>
- 3.22 The ALG’s written evidence outlines the overall reasoning applied by local authorities before any decision to introduce parking restrictions. “Any type of controlled parking zone is difficult and expensive to introduce, both in terms of the equipment and signs on the street and in terms of the procedures and consultations that must be gone through. Councils do not, therefore, introduce such zones except, in general, where there is public support for them. This may result, in the short term, in parking being displaced from one street to another, but this is a more satisfactory approach to the public as a whole than attempting to introduce a zone into any area where a majority oppose it”.<sup>19</sup>
- 3.23 Opinion surveys are regularly carried out on enforcement. In autumn 2003, the ALG’s Survey of Londoners revealed that 50 per cent of Londoners considered parking enforcement to be too lax, while 19 per cent considered it to be too strict and 31 per cent thought it was about right. In 2004, views had shifted with 29 per cent now considering parking enforcement to be too lenient (40 per cent for bus lanes), 38 per cent considering it to be about right (35 per cent for bus lanes) and 25 per cent considering it to be too strict (18 per cent for bus lanes).<sup>20</sup>
- 3.24 Historically, parking regulations were reviewed rarely, if at all. Where enforcement was limited or non-existent, an out of date regulation made little difference. The onset of tougher enforcement through the decriminalised regime changed that. Government advice urged councils to review regulations and, in practice, the political accountability for enforcement meant that councils found it hard to continue enforcing regulations that could not be justified. The ALG says that “nowadays, parking regulations are, in practice, under continual review”.

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<sup>18</sup> *Regina v Camden London Borough Council ex parte Mark Dyson, Gordon Cran and others*. Queen’s Bench Division, 11 January 1995

<sup>19</sup> ALG written evidence

<sup>20</sup> ALG written evidence

- 3.25 ALG evidence states that “unlike most law enforcement, elected councillors are directly responsible for the policies towards enforcement in their authority (local councillors do not get involved with decisions on individual parking penalties). In its own right this provides better safeguards against excesses than might occur elsewhere. It also ensures that there is a proper feedback from voters to the council on policies”.

### **Challenges and appeals**

- 3.26 There are a number of stages at which the penalty can be challenged. First, immediately after issue of the PCN, the recipient can contest this with the council. This is an informal challenge as it is not part of the statutory procedure and cannot, of itself, give access to the appeals system.
- 3.27 Secondly, the keeper can make formal representations following issue of the Notice to Owner (NtO) or on recovery of the vehicle if it has been clamped or removed. These representations must be considered by the council (and, if the vehicle was clamped or removed, are deemed to have been accepted by the council if no response is made within 56 days). The 1991 Act sets out grounds which, if accepted by the council, must result in cancellation of the NtO and, in some cases, cancellation of the PCN. Broadly, these grounds fall into two groups;
- That there was no contravention; or
  - That there may have been a contravention but that the person sent the NtO was not liable to pay the penalty.
- 3.28 At this stage councils must consider the use of their discretion in mitigating circumstances. On average councils receive some form of challenge on nearly 20 per cent of PCNs.<sup>21</sup>
- 3.29 If the representations are rejected, the keeper can appeal to the independent adjudicator, who can direct that the NtO (or PCN) is cancelled if he or she considers that one of the statutory grounds has been met. The adjudicator constitutes a statutory tribunal and an appeal to the adjudicator replaces the previous right to have the case heard in a magistrates’ court.
- 3.30 The Parking and Traffic Appeals Service (PATAS) provides the independent adjudication service in London for deciding disputed parking and bus lane penalties charged by Councils and TfL and congestion charging penalties issued by TfL. A motorist who disputes liability for a penalty may appeal to PATAS and is considered at either a personal hearing or on written evidence.
- 3.31 Adjudicators must be barristers or solicitors of at least five years’ standing. All the adjudicators are part time and a panel of 54 adjudicators, headed by a Chief Adjudicator, is currently in place. The Leggat review of tribunals, conducted for the Department of Constitutional Affairs in 2002, described PATAS as “the most user focussed aspect of justice in the UK”.
- 3.32 In 2003/04 the Parking Adjudicators received some 44,280 appeals (from 5.2 million PCNs issued or 0.86 per cent). This relatively low level of appeals must

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<sup>21</sup> British Parking Association, evidentiary hearing 13 January 2005



be seen in the context of a broad percentage of around 45 per cent of the total PCNs issued which are paid at the discount rate, and the fact that local authorities themselves cancel an average of around 20 per cent of PCNs of their own volition before the motorist has the chance to lodge an appeal to the independent Adjudicator.<sup>22</sup>

- 3.33 On average, about 60 per cent of appeals are allowed by the adjudicators, a figure which has remained broadly constant over the years, while the percentage of appeals heard at a personal hearing is slowly declining and the percentage of appeals not contested by the authorities, at about 30 per cent, is slowly climbing.
- 3.34 The Chief Parking Adjudicator also added in his evidence to the Committee that “in 2003/2004, 0.9 per cent of Penalty Charge Notices resulted in an appeal to the Adjudicators. However, there were considerable variations between Local Authorities, ranging from 0.2 per cent to 2.1 per cent. We do not know the reasons for the variations; nor do I make any judgment about what is the “right” rate of appeal. Nevertheless, it is noteworthy that there are such variations and the bare statistics might well merit further investigation with the aim of spreading best practice”.<sup>23</sup>
- 3.35 “I would also mention that up to the end of November this calendar year (2004) we have received 32 per cent more appeals than in the same period last year. Again, we do not know the reasons for this. The increase is, however, a very large and somewhat surprising one, given that decriminalised parking has been fully in force throughout London since 1996/1997”.<sup>24</sup>

#### **Recommendation 1**

The Committee recommends that PATAS makes the reasons for the changes in the rate and type of appeals it is receiving known to key stakeholders including the boroughs and London Assembly. It would be helpful to Londoners for PATAS to include an assessment of these trends in its next Annual Report.

#### **Transport for London Road Network**

- 3.36 TfL has delivered an enforcement service in respect of bus lanes on the TLRN using decriminalised powers since April 2001 and since June 2004 in respect of other decriminalised moving traffic contraventions.
- 3.37 Responsibility for parking enforcement on the Transport for London Road Network (TLRN) was passed to TfL on 15 November 2004. Prior to this the Metropolitan Police Service (MPS) were directly responsible for parking enforcement of the red route network (with the City of London Police responsible for the few red routes in the City).
- 3.38 TfL’s main priorities are to improve compliance with parking controls on the TLRN in order to reduce congestion, improve journey times (especially those of buses) and to secure and improve road safety in respect of all road users.

<sup>22</sup> Parking and Traffic Appeals Service Annual Report 2003/04

<sup>23</sup> These statistics, compiled from the ALG TEC Annual Report, are set out in Appendix 5

<sup>24</sup> PATAS written evidence 17 December 2004

- 3.39 TfL discharges its enforcement duties through a Special Services Agreement with the MPS. As a result, 350 Traffic Wardens and 450 Transport Police Community Support Officers of the TfL-funded MPS Transport Operational Command Unit (TOCU) enforce parking restrictions on the TLRN. They issue £100 Penalty Charge Notices for parking contraventions which are processed by TfL's contractor. Representations are handled by TfL, with appeals handled by PATAS.
- 3.40 TfL does not use the number of penalty charge notices issued as a performance indicator. It has instead monitored the impact of bus lane enforcement on bus journey times. Generally, TfL has seen a 9 per cent improvement on year-on-year bus journey times on those bus lanes enforced and approximately a 58 per cent reduction in numbers of contraventions per kilometre since enforcement began.
- 3.41 TfL has conducted a range of research on public perception of enforcement in relation to bus lanes (and latterly in relation to parking and yellow box enforcement). The research has shown that 98 per cent of the public are aware of bus lane enforcement and 56 per cent approve of it. 61 per cent of the public are also aware that cameras enforce bus lanes..<sup>25</sup>
- 3.42 In accordance with guidance from the ALG and PATAS, TfL considers all representations and challenges made prior to a formal appeal and attempts to assist enquirers with their queries at the earliest stage possible to avoid the need to make formal representations.
- 3.43 One of TfL's objectives is to seek Charter Mark for the notice processing service. As part of this TfL will be reviewing customer satisfaction levels with this part of the service.
- 3.44 **Once the policy decision had been made to decriminalise parking enforcement and hand controls to the boroughs a relatively complex system to administer controls and enforcement, including the right to appeal against penalties, had to evolve.**
- 3.45 **In addition it seems that it was inevitable that once parking controls started to be "reintroduced" from the mid 1990's, including the spread of residents' parking, many more areas would become subject to control as cars moved from controlled areas to those nearby without them.**
- 3.46 **It is also clear that the challenge is to make the need for these controls, and the application of the enforcement which has to go with them, as understandable to road users and as transparent as possible to the public in order to influence their perceptions of the fairness of the system.**

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<sup>25</sup> TfL written evidence

## 4 Public concerns

### Introduction

- 4.1 The previous sections of this report have set out the response in London to the difficult choices posed by growing numbers of cars competing for limited kerb space while seeking to ensure road safety and maintaining traffic flows.
- 4.2 The ALG's opening and concluding paragraphs of its written evidence succinctly sum up the inevitable tensions these choices generate.
- 4.3 "At one time, anyone who drove a car could park where they wanted, without time limit, free of charge. As car numbers have soared those days have gone, but the dream still remains for many. And where yellow lines or parking restrictions prevent drivers from parking where they want, many will take a risk, parking illegally and putting their own needs above other road users".
- 4.4 "Overall, London's parking enforcement regime provides an approach which reduces congestion and accidents and which regulates use of the kerb space more effectively than its predecessor and does so at no net cost to the public. Any approach to increasing enforcement is bound to bring complaints from those who previously were able to get away with unlawful behaviour for their own benefit".<sup>26</sup>
- 4.5 The effect of this has been predictable and widely publicised. As the RAC Foundation for Motoring noted, it could be described as "controversial and even confrontational".
- 4.6 Generally there is public support for parking regulations and their enforcement but there is growing diversity of opinion about whether the balance of the system is right: 29 per cent consider parking enforcement to be too lenient; 38 per cent consider it to be about right, and 25 per cent consider it to be too strict.<sup>27</sup>
- 4.7 The Committee received a tremendous response from members of the public, businesses and other organisations concerned with parking enforcement and, by and large, they reflect the diverse opinions as surveyed by the ALG.
- 4.8 The following sections highlight the concerns raised by those who contacted the Committee. These have been separated into specific issues addressed by individuals, businesses, other road users and by the local authorities and contractors.
- 4.9 Of all the responses received by the Assembly to this investigation from members of the public, the issues of revenue raising, proportionality and discretion consistently appear to raise the most concern. Other issues surround problems with signage, the complexity of regulations operating between areas and difficulties dealing with the challenge and appeal process.

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<sup>26</sup> ALG written evidence

<sup>27</sup> ALG Survey of Londoners 2004. In autumn 2003, the ALG's Survey of Londoners revealed that 50 per cent of Londoners considered parking enforcement to be too lax, while 19 per cent considered it to be too strict. 31 per cent thought it was about right

## **Overview**

- 4.10 These issues, and the effect they have on many Londoners, can be neatly summarised by quoting part of the introduction to the report “The New Enforcers”.
- 4.11 “The penalty notice system may be appreciated by the public where it appears that public authorities are using it to tackle high-volume, low-level infringements which affect the quality of their lives and where, hitherto, no action has been taken.
- 4.12 Operating effectively, the penalty notice system can provide a proportionate way of dealing with minor criminal offences and civil wrongdoing. Working badly, the public may believe that ‘ordinary’ people are being punished whilst the ‘real criminals’ get away.
- 4.13 It may, however, offend the public’s sense of natural justice if individuals feel pressurised to accept a penalty notice when they have done nothing wrong, or if people perceive themselves to be victims of an over-zealous and punitive state”.<sup>28</sup>

## **Revenue from parking enforcement**

- 4.14 It is fair to say that many of the members of the public who have written to this Committee have drawn the conclusion that the operation of parking enforcement in London has as much to do with raising revenue as it does with the original objectives of ensuring road safety and maintaining traffic flows. Among the factors which lead them to this belief are perceptions that:
- Contracts for parking enforcement contain targets and incentives for maximising the issuing of tickets;
  - The increasing numbers of tickets being issued is a deliberate policy;
  - Tickets are being issued for minor infringements – and accounts of being issued “fraudulent” tickets.

## **Contracts for parking enforcement**

- 4.15 The ALG have pointed out that under the legislation in place in 1991, parking attendant services, clamping and removal services were subject to compulsory competitive tendering (CCT) and, as a result, about half the London boroughs use contracted out attendants and almost all clamping and removal activity is contracted out.
- 4.16 ALG evidence also states that, while most contracts provide some incentive for contractors to perform, none provide for straightforward commission payments and none provide limitless incentives for contractors to issue more and more penalties. No incentives or defaults are based solely on PCN issue. Where any ticket targets are included these are usually accompanied by maximum ticket

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<sup>28</sup> The New Enforcers, Local authorities and the penalty notice system. Fellows’ Associates, December 2004

issue numbers and/or tapering payments to contractors as PCN numbers climb.<sup>29</sup>

- 4.17 The Chief Executive of NCP<sup>30</sup> appeared to be less certain of this when he said “It is true to say historically, there were contracts like that (based on commission payments for the number of penalty charge notices that are issued). They are now increasingly rare. I am not saying that they do not still exist, but they are, I think, a minority, and in a fairly short time, they will be history”.<sup>31</sup>
- 4.18 The RAC told the Committee that it believes targets are built into parking contracts to enable local authority financial planning to take place.<sup>32</sup> The ALG explained this to the Committee as “individual boroughs have contracts in which there is a benchmark for the number of tickets likely to be issued in the area and payment to the contractor does actually bear some relationship to meeting that benchmark. Otherwise, we would have contracts in which they would not have to deploy anybody on the streets or issue any tickets and they would still get their full pay. That would clearly be a complete waste of public money. There has to be some notion of what they are doing. These benchmarks are based on historical experience of the level of parking infringements that we are aware of”.<sup>33</sup>
- 4.19 However public perception is that contracts are still largely based on targets and incentives to issue a maximum number of PCNs. These perceptions are sustained by newspaper reports of some contractors awarding monthly “prizes” of holidays or cars for those PAs issuing the most number of tickets.<sup>34</sup> The phrase “over zealous Parking Attendants” has much to do with perceptions of these incentive-based contracts.
- 4.20 In an effort to improve these contracts a number of moves have been made towards rewarding the number of correctly issued tickets and emphasising other aspects of “quality” service. The British Parking Association (BPA) has developed a “new model contract” which is being trialled with the London Borough of Hackney. This contract is based on, amongst other things, performance related payments that are directly linked to accurate measurement of performance, through key performance indicators (i.e. moving away from the reliance of the number of PCNs issued) and employing the right calibre of parking attendants, who are well motivated, well trained and suitably remunerated.<sup>35</sup>
- 4.21 Early reports from the Hackney scheme, which has been running since September 2004, appear to show that while the number of PCNs issued is

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<sup>29</sup> ALG written evidence

<sup>30</sup> NCP is the largest provider of on-street parking enforcement in the UK and provides on-street parking enforcement for a number of London boroughs including Camden, Enfield, Islington, Lewisham, Sutton, Waltham Forest and Westminster City Council.

<sup>31</sup> Bob McNaughton, Chief Executive, NCP, evidentiary hearing 13 January 2005

<sup>32</sup> RAC Foundation for Motoring, evidentiary hearing 13 January 2005

<sup>33</sup> ALG, evidentiary hearing 10 February 2005

<sup>34</sup> One of the most recent reports reveals NCP is awarding Argos vouchers in return for improved performance such as the number of tickets issued per shift.

[http://www.timesonline.co.uk/article/0,,2087-1562367\\_1,00.html](http://www.timesonline.co.uk/article/0,,2087-1562367_1,00.html)

<sup>35</sup> British Parking Association written evidence and evidentiary hearing 13 January 2005

unchanged while the level of challenges has fallen from 8 per cent to 6 per cent with an appeal rate of 0.6 per cent below the 0.9 per cent London average.<sup>36</sup>

- 4.22 Another parking contractor, Central Parking Systems (CPS), believes that a move towards more “qualitative” contracts has established a more positive framework which shares risk and reward and reduces the previous confrontational contracts which developed out of CCT.
- 4.23 CPS told the Committee that contracts should go beyond the number of PCNs issued and complaints received but should also cover issues such as customer care training, spot checks of PCNs issued, provision of digital images to support tickets and reporting inadequate signage, lines, damaged pavements and street furniture.<sup>37</sup>
- 4.24 NCP has one contract which has a financial penalty if too many PCNs are issued above the “expected figure” and encourages clients to build this into contracts to reassure the public that PA’s will not be “over zealous”. NCP also state that its favoured type of contract is one which is operating in Camden: a six-point system of good performance whereby staff have to be sick or absent for less than one shift a month; have no public complaints against them upheld; have no disciplinary action against them upheld; issue more than 97 per cent valid PCNs, issue numbers of PCNs in line with expectations, and achieve a certain number of PCNs paid within the discount period.<sup>38</sup>
- 4.25 The ALG says that “despite the widespread allegations that councils are only interested in raising revenue, no evidence has been presented that councils are engaged in such widespread and systematic unlawful activity”.<sup>39</sup>

### **Recommendation 2**

We recommend that the ALG produce an early report on the results of the Hackney trial of the BPA “new model contract” in terms of compliance, representations, cancelled tickets, appeals and any impact on Parking Attendant safety and security with a view to embedding good practice in new forms of parking contracts.

### **Increasing numbers of tickets issued - compliance with the regulations**

- 4.26 Figures showing the increase in the number of PCNs issued, the number of clappings and removals of vehicles and the boroughs’ parking account balances are shown in Appendices 2, 3 and 4.<sup>40</sup>
- 4.27 There is general agreement that the true test of effective parking regulations and their enforcement is compliance with those regulations – that is to say that the number of tickets issued should, theoretically, go down as motorists comply with regulations and park legally.

<sup>36</sup> Surveyor magazine January 2005

<sup>37</sup> CPS written evidence

<sup>38</sup> NCP written evidence

<sup>39</sup> ALG written evidence

<sup>40</sup> ALG written evidence

- 4.28 “What we are aiming for is compliance with the regulations, which should have been established in the first place to achieve the transport and street management objectives and policies. Enforcement, if you like, is the by-product, and there is income, but if we achieve compliance, there will be no income”.<sup>41</sup>
- 4.29 ALG evidence shows the effect of effective compliance when bus lane enforcement is assisted by CCTV evidence. Where this type of enforcement has been in place for more than a year both the number of offences and the number of PCNs issued fall dramatically.<sup>42</sup>
- 4.30 This is not true for the wider aspects of parking enforcement. Figures for the overall number of PCNs issued in London have showed a steady, and continuing rise since the start of decriminalised parking enforcement (paragraph 3.12 above). The ALG have, in part, explained that this growth in activity is a result of:
- New and extended CPZs;
  - New decriminalised offences, such as bus lanes and moving traffic offences;
  - The introduction of camera enforcement;
  - Tougher enforcement of existing regulations.
- 4.31 Figures supplied by the ALG (Appendix 2) break down the numbers of PCNs issued by boroughs from 1999/2000 to 2003/04. Overall the number of tickets issued in London increased by 46 per cent however this hides wide variations, both upwards and downwards:

<b>Increased ticket numbers</b>		<b>Decreased ticket numbers</b>	
Islington	158%	City of London	-35%
Newham	150%	Tower Hamlets	-33%
Enfield	130%	Richmond	-11%
Barnet	110%	Greenwich	-10%
Lambeth	105%	Hounslow	-9%

- 4.32 The Committee has seen no evidence to explain these variations – particularly the downward trends – and is not aware of any studies having taken place to show whether these variations are a product of simply more enforcement activity taking place or as genuine evidence that, after ten years of enforcement, parking regulations are becoming more effective and the public are genuinely understanding and complying with the regulations.
- 4.33 It would be helpful to Londoners to know the reasons for these variations and whether enforcement is becoming not only more effective, but actually achieving the improved compliance which is at the heart of these policies.

<sup>41</sup> Alan Clark – former president of the BPA, ex-head of parking at Westminster City Council

<sup>42</sup> ALG written evidence

### **Recommendation 3**

Work should be undertaken by the ALG, BPA and contractors on assessing the effectiveness of parking regulations in improving compliance, particularly to understand why compliance seems to be happening in some boroughs and not in others.

#### **Proportionality**

- 4.34 The Committee received considerable evidence that motorists are being fined for minor breaches of regulations such as overstaying pay and display bays for a few minutes, cars parked inches outside marked bays or with a wheel barely on a kerb.
- 4.35 Also there were instances of motorists receiving multiple tickets when parked while on holidays amounting to thousands of pounds. “You would have to do something quite serious to get fined four figures in the Magistrates’ Court”.<sup>43</sup>
- 4.36 Members of the public believe that fines for these relatively minor infringements of parking controls are set too high – a number of individuals recount occasions of incurring penalties of some £300 (PCN, clamping and removal of vehicles) for overstaying for 15 minutes. Penalties are also thought disproportionate compared with fines routinely ordered for offences such as shop lifting and anti-social behaviour.
- 4.37 The Association of British Drivers have said that “trivial infractions of parking law are treated with the same severity as major infractions. Overstaying for a few minutes on a parking meter can attract the same response and penalty as blocking a busy lane of traffic..... In many instances there is a widespread public belief that operatives deliberately aim for easy and numerous targets rather than the rarer but more deserving cases of genuine obstruction or danger to road users”.<sup>44</sup>
- 4.38 As set out above, the ALG TEC sets the level of fines at “the lowest penalty which provides sufficient deterrent”. Following decriminalisation the then Parking Committee for London and Government set the penalties at a similar level to the fixed penalty notice.<sup>45</sup>
- 4.39 There are two views on whether it is possible to define a “trivial” parking offence. According to the British Parking Association (BPA) “I would have great difficulty identifying a trivial parking contravention. If I was disabled, and somebody parked in a space that I wanted to use, that would be heaven and earth, life or death possibly. If I was a resident wanting to park near my property, that would be a major problem. If I am a delivery driver wanting to deliver to a shop, that would be a major problem.
- 4.40 If I am obstructing the free flow of traffic, that is a problem for others. If I am parked in an obstructive and dangerous position, obstructing safety, that is also a problem. If I stay longer than my time that I have paid for on a meter or a

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<sup>43</sup> Martin Wood, Chief Parking Adjudicator evidentiary hearing 10 February 2005

<sup>44</sup> Association of British Drivers written evidence

<sup>45</sup> British Parking Association evidentiary hearing 13 January 2005



pay-and-display bay, I am stopping somebody else coming in to park there, and therefore turning over parking, which may have an impact on retailers and others. I would have great difficulty identifying trivial contraventions, and therefore changing the (penalty) rates accordingly".<sup>46</sup>

- 4.41 Not so for the RAC Foundation for Motoring, "I do not have a problem defining a trivial infraction. Somebody who pays for an hour on a parking meter and then comes back two hours later has made a very clear statement. Either they got it very badly wrong, or they do not care, and they get anything that is coming to them. Somebody who pays for an hour on a parking meter and gets back there an hour and two minutes later has done their best – their inadequate best we accept that, but they were trying, and they failed. Yet, the two people are penalised equally".<sup>47</sup>
- 4.42 There seems to be an emerging recognition that there is an argument that divides between contraventions in permitted parking – overstaying on a meter for example – as opposed to contraventions on a yellow line where it is prohibited.<sup>48</sup>
- 4.43 One alternative approach would be to bring back the Excess Charge Notice (ECN). When enforcement was carried out under the Road Traffic Regulation Act 1984 a lesser penalty was available to those overstaying their time in a pay bay by less than 30 minutes. The ECN was, generally, 25 per cent of the cost of a Fixed Penalty Notice. If it were in use today, an ECN would equate to £25 for a central London borough which, after a 50 per cent discount for those paying within 14 days, would cost £12.50. ECNs would mean that councils would have the choice of either issuing a lesser value ticket or take the risk of waiting 30 minutes and issuing a PCN.<sup>49</sup>
- 4.44 This idea was questioned by the ALG which commented on this idea "The difference between an ECN and a PCN is really only two-fold. The first is the ECN had no provision for a discount for early payment. The second thing is, if you wanted to challenge it, you had to go to a Magistrates' Court as opposed to going to the adjudicator. If we look at what the levels of excess charge notice were when they were last set in 1992, they were 25 per cent more than the equivalent fixed PCN in today's terms that would make an excess charge notice of about £75. I am not certain it provides any great benefit for doing that – certainly not for small infringements. It makes the penalty higher because it would be £75 with no discount for early payment compared to £100 or £80 with a 50 per cent discount for early payment as it exists at the moment".<sup>50</sup>
- 4.45 **The Committee has heard conflicting views on the of the suitability of reintroducing the Excess Charge Notice (or equivalent) as a possible contribution to lower fines for minor contraventions in permitted parking, as opposed to more serious overstays or contraventions of prohibited parking. We cannot be sure which of these views are right or what the effect of such a move would be.**

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<sup>46</sup> British Parking Association evidentiary hearing 13 January 2005

<sup>47</sup> RAC Foundation for Motoring evidentiary hearing 13 January 2005

<sup>48</sup> ALG, evidentiary hearing 10 February 2005

<sup>49</sup> John Squires written evidence

<sup>50</sup> ALG evidentiary hearing 10 February 2005

- 4.46 The Committee was told that there have been trials in a number of London authorities for a two-tier system, for a lower rate for permitted parking contraventions.<sup>51</sup> Indeed the ALG is undertaking a study at the moment of the practicality of differential penalties.
- 4.47 Another aspect of this issue is offering further discounts on payments for relatively trivial contraventions. “We have one discount for early payment. Should there be a different type of discount if you are only [late] for two or three minutes?”<sup>52</sup>

#### **Recommendation 4**

We recommend that the ALG produce a report on differential charging options, which better reflects the varying degrees of parking infringements. This could support a more sensitive system and increase public acceptance of parking charges.

#### **Allegations of fraudulent tickets**

- 4.48 There are almost six million parking tickets issued in London. Inevitably there will be some issued, for whatever reason, wrongly.
- 4.49 The final element that leads some members of the public to associate parking enforcement and revenue raising is the alleged issue of “fraudulent” tickets – ones which are claimed to be issued when no contravention has occurred or served in an improper manner.
- 4.50 It is these accounts and media attention which has highlighted so many stories about parking that it is now difficult to distinguish where genuine public concerns turn into urban myths.
- 4.51 It is impossible to list all of the alleged instances of wrongly or unfairly issued tickets sent to the Committee by members of the public however these include:<sup>53</sup>
- “Ghost tickets” where parking attendants issue tickets after a vehicle has driven away and claim it was put on the vehicle and only finding out the alleged offence when a Notice to Owner arrives 28 days later;
  - Giving tickets to vehicles legally loading and unloading or delivering;
  - Parking Attendants not reporting parking meters that are not recording the time correctly. They then issue parking tickets to vehicles parking there;
  - Attendants know which parking meters are to be suspended. They allow vehicles to park there, then suspend the bay and issue a parking ticket.;

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<sup>51</sup> British Parking Association evidentiary hearing 13 January 2005.

<sup>52</sup> Steve Hitchins, Leader of Islington Council evidentiary hearing 10 February 2005

<sup>53</sup> There are a growing number of websites which record similar alleged improperly issued tickets such as:  
<http://www.appealnow.com>  
<http://www.parkingticket.co.uk/>  
<http://www.ticketbusters.co.uk/>

- Councils lift up vehicles to paint yellow lines under them and then issue parking tickets to those cars;
- Parking Attendants confirming to a driver that it's "okay to park here", the driver returns to find parking ticket issued;
- Issuing ticket on vehicles before time on the meter has expired;
- Councils not repainting barely visible yellow lines and issuing tickets to motorists who cannot see the lines;
- Issuing parking tickets when correct pay & display tickets are clearly shown;
- Not replacing faulty pay and display meters or parking meters – motorists put their money in – lose it and park with a note saying they put the money in. They then get a parking ticket;
- Issuing tickets before the enforcement period has started;
- Claiming meters or bays are suspended and issuing parking tickets, with no evidence that the bays were suspended.

4.52 Motorists who believe they have received wrongly issued tickets have to make representations to the issuing authority asking for cancellation as set out in the section on challenges (paragraph 3.26).

4.53 The Committee is not the place to judge these individual allegations, nor can it comment on whether these are isolated instances or evidence of wider, or even deliberate, practices. However it is recognised that instances of “fraudulent” ticketing do occur. The ALG says that “while it is accepted that there are instances of poor or unacceptable behaviour, these do appear to be in a small minority of occasions. Within such a large scale exercise, however, even a small percentage represents a large number, giving ample scope for reportage”.<sup>54</sup>

4.54 It seems clear to the Committee however that a number of tickets which are issued wrongly, irrespective of how few in percentage terms, could be reduced by emerging technological developments. Irrespective of how small a percentage these tickets represent eliminating wrongly issued tickets would have an impact on public opinion through the resulting reduced reportage.

#### **Recommendation 5**

Boroughs need to enhance the evidence made available to the public when issuing penalty notices to improve public confidence in the enforcement system. The Committee recommends that the ALG, boroughs and contractors implement a range of technological advances which ensure tickets are issued correctly to leave people without doubt they have been, such as:

- Issuing digital photographs showing the offence with tickets;
- Issuing digital photographs showing tickets have been affixed to the vehicle;
- Using hand held computers which cannot issue tickets before a mandatory observation period has expired.

<sup>54</sup> ALG written evidence

## **Recommendation 6**

Boroughs and contractors should investigate all allegations of “fraudulently” issued tickets and ensure that disciplinary action ensues if allegations are proven to be true.

### **Revenue raising?**

- 4.55 There is undoubtedly for many Londoners a suspicion that the nature of contracts, the number of tickets being issued as well as the instances of improperly issued tickets – whatever the magnitude – represent parking enforcement being used as revenue raising.
- 4.56 The Committee is also mindful of the implications of such claims, as the ALG strongly stated.
- 4.57 “The point that the ALG was making is this: the conduct of parking enforcement and the setting of the fines by law must be done for the purposes of managing traffic, not for the purpose of raising money. If it is being alleged that boroughs are doing this to raise money and that that is their prime motivation, that is an allegation that boroughs have been systematically engaged in unlawful activity. It is a very serious allegation. If there is evidence of it, we would like to see it and of course we would expect it to lead to a court case because it would be an allegation from which we would defend ourselves. It would be an allegation of unlawful activity on a systematic basis by the boroughs. I very much hope that at the end of its deliberations, the Committee would find it possible to state that there is no such evidence, or if there is evidence, to lay it out and then we can test it in the courts. If there is no such evidence available to you, I would hope you would be able to say there is no such evidence”.<sup>55</sup>
- 4.58 **We have not during this scrutiny had such explicit evidence made available to us and so Londoners must therefore draw their own conclusions from that.**
- 4.59 **Many Londoners believe such explicit evidence will eventually be revealed under Freedom of Information legislation and if such evidence is received it should be sent to the appropriate authorities as we agree with the ALG that these constitute very serious allegations.**
- 4.60 **However, perhaps not enough has been done to dispel the perceptions of revenue raising, and boroughs should do more if they are to reassure the public that, as they state, the purpose of parking enforcement is, and will continue to be, to manage traffic.**
- 4.61 **If the purpose of the parking enforcement system is to prevent illegal parking then Londoners must be clear as to what they are expected to do, and in return have absolute confidence that boroughs are acting only for the purposes of ensuring road safety, maintaining traffic flows and managing kerb space where demand exceeds supply.**

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<sup>55</sup> ALG, evidentiary hearing 10 February 2005

- 4.62 The sections above have explored some of the issues relating to perceptions of parking enforcement being used as revenue raising. The rest of this chapter deals with problems with signage, the complexity of regulations operating between areas and difficulties dealing with the challenge and appeal process.

### **Harmonisation of regulations**

- 4.63 It is clear from individual members of the public that the existence of so many different regulations between boroughs, and within the same boroughs, is a source of confusion which leads to many unintentional violations of parking controls.
- 4.64 The advent of the BPA standard contract<sup>56</sup> opens the way for the establishment of some common standards and procedures between boroughs. However, it is fair to say that at this juncture each borough has its own particular concerns and priorities and their enforcement practices reflect those. The proliferation of different procedures results in confusion for the motorist as procedures vary from borough to borough, for example:
- Observation periods for all offences;
  - Waiting times for loading and unloading;
  - Waiting times for commercial and private vehicles;
  - Clamping and removal priorities (if any);
  - Sunday restrictions;
  - Bank holiday restrictions;
  - Pavement parking;
  - Motorcycle parking;
  - Parking facilities for disabled badge holders;
  - Response times to correspondence;
  - Flexibility of discount period;
  - Defending adjudication hearings;
  - Implementing debt collection proceedings through bailiffs;
  - Payment facilities;
  - E-access to services.
- 4.65 There is an opportunity to rationalise many of these issues into best practice standards which would remove a lot of confusion for motorists. Currently many motorists fall victim to the assumption that the rules are the same across London.<sup>57</sup>
- 4.66 ALG evidence states that “the argument is frequently made that hours of operation of zones should be common throughout London. Yet activities vary in different parts of London. The City of London, for example, is busy during the

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<sup>56</sup> Discussed in paragraph 4.20 above

<sup>57</sup> Central Parking System written evidence

week but quiet at weekends, while the West End is busy on a Saturday and many town centres now find that Sunday is their second busiest shopping day of the week. Many areas which are busy during the day become quiet in the evenings, yet places such as Soho and Bayswater experience serious parking congestion until late in the evening.

- 4.67 Any attempt to impose constant hours of operation would leave some areas controlled at times where there was no need for the control while other areas would be uncontrolled while still busy. This would not be in anyone's interest".<sup>58</sup>
- 4.68 NCP feels that different regulations in different boroughs can cause confusion for road users at borough boundaries. It supports more harmonisation between boroughs but accepts that there cannot be a "one size fits all" approach for roads across London, because different boroughs have widely different traffic pressures.<sup>59</sup>
- 4.69 The London Chamber of Commerce and Industry would also like to see a move towards a pan-London approach to parking controls. At present, many problems are caused by the confusion that results from the different parking restrictions in operation in various boroughs. It would welcome the introduction of as much standardization in relation to parking restrictions as possible.<sup>60</sup>
- 4.70 It was clear from our evidentiary hearings that some of the worst inconsistencies in central London have been ironed out (see paragraph 4.80 below for an example), but some remain. Boroughs need to keep working and, as we are told are working, but there is a limit to how far regulations can be harmonised.
- 4.71 **The Committee can see logic in the desire to harmonise regulations, however there are good reasons why controls need to vary from place to place. It is unlikely that constant hours of operating are appropriate across London and, in addition, the Committee is aware that many calls for controls come from specific local demands to meet particular local needs.**
- 4.72 **While a commonsense approach is clearly needed to ensure consistency, consideration of local needs should remain the primary driver for instituting parking controls.**

### **Signage**

- 4.73 "We should never be in a position where we are issuing tickets because motorists are confused or have made mistakes. We should be issuing parking notices where they have breached the regulations almost wilfully. That is the position to be in".<sup>61</sup>
- 4.74 As discussed above, confusion about different regulations is matched by public concerns over confusing lines and signage. Often regulations are quite complex,

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<sup>58</sup> ALG written evidence

<sup>59</sup> NCP written evidence

<sup>60</sup> London Chamber of Commerce and Industry written evidence

<sup>61</sup> Steve Hitchins evidentiary hearing 10 February 2005

hours vary between areas, residents bays and pay and display bays are in close proximity, roads which form boundaries between boroughs may have different regulations on either side of the road and so on.

- 4.75 The Traffic Signs Regulations and General Directions specify in precise detail the signs that must be used to indicate parking restrictions. Where there is an unusual or non-standard type of restriction the Department for Transport must specifically authorise each sign (and, often, its location).
- 4.76 However, despite these directions, as the ALG states, confusion over signage can still occur, particularly in large areas of controlled parking.
- 4.77 “Controlled Parking Zones (CPZs) are areas where parking on every part of every street is controlled. They are typically introduced in town centres and residents’ parking areas. They are different from introducing individual elements of parking control (such as a length of yellow line) in that the standard hours of operation are displayed on entry signs to the area, dispensing with the need for individual signs on posts for each stretch of regulation unless hours of operation are different. This approach has the advantage of a significant reduction in sign clutter on streets. However, at the same time, CPZs that are too big can mean that motorists miss the entry signs and therefore the hours of operation and confusion may then result”.<sup>62</sup>
- 4.78 Borough boundaries, where they are not very clearly signed, cause much confusion. Evidence was received from many individuals who had received tickets when parking on a boundary (which they were not aware of) and bought a pay-and-display ticket from one borough’s machine and parked in the other borough only to find they received a ticket.
- 4.79 An interesting example of current confusion is Queen's Gate, in Kensington, illustrated on Dr William Knottenbelt’s web site at:  
<http://www.doc.ic.ac.uk/~wjk/parking/casestudy><sup>63</sup>
- 4.80 There are instances where this confusion has been dealt with. “A good example of where you can work together and deal with issues locally is Lincoln’s Inn Fields, which has a boundary between Westminster and Camden running a quarter of the way up. Previously there were different regimes and people did have the problem of different hours of operation, of different machines and putting the money in the wrong place. With some work, both those councils have agreed a common regime between them because it caused confusion to have differences in that particular location”.<sup>64</sup> These changes followed a decision by the Adjudicator on the Bladon vs. Westminster case in 1998.<sup>65</sup>
- 4.81 The adjudicators have considered the boundary parking issue and have said “where there is that situation, where the borough boundary goes down the middle of the road the signs must be absolutely clear so that it is made

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<sup>62</sup> ALG written evidence

<sup>63</sup> Dr William Knottenbelt, written evidence

<sup>64</sup> ALG evidentiary hearing 10 February 2005

<sup>65</sup> [http://www.parkingandtrafficappeals.gov.uk/user\\_documents/BLAJHL2.pdf](http://www.parkingandtrafficappeals.gov.uk/user_documents/BLAJHL2.pdf)

absolutely clear to the motorist what the position is and if it is not, the adjudicator is likely to allow that appeal”.<sup>66</sup>

- 4.82 It is clear from this that some boroughs have reciprocal arrangements on boundary roads where motorists do not receive tickets for parking in one borough and buying a ticket in the other’s machine. We consider this good practice and would recommend it is followed by all authorities in London.

#### **Recommendation 7**

The Committee commends reciprocal arrangements as set out in paragraph 4.80 as good practice, and recommends that boroughs ensure that boundary signs are made as clear as possible, particularly in roads which run along borough boundaries.

#### **Recommendation 8**

There should be regular reviews of the effectiveness of signage at ticket “hot spots” to assess whether more can be done to reduce any confusion which results in tickets being issued when motorists are trying to park legally.

### **The challenge process**

- 4.83 The regulations governing the challenge and appeals process have been outlined from paragraph 3.26 above. On average councils receive some form of challenge on nearly 20 per cent of PCNs.
- 4.84 The Chief Parking Adjudicator has said that the real test of the robustness of the enforcement process lies not in those Penalty Charge Notices that are routine but in those the motorist challenges.
- 4.85 The challenge process has been described by many members of the public, in their evidence to this Committee, as confusing, intimidating and inefficient. Many members of the public have called for compensation to be paid when appeals are upheld to reflect the time and effort required to “prove one’s innocence”. PATAS has itself voiced concerns about how many people give up having had their representations rejected when in fact they have well-founded grounds for contesting liability.<sup>67</sup>
- 4.86 “Adjudicators have continued to see large numbers of cases in which the handling of the response by the Local Authority to representations has been less than satisfactory. Some Authorities deal with this process better than others, and some achieve a high standard. However, there continues to be a worrying number of cases where the response does not address the issues made in the representations or does so inadequately or inaccurately”.<sup>68</sup>
- 4.87 The importance of getting every aspect of the challenge process right was summed up by Martin Wood, the Chief Parking Adjudicator, himself.

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<sup>66</sup> Chief Parking Adjudicator evidentiary hearing 10 February 2005

<sup>67</sup> Chief Parking Adjudicator written evidence

<sup>68</sup> Chief Parking Adjudicator written evidence



- 4.88 “Perhaps at an even more fundamental level it is about the power of the state to impose a penalty on a citizen. In that context, local authorities do need to make sure that they get their enforcement processes correct. We do see examples from time to time where that does not happen. For example the notices that local authorities issue need to comply with the statutory requirements. Sometimes they have not. There have been other examples where the strict legal compliance with the enforcement process has not been followed. There is also the issue of discretion on mitigation. The councils have this discretion to cancel a ticket at any stage and including full mitigating circumstances. The adjudicators have made the point that unless the motorist knows that the council can do that, how are they are to know they may put that issue of mitigation to the local authority? The adjudicators have recommended that in their notices, the local authority should make clear that the councils do have that discretion. This recommendation has recently been echoed in a special report of the Local Government Ombudsman, effectively making that very same point.<sup>69</sup> Therefore the issue of discretion is an important one, particularly in a fixed penalty system where the adjudicator has no power to vary the penalty at all if the contravention has occurred. That is a matter for the council. Therefore that is a very important aspect of the council’s function”.<sup>70</sup>
- 4.89 PATAS annual reports contain a number of recommendations to improve the process, including:
- Local Authorities should revise their Notice to Owner to explain their discretion relating to extenuating circumstances;
  - Local Authorities should review the adequacy of the training their staff receive in considering and replying to representations;
  - Local Authorities should have in place procedures, including taking appropriate advice, to ensure that their enforcement processes are legally compliant;
  - When replying to informal representations received within the 14-day discount period, all Local Authorities should offer a further 14 days from the reply for payment of the reduced penalty;
  - Local Authorities consider as a matter of routine sending copies of the video stills with the Penalty Charge Notice in camera enforcement cases, to encourage early resolution;
  - That all Local Authorities should have in place arrangements for addressing feedback received from the Adjudicators and taking such action on it as may be appropriate.<sup>71</sup>
- 4.90 It is clear from what was told to the Committee that this good advice is still not being followed in all boroughs in London. The ALG holds regular seminars for parking managers and appeal staff and the Transport and Environment Committee periodically issues advice to boroughs. The ALG does not though

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<sup>69</sup> Parking enforcement by local authorities: Consideration of representations under the Road Traffic Act 1991, Local Government Ombudsmen, December 2004

<sup>70</sup> Chief Parking Adjudicator evidentiary hearing 10 February 2005.

<sup>71</sup> Adjudicators’ Annual Reports 2001-2004

have the powers to enforce such advice and it is not automatically accepted outside London, where authorities develop their own standards individually.

- 4.91 Finally, many members of the public complain that their representations are not always dealt with as quickly or as efficiently as they would like. They are often told of delays in the handling of representations by councils due to lack of resources.
- 4.92 This is confirmed by the Chief Adjudicator of the National Parking Adjudication Service. "We would also comment that our staff report that they are frequently requested to allow extra time for the production of evidence by councils on the basis that there are staff shortages or personnel are on holiday etc. In our view the council should dedicate sufficient resources to dealing with representations and appeals (and other service requirements of the Parking Enforcement Scheme) before any surplus on the accounts is allocated to other projects".<sup>72</sup>
- 4.93 Parking enforcement is a public service, although often paid for by a reluctant customer. In any case it would seem obvious that boroughs should ensure standards of customer care in the challenge service are the highest possible – as they should be for any other service provided by a local authority.
- 4.94 "The Traffic Management Act (2004) proposes that high performing councils should be able to widen the ring fence of their parking accounts to enable surpluses to be used for other council projects. We believe that before this happens there should be standards set for civil traffic enforcement and that councils should achieve "Beacon" status in these departments before the ring fence is widened to other projects".<sup>73</sup>
- 4.95 This is good advice, it seems clear to the Committee that implementing these recommendations would inevitably lead to a better relationship with those motorists who decide to contest their tickets.
- 4.96 Councils are obviously aware of the perceptions and frustrations that many people feel with the parking regime in London and, in many instances, have begun to respond.
- 4.97 The Committee heard that: "Part of that burden is on the local authorities to show that everything we do leading to the ticket is valid and reasonable; the signage is right, there is no confusion and where possible, we provide adequate parking so there are short-term bays near shops, etc. I think we are moving in that direction. We are moving a bit slow and we have moved a bit late, but I think that is the direction we are moving in".<sup>74</sup>
- 4.98 The Committee would hope that the pace of this process could be accelerated across London. There is nothing to gain from a situation which allows, as the Chief Parking Adjudicator said above, the state to impose a penalty on a citizen without that citizen being fully aware of the reasons for that penalty and having confidence that the fine is being imposed fairly, efficiently and effectively.

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<sup>72</sup> The Joint Report of the Parking Adjudicators for England and Wales 2003  
<http://www.parking-appeals.gov.uk/about/AR0304.pdf>

<sup>73</sup> The Joint Report of the Parking Adjudicators for England and Wales 2003

<sup>74</sup> Steve Hitchins, Leader of Islington Council, evidentiary hearing 10 February 2005

**Recommendation 9**

The Committee understands that neither PATAS nor the ALG have the power to enforce their advice, guidance or good practice notes on boroughs but would recommend all local authorities have arrangements in place for carefully considering such advice and feedback and acting on it if this can improve the challenge process.

**Recommendation 10**

Boroughs should ensure their “back office” functions are adequately resourced, and should aim to obtain some quality standards so that this aspect of the system offers the best possible service to the public.

**Recommendation 11**

Boroughs should ensure evidence is provided for appeals in a timely manner.

## 5 Impacts on business

- 5.1 Business fully accepts that there is a need for parking controls in London. Parking restrictions can help to reduce congestion and can also assist businesses by ensuring that there is delivery space available and providing a turnover of parking spaces for customers.<sup>75</sup>
- 5.2 However, businesses and trade organisations raise the issue of fines incurred by delivery drivers and maintenance operators. Parking and deliveries are essential activities for most businesses, and is an essential part of economic activity. From the evidence received, business finds the current loading and unloading facilities inadequate, and feels that the imbalance needs to be rectified.
- 5.3 “The overall environment for parking is so restrictive that business often cannot park and make deliveries legally during normal working hours without bearing steep fines. The current regime for parking, loading and delivering has become a source of grave concern to business, and is hampering their daily activity. We need to have a reasonable approach among enforcers, coupled with appropriate facilities for business”.<sup>76</sup>
- 5.4 A number of submissions to the Committee point to the scale of penalties being incurred by business in London – these include:
- Charges of over £1.5 million per year for members of the Association of International Couriers and Express Services (AICES);<sup>77</sup>
  - Dealing with penalty charge notices and parking fines costs delivery operators in London millions of pounds a year;<sup>78</sup>
  - Estimated annual projection of £624,000 p.a. to deal with PCNs and internal costs;<sup>79</sup>
  - A delivery company is paying £4,000 in parking fines per week adding up to an annual amount of about £250,000;<sup>80</sup>
  - A company receiving £217,000 of PCNs from Westminster City Council, £80,000 from Camden, £64,000 from the City and £22,000 from Kensington & Chelsea;<sup>81</sup>
  - One international delivery company seeing the number of fines increase by 92 per cent between 2002 and 2003, while another incurred fines of £217,000 in one year from Westminster Council and £130 over the same period from Manchester Council;<sup>82</sup>

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<sup>75</sup> LCCI written evidence

<sup>76</sup> CBI written evidence

<sup>77</sup> AICES, written evidence

<sup>78</sup> Freight Transport Association, written evidence

<sup>79</sup> Brewery Logistics Group, written evidence

<sup>80</sup> CBI written evidence

<sup>81</sup> CBI written evidence

<sup>82</sup> London Chamber of Commerce and Industry

- E.C.S. Metering & Data Services, last year paid parking fines totalling in excess of £130,000 when undertaking the work for maintaining the electricity service to London.<sup>83</sup>
- 5.5 There is more than just the financial costs of paying PCNs involved. “The impact on the business may be quantified and considered in terms of cost, operational inconvenience and also on staff morale. Aside from the sheer cost of payment of parking fines, we incur losses to productivity with output frequently restricted by actions such as clamping and removal of our vehicles. A clamped vehicle often leads to a failed customer appointment, causing customer dissatisfaction and having a knock on effect on our ability to meet our service agreements”.<sup>84</sup>
- 5.6 AICES points out the potential consequences “Such a steep rise in operating costs is making it increasingly uneconomic for AICES members to service businesses based in central London. In the long term, if a solution to this problem can not be found then our members may be forced to consider options such as imposing a surcharge on businesses based in the centre of London, an outcome we all want to avoid”.<sup>85</sup>
- 5.7 There are three key factors affecting business: loading and unloading regulations; parking for customers and health and safety issues.

#### **Loading and unloading regulations**

- 5.8 The Freight Transport Association (FTA) believes that the parking controls affecting loading and unloading in London are in urgent need of review and change. The existing high level of fines threatens the capital’s economic competitiveness.
- 5.9 Loading restrictions are indicated by yellow 'blips' marked on the kerb. If there are two blips it means no loading (or waiting) at any time. If there is one blip it means no loading for a lesser period as indicated on the signs, or time plates.
- 5.10 Nominally most boroughs operate a 20 minute loading/unloading time for delivery vehicles when the Parking Attendant should observe loading activity from unlocked vehicles. These periods of observation vary from borough to borough.
- 5.11 Research recently conducted by the FTA demonstrates substantial differences in the way in which parking controls, with respect to loading and unloading and observation periods, are enforced in different London boroughs. The observation periods that are applied are a good example of these variations.<sup>86</sup>

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<sup>83</sup> E.C.S. Metering & Data Services written evidence

<sup>84</sup> BT Field Service written evidence

<sup>85</sup> AICES written evidence

<sup>86</sup> The FTA website now lists loading/unloading regulations by borough on its website at: [http://www.fta.co.uk/information/keycampaigns/delivering\\_london/parking/map.htm](http://www.fta.co.uk/information/keycampaigns/delivering_london/parking/map.htm)

<b>Observation period</b>	<b>Borough</b>
20 minutes	Camden, Richmond, Westminster
10 minutes	Corporation of London (under review), Greenwich, Lewisham, Wandsworth
5 minutes	Croydon, Enfield, Hammersmith and Fulham, Harrow, Havering, Kingston, Kensington and Chelsea, Redbridge, Southwark, Sutton, Tower Hamlets, Waltham Forest
3 minutes	Newham
2 minutes	Lambeth
No observation period	Barnet
Source: FTA written evidence, December 2004	

5.12 Organisations have also pointed out the impracticability of leaving vehicles with valuable contents unlocked, particularly for one person deliveries, and the reality that deliveries often take more than 20 minutes.

5.13 FTA members have identified a number of differences in the way that parking controls are enforced by London boroughs, in terms of the detail of the enforcement system itself, their understanding of freight's needs and the amount of enforcement that is carried out. The following examples have been identified:

- Some boroughs discriminate between liveried and unmarked goods vehicles although it is common practice for well known companies to use unmarked vehicles from time to time, for example, to replace one that is out of service;
- Some boroughs treat delivery vehicles in the same way as private cars where clearly the needs of businesses and their function in making deliveries to urban areas are different from those of private individuals;
- In a limited number of cases boroughs have shown a willingness to work with the freight industry to identify solution to problems but the boroughs display vastly differing attitudes to freight and knowledge of its needs;
- The boroughs apply different interpretations of what constitutes loading and unloading and the legal basis for many of these definitions is unclear;
- The processes used by the boroughs for challenges (representations and appeals) vary and companies would like to see more standardisation of procedures.

5.14 These differences demonstrate what FTA believes is an urgent need for training of parking attendants and back office staff in the needs of the freight industry and in greater standardisation of procedures in dealing with businesses.<sup>87</sup>

5.15 Confusion over the loading and unloading regulations appears to be common. The Chief Adjudicator told the Committee that the appeals services sees local authorities saying there must be a delivery note. "Well, of course, if I am moving furniture into my new house personally I will not have a delivery note. There are other misunderstandings. The unloading must be observed by the

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<sup>87</sup> FTA written evidence

parking attendant. Well, that is not necessarily so. If I am taking something up to my seventh floor flat it is quite possible that I will be out of sight for some little time”.<sup>88</sup>

- 5.16 In an effort to clarify the understanding of these regulations the Brewery Logistics Group, Parcels Forum, NCP and the boroughs of Westminster and Camden have recently produced a video which is being used for training both PAs and delivery drivers in the rules surrounding loading and unloading. The video “Keep it Moving! A film about the challenges of commercial vehicle parking in a busy city” cost £40,000 to produce and was formally released in January 2005.

#### **Recommendation 12**

Boroughs and contractors should review the training of Parking Attendants so that they fully understand the laws and regulations about the loading and unloading of vehicles and also their knowledge of the freight industry’s needs.

#### **Recommendation 13**

Boroughs make use of training videos and other innovations and also work with the freight industry to identify solutions to current delivery problems.

### **Parking for customers**

- 5.17 Short stay parking is regulated either by having limited stay free parking bays or by charges. Short stay free parking is difficult to enforce and paid for parking provides a more effective rationing mechanism while also making enforcement simpler. For further simplification and to improve customer service, meters are giving way to pay and display machines and electronic forms of payment such as mobile phone payments.
- 5.18 Many traders would like to see lower parking charges yet, as the ALG told us, research by the London Planning Advisory Committee and in Europe shows that there is no correlation between parking charges and economic vitality of a centre. Several cities in Europe have tried to introduce an initial free period of parking (such as 30 minutes) to encourage retailing. Evidence, here, shows that this has no impact on economic activity but adds to congestion while cars hunt for a free parking space.<sup>89</sup>
- 5.19 Some trade organisations believe the current parking enforcement policies are affecting retailers. Many feel that the “over-zealous enforcement” has created a situation where customers are discouraged from visiting their shops as they are concerned about receiving a parking ticket, even if they park legally. Many believe that this has had a significant impact on their business.<sup>90</sup>
- 5.20 Other trades’ people point to the problems now encountered following the introduction of schemes with long hours of control. For those involved in domestic repair activities the requirement to obtain visitor permits by those who

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<sup>88</sup> The Chief Parking Adjudicator evidentiary hearing 10 February 2005

<sup>89</sup> ALG written evidence

<sup>90</sup> LCCI written evidence

want work undertaken is affecting the amount of work being carried out. In these cases traders believe shorter hours of control would suffice to deter commuter parking but allow repair work to be undertaken.

#### **Recommendation 14**

There should be regular reviews on the need for short stay parking in shopping areas and studies should be carried out, both before and after the introduction of controls in shopping areas, to assess the impact of schemes on local business.

#### **Recommendation 15**

Boroughs should ensure the process for obtaining visitor/temporary parking permits is made as simple as possible so as not to deter the ability of residents to commission activities such as domestic building or other trades people.

### **Health and safety**

- 5.21 For the brewing industry there are other factors involved such as complying with the Health and Safety at Work Act where parking controls apply. A large number of pubs and other licensed premises are sited on the corners of roads where there are normally parking restrictions. The Brewery Logistics Group (BLG) points out the impossibility of parking anywhere but outside a licensed premises when delivering 118 kg beer barrels as it is impossible to roll barrels across roads or up kerbs.<sup>91</sup>
- 5.22 The industry attempts to make delivery quicker and easier by carefully planning deliveries in conjunction with known parking restrictions and delivery point access however the trade believes there should be greater tolerance, understanding and better communication between it and local authorities. The BLG recommends attendants are given specific training to get a better understanding of the needs of businesses and distributors alike.

#### **Recommendation 16**

Boroughs should consider conflicts between parking regulations and health and safety legislation and consider agreed exemptions for industries such as scaffolding and glaziers vehicles, as Westminster City Council has recently announced, where the health and safety imperatives have been recognised and prioritised.

### **Challenge and appeal processes**

- 5.23 Several businesses have informed us that they simply pay fines even when they know they have not committed an offence, because the appeals process takes up far too much time and too many resources. Furthermore, there is no guarantee that the appeal will be successful, so many businesses opt to pay the reduced fine rather than risk a large penalty should the appeal be unsuccessful.
- 5.24 With the increase in the number of penalty charge notices being received by delivery companies the cost of fines has reached a scale that has to be addressed. Many businesses have therefore appointed special project teams to

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<sup>91</sup> Brewery Logistics Group written evidence



tackle the issue, taking members of staff away from their normal work for long periods of time or in extreme cases resulting in the appointment of a member of staff to deal with the problem. For smaller companies with less resource challenging parking fines is a responsibility that has to be taken on by key members of the management or senior management team.<sup>92</sup>

- 5.25 Evidence the London Chamber of Commerce and Industry has received from businesses indicates a lack of faith in the appeals process.<sup>93</sup>

### **Improvements**

- 5.26 The Freight Transport Association has proposed a number of improvements to the enforcement of deliveries in London including a “London Delivery Disc” which would:
- Identify those vehicles making legitimate deliveries, enabling parking attendants to exercise more discretion, providing a relaxation of delivery restrictions both during the day and out of hours;
  - Reduce the administrative burden of red tape that operators delivering into London currently have to endure;
  - Be vehicle specific and only apply to those vehicles covered by an approved code of practice and a valuable tool in securing efficient and sustainable distribution of London;
- 5.27 In order to benefit from the delivery disc provisions business, TfL and the boroughs would have to agree the best practices and standards that companies would have to adopt in order to qualify and the way in which this system would be enforced.

### **Recommendation 17**

Boroughs should seriously consider the proposals made by the Freight Transport Association with regard to the “London Delivery Disc” and agree the best practice and standards that companies would have to adopt in order to qualify for the scheme and the way in which this system would be enforced.

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<sup>92</sup> Freight Transport Association written evidence

<sup>93</sup> LCCI written evidence

## 6 Other road users

- 6.1 Other road users such as pedestrians, cyclists and motorcyclists groups were written to for their views on parking enforcement. No evidence was received from the first two groups, however three submissions were received from the motorcyclist (powered two wheeler – PTW) lobby.

### **Powered two wheeler users**

- 6.2 The Mayor’s Transport Strategy notes at Policy 4G.26:  
‘Motorcycles, mopeds and scooters can offer quick, relatively low cost private transport and are more space and fuel efficient than cars, although they can generate relatively more pollution and noise. In certain locations of high demand, more motorcycle parking should be provided.’
- 6.3 This, in conjunction with the White Paper “A new deal for transport”, leads the PTW lobby to interpret overall policy to encourage a modal shift away from the car and towards other modes including PTWs.
- 6.4 However, when it comes to parking PTW vehicles it appears to some that most boroughs treat PTW’s in the same way as cars, rather than devising policies and enforcement that suits the type of vehicle.<sup>94</sup>
- 6.5 There are a number of issues specifically affecting PWT parking in London. The British Motorcyclists Federation believes:
- The current system does not seem to take into account the level of obstruction (of PTWs) or danger caused to other road users, and as such is perceived to be unfair by many PTW users;
  - Although there is unofficial but useful information on parking for PTWs available on the internet it is felt that the regulations on PTWs parking differ too much from borough to borough and there is little on-street information available;
  - There is a shortage of parking bays particularly in central London. 5-7 PTWs can fit into a car sized bay, and where there is an excess of car bays it would be a better use of space to convert some to PTW bays.<sup>95</sup>

### **Consistent regulations**

- 6.6 As suggested above, there is a belief that the rules on PTW parking need to be clarified. The Motorcycle Action Group calls for motorcycles to be able to park free of charge in residents’ bays throughout Greater London. At present there is a patchwork of different policies. In Islington, for example, motorcycles either need a permit or should be parked in dedicated motorcycle bays (which are often poorly located with respect to local amenities). In neighbouring Hackney, by contrast, motorcycles can park free of charge in residents’ bays.<sup>96</sup>

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<sup>94</sup> Laura Willoughby written evidence

<sup>95</sup> British Motorcyclists Federation London Region written evidence

<sup>96</sup> Motorcycle Action Group written evidence

- 6.7 The PTW lobby believes that the one area of change that would begin to solve most issues around parking enforcement would be to allow PTWs to park for free in every borough.

### **Pay and display**

- 6.8 The Committee was told that pay and display for PTWs is not a particularly practical option. Despite providing proof of purchase, the onus is on the bike owner to prove it was displayed properly, if it is stolen or blows off then PTW owners are liable for a PCN. Some boroughs, such as Camden and Islington, provide reminder slips as “proof of purchase” for pay and display tickets, other boroughs do not.
- 6.9 Producing a reminder note as proof of purchase may not be acceptable to councils as this cannot prove the ticket was correctly displayed. Issues around where to display and conflicting advice in this area apply in the same way as with resident’s permits.<sup>97</sup>
- 6.10 Advice varies on where to display the permit – this can vary between Parking Attendants, as well as boroughs. Some boroughs provide permits in the right size to fit a tax disc or accept photocopies. There is no standard secure place to affix a permit and many PTW users get tickets for non-display because a warden has missed the ticket or the warden has been told to only accept one spot on a bike as the acceptable place to display a permit. All of the points above also apply to visitor parking.

### **Blue badge holders**

- 6.11 The Committee received a number of submissions from members of the public with concerns surrounding the issue of Blue Badge parking for disabled drivers and receiving tickets when normal exemptions should apply.
- 6.12 The Blue Badge Scheme (formerly Orange) provides a national arrangement of parking concessions for some disabled people. It allows badge holders to park on the streets closer to their destination.
- 6.13 In July 2002 we published a report called “Access Denied?” which looked at access to parking in Central London for people with mobility problems.<sup>98</sup> The Committee heard that parking concessions offered under the national disabled parking badge scheme (the Blue Badge) do not apply within Central London. Instead each of the central boroughs and Transport for London operate separate disabled parking schemes. As a result, a visit to the West End or City for London’s 215,000 Blue Badge holders can be frustrating, confusing and often result in parking fines.
- 6.14 The report recommend significant improvements in the guidance given to the boroughs about parking accessibility, the enforcement of existing disabled bays, the amount of information provided about concessions in Central London and the level of consistency between the parking schemes within each central borough.

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<sup>97</sup> Laura Willoughby written evidence

<sup>98</sup> [http://www.london.gov.uk/assembly/reports/transport/access\\_denied.pdf](http://www.london.gov.uk/assembly/reports/transport/access_denied.pdf)

- 6.15 In November 2003 the recommendations made in that report were followed up and reported.<sup>99</sup> The Committee heard from the London boroughs, ALG and TfL that substantial progress has been made in implementing these recommendations.
- 6.16 For instance, the London Borough of Camden, City of Westminster, Royal Borough of Kensington and Chelsea and Corporation of London agreed to harmonise their schemes to make it easier and less confusing for disabled drivers to park in central London. This includes: at least three hours parking on all Blue Badge bays in Central London; an additional one hour free parking on pay and display areas after the expiry of the paid time; and permission to park for up to 20 minutes on yellow lines for dropping off and picking up goods and passengers.
- 6.17 Separately, but shortly after we published our first report, the Disabled Persons Transport Advisory Committee (DPTAC, the Government's statutory advisers on the transport needs of disabled people), made a number of recommendations to Government on the future shape of the Blue Badge Scheme.
- 6.18 The majority of the recommendations have been accepted by the Department of Transport but both primary and secondary legislation are needed to take recommendations forward. Many of the DPTAC recommendations require the formulation of comprehensive guidance for the local authorities who administer the Scheme to follow.
- 6.19 Work is still ongoing, and once this revised guidance is published the Committee will review the need to further investigate the issue of Blue Badge parking in London.

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<sup>99</sup> [http://www.london.gov.uk/assembly/reports/transport/access\\_improved.pdf](http://www.london.gov.uk/assembly/reports/transport/access_improved.pdf)

## 7 Parking Attendants

- 7.1 This section deals with those who have to enforce parking regulations on the street – the parking attendants themselves – the training and instructions they receive and also the growing issues surrounding the attendants' safety and security.

### **Development of training standards**

- 7.2 Training for all involved with parking enforcement is essential. At the outset of decriminalisation in 1994, the then Parking Committee for London<sup>100</sup> (PCfL) set up a certification scheme for attendants and supervisors. This scheme, which measured competencies, was based on three elements:
- Core training;
  - Local training;
  - Probationary period.
- 7.3 The ALG told us that this core training was a set standard covering all common aspects of enforcement. Local training took account of matters that varied from one authority to another. The probationary period was 6 months, during which new attendants had to demonstrate that they applied their training correctly.
- 7.4 Training was given under employers' own arrangements by approved training deliverers. External verifiers confirmed that the required training was given and that the attendants had the required competencies. Once the probationary period had been successfully completed, a certificate with a two year life was awarded, demonstrating that the attendant had successfully completed all aspects of training for that authority. Verifiers also confirmed that sufficient refresher training had been given for a renewal certificate. Almost all attendants in London, at the time, possessed these PCfL certificates.
- 7.5 In the late 1990s, this certification scheme was translated into a National Vocational Qualification (NVQ). This was to get further external verification of the quality of the scheme. However, the ALG believes the NVQ is less satisfactory in a number of ways:
- There is no time limit for a candidate to achieve the qualification;
  - Once awarded there is no time limit on the qualification;
  - The qualification is not specific to any authority;
  - Unlike the PCfL certificate, the NVQ fee does not provide any incentive for employers to ensure that their employees achieve the qualification.<sup>101</sup>
- 7.6 Accordingly, with the British Parking Association the ALG are working to revert to a certification scheme which acts, in effect as a licence to practise. This will also apply to back office staff. This new certification process will require PAs to have a lot more knowledge of, not just how to deal with the public and how to

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<sup>100</sup> ALG TEC's predecessor as the statutory joint committee set up under the terms of the Road Traffic Act 1991

<sup>101</sup> ALG written evidence

explain to them the rules and regulations, but also what they can do about the process of challenging a ticket. The BPA hopes this will be taken up throughout the contractors operating in London and possibly incorporated into the statutory guidance as a licence to practise.<sup>102</sup>

### **Current practice**

- 7.7 The Committee received written evidence from two of the parking contractors operating on-street parking enforcement in London, NCP and Central Parking System (CPS).

### **NCP training policy**

- 7.8 NCP attendants undergo a week-long classroom-based training programme (a two week course in the case of Westminster) covering:
- Road Traffic Act parking enforcement regulations;
  - Quality standards of operation and;
  - Customer service.
- 7.9 All attendants are then required to pass a written exam before being allowed to start work on street. Further training and development takes place on job with coaching and supervision provided by experienced colleagues and supervisors. Staff must be accompanied on street until their supervisor is satisfied that they are fully competent and able to operate alone. All staff undergo a three month probationary period. NCP aim to ensure a stable and experienced workforce.
- 7.10 To support further the development of supervisors and staff, NCP has created a partnership with the Association of Colleges (AOC), to run locally a set of City & Guilds validated training programmes supported by bespoke training materials, workbooks and assessment processes.
- 7.11 NCP offers two different level 2 NVQ qualifications. Supervisors are able to develop their team leading and managing business operations skills to achieve the NVQ level 2 in Team Leading. Following induction their on street PA staff are encouraged to achieve the NVQ Level 2 in Controlling Parking Areas.<sup>103</sup>
- 7.12 All of NCP Parking Attendants receive daily and weekly briefings to ensure that there is consistency in the way they operate and that rules and regulations are followed.
- 7.13 NCP favours clear regulations drafted so that PAs can apply the rules fairly to all. Among the directions given to the PAs are that the rules should be applied in the same manner at all times, but that if they are unsure about application of the rules they should take instruction from supervisors via their radios.<sup>104</sup>

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<sup>102</sup> BPA evidentiary hearing 13 January 2005

<sup>103</sup> NCP written evidence

<sup>104</sup> NCP written evidence

### **CPS training policy**

- 7.14 CPS provides training which is accredited and quality assured. CPS staff receive a 2 week induction course which apart from the specifics of their role includes;
- Health and safety;
  - Customer care;
  - Dealing with confrontation;
  - Diversity and equal opportunities;
  - Personal development.
- 7.15 All operational staff receive a further 4 weeks on the job training in conjunction with an experienced member of staff and thereafter following completion of their probation period are enrolled for the appropriate NVQ for their position. It is a CPS requirement that the staff member achieves their NVQ within a specified period.
- 7.16 All staff in accordance with CPS Investors in People accreditation have individual objectives against which they are assessed on a monthly basis.
- 7.17 All staff receive a Personal Development Plan which is reviewed every six months. It is company policy to support internal promotions and CPS has members of staff who have progressed from PAs through to Contract Managers.<sup>105</sup>

### **Common standards and directions given**

- 7.18 The ALG TEC's predecessor (PCfL) produced a Code of Practice on parking enforcement in 1993. The Code of Practice covers areas such as policies, procedures, priorities and notices and provides guidance over a range of issues. This was updated in 1997 and is being updated again at present.
- 7.19 The ALG told the Committee that this comprehensive revision is based on the experienced gained since the first Code of Practice was published. It is just now being sent out for informal consultation within the boroughs at officer level. The ALG will be putting it out to wider consultation with members of the public and publishing it on the website as well as being distributed in other ways.<sup>106</sup>
- 7.20 In addition to the Code of Practice, the ALG TEC have produced a parking attendant's handbook which details all the contraventions and the various exemptions to them. This also provides standards for 'de minimis' rules on contraventions. For example, it suggests that for vehicles parked outside the markings of the bay (offence code 24) there should be at least one wheel wholly outside the markings of the bay before a PCN is issued. Similarly, for vehicles parked on the footway, the 'de minimis' rule advised is that there should be at least one wheel wholly on the footway before a PCN is issued.<sup>107</sup>

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<sup>105</sup> Central Parking System

<sup>106</sup> ALG evidentiary hearing 10 February 2005

<sup>107</sup> ALG written evidence

- 7.21 In March 2005 Westminster City Council published the equivalent of its own standards in its "Enforcement Protocol".<sup>108</sup> The aims of this document are:
- To deliver a high quality parking service to all road users in a fair and consistent manner;
  - Ensure there is clarity of the enforcement requirements and policy for all Parking Service Officers and Parking Attendants;
  - To have a single point in which enforcement policy is documented and can be easily updated when change occurs.
- 7.22 As was reported at the launch of this set of protocols "In the past we have not published this document because we were concerned it could be misinterpreted and cause problems on the street. But we now feel that the most important thing is for motorists to know where they stand when they are parking and also to see the kind of efforts we make to ensure enforcement in Westminster is firm but fair".<sup>109</sup>

#### **Recommendation 18**

The Committee commends Westminster City Council for the publication of guidance given to Parking Attendants and believes that this could be successfully transferred to other boroughs which could publish their own rules, standards and directions so that the motoring public are clear which regulations apply in the different parts of London.

#### **Discretion**

- 7.23 As set out in paragraph 3.4 above, an important change introduced at the time of decriminalisation of parking offences was the withholding of much of the traffic wardens' discretion from parking attendants. The attendants cannot cancel a PCN after it has been issued.
- 7.24 There were a number of reasons for this.
- It would reduce the impact of aggression or corruption on parking attendants, as they could not be forced to cancel PCNs either by aggressive drivers or by the offer of money or other inducements;
  - It improved consistency as local arrangements for a regular traffic warden to turn a 'blind eye' to certain forms of illegal parking would no longer be possible;
  - It ensured that any arguments about exemptions or mitigation would be dealt with at the town hall, rather than on the street, where council officers with specific training could consider the case with more information and more consistency than could a parking attendant.<sup>110</sup>

<sup>108</sup> [http://www3.westminster.gov.uk/docstores/publications\\_store/EP%20-%20Publication%20Version%201.1%20March%202005.pdf](http://www3.westminster.gov.uk/docstores/publications_store/EP%20-%20Publication%20Version%201.1%20March%202005.pdf)

<sup>109</sup> Evening Standard 30 March 2005

<http://www.thisislondon.co.uk/news/londonnews/articles/17581800?source=Evening%20Standard>

<sup>110</sup> ALG written evidence



- 7.25 Many members of the public in their submissions to the Committee have argued that attendants should have discretion to, for example, move on a driver rather than issue a PCN or to ignore very short overstay on parking meters.
- 7.26 In Manchester parking attendants have been retrained to apply a "test of reasonableness" before issuing a parking control notice or PCN. This means they might engage in a discussion with a delivery driver unloading his wares while parked on a double yellow line before issuing a ticket.
- 7.27 Stakeholders from across the country are monitoring the progress of this change of approach towards parking enforcement in Manchester where a new contract has been drawn up which places equal priority on enforcement, compliance and quality of service. "If such a radical initiative can work in Manchester, the RAC Foundation for Motoring believes that it can, and will, work anywhere in the UK and will be vigorously lobbying the Transport secretary and DfT to rewrite the Road Traffic Act guidance to incorporate the Manchester principles".<sup>111</sup>
- 7.28 The ALG however, told the Committee that it doubts the effectiveness of introducing discretion. "There is evidence from Manchester which introduced quite consciously extra discretion for their attendants on the street. A separate survey into compliance has been carried out and found that compliance has fallen dramatically since that change took place. I do not know if that has ever been published".<sup>112</sup>
- 7.29 **There should be a report of the Manchester decision to introduce more discretion for Parking Attendants and if this has had any impact on the safety and security of PAs as well as any impact on compliance with the regulations.**

#### **Recommendation 19**

The ALG should review the effect of BPA parking contract in the respect of "employing the right calibre of parking attendants, who are well motivated, well trained and suitably remunerated" and the effect on the numbers of tickets issued, challenges, appeals and compliance.

#### **Safety and security**

- 7.30 There is no specific offence of assaulting a parking attendant on duty, although there are such offences for police officers and traffic wardens. The boroughs have sought to create such an offence through private legislation, most recently in 2000, but this has not been accepted by Parliament.<sup>113</sup>
- 7.31 Unfortunately the issues surrounding the safety and security of Parking Attendants have not decreased in London in the ten years since the advent of decriminalised parking and in some instances have become worse. Being a Parking Attendant is a difficult and demanding job and there is no such thing as

<sup>111</sup> RAC Foundation for Motoring written evidence

<sup>112</sup> ALG, evidentiary hearing 10 February 2005

<sup>113</sup> ALG written evidence

a safe area. Incidents of assault, be it verbal, racial or physical occur as frequently in affluent areas as in deprived neighbourhoods.<sup>114</sup>

- 7.32 The ALG told the Committee that Parking Attendants work in difficult circumstances, frequently on their own. While the outcome of their work is beneficial to London, those receiving parking penalties are rarely appreciative of this and many are abusive. Some resort to violence. Across London the level of assaults is rising and, on average, more than three parking attendants are assaulted every day in London. Within this total, attendants have been run over, have been assaulted by gangs with baseball bats and have been shot at – all because they issued a parking ticket.<sup>115</sup>
- 7.33 The ALG, NCP and CPS fear that attacks on PAs increase in number following prominent negative coverage in the media about the job they do, with many articles being biased towards the driver who parked illegally and no mention of the PA who suffered abuse for merely carrying out their job. The racist element of many of these attacks continues to be a concern, particularly in Central London, where a significant number of PAs are black.<sup>116</sup>
- 7.34 The greatest danger is complacency on the part of staff and supervisors not reporting what they consider to be minor incidents because they have become immune to abuse. Both NCP and CPS record all incidents of verbal and physical abuse and report them to the Police.
- 7.35 The ALG believes that response and support from the police has been patchy. Some police stations are pro-active and police officers and parking attendants can work closely together. In Kensington & Chelsea, the MPS and the local authority developed a ‘side by side’ initiative for mutual assistance and support and this has reduced attacks on attendants substantially.<sup>117</sup>
- 7.36 NCP, the MPS and a number of Local Authority clients have recognised the benefits in working in partnership on this issue. As a consequence NCP is actively working with them to develop an agreement called ‘Partnership Plus’. The main aim of the objective is to foster closer working relationships between the Police and PAs. This will have the added benefits of:
- Ensuring that all assaults on staff, whilst on duty, are considered as aggravated assaults and will be investigated;
  - The MPS carry out joint patrols to raise public awareness;
  - Increased intelligence sharing between the Police and the PAs through attending regular briefings, including focussing on terrorist risks;
  - Input from the police on conflict resolution training;
  - Joint operations with the police against untaxed and unlicensed vehicles, including Operation Wendy and Operation Christmas Party.<sup>118</sup>

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<sup>114</sup> CPS written evidence

<sup>115</sup> ALG written evidence

<sup>116</sup> NCP and CPS written evidence

<sup>117</sup> ALG written evidence

<sup>118</sup> NCP written evidence

## **Risk assessments**

- 7.37 Competent contractors carry out risk assessments on all beats and locations and weight them for time of the day, evening and night as well as times of the year. For example some housing estates are more likely to be a source of assault during the school holidays when there are large gangs of children on the street during the day.<sup>119</sup>
- 7.38 UNISON believes that the contracts themselves can be translated into potentially unsafe action as contractors seek to comply with the clients wishes at the expense of staff welfare, security and safety by, for example, implementing lone working in higher hazard areas, increasing the working hours with no adequate monitoring of working time and relocation of staff.
- 7.39 Although all contracts should include an assessment of the contractor's safety policy this is often viewed purely as an adornment to the overall contract and is rarely assessed. This can mean that contractors with good safety policies, and good staff support – which translate into effective recruitment and retention of staff – can be prejudiced in bids to run contracts.<sup>120</sup>
- 7.40 UNISON believes that a London Forum for Parking Enforcement could usefully be used to address concerns on safety and welfare of enforcement staff, and to highlight to all partners involved the necessity and benefits of good employment and safety practices that enables all employers to achieve consistency in this area.
- 7.41 It is imperative that the safety and security of staff remains the highest priority and that there is a concerted effort by all involved to protect them and support them.

### **Recommendation 20**

That boroughs and contractors should review the appropriateness of schemes such as Kensington and Chelsea's "side by side" initiative and ensure that risks to Parking Attendants are reduced by measures such as:

- Recording and reporting all assaults;
- Minimising the instances of patrolling alone particularly in known trouble spots;
- Encouraging conflict avoidance or resolution training for all staff;
- Regularly reviewing risk assessments.

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<sup>119</sup> CPS written evidence

<sup>120</sup> UNISON written evidence

## 8 Conclusions

- 8.1 The Committee accepts, along with the vast majority of Londoners, that parking controls and their enforcement are vital to the economic and social well being of the capital. However the starting point of this scrutiny was to examine whether the right balance has been arrived at between the need for these controls and, at the same time, ensuring that the process is operating both fairly and effectively.
- 8.2 Public perception of how the system is operating is critical to its success. But in recent years there has been a growing amount of negative publicity about parking enforcement in the media, which has gone some way to damage confidence in the system.
- 8.3 Negative publicity has been compounded by the fact that the regulations allow local authorities to keep the receipts from parking enforcement and now allows them, in certain circumstances, to spend this money how they wish without the restrictions which have until now existed. "This increases the possibility that people will perceive the system as a cash cow for hard-up authorities, rather than a tool for fair enforcement".<sup>121</sup>
- 8.4 As we have set out in this report, we have seen no explicit evidence that boroughs are deliberately using parking enforcement in order to raise revenue. However we understand how the rise in the number of tickets issued, consequent surpluses made on parking accounts and the media reports of "fraudulent tickets" and "over zealous" enforcement lead many members of the public to view the current regime as an exercise in revenue generation.
- 8.5 We were assured in the strongest terms by the ALG that revenue generation is illegal under the regulations and were unable to find explicit evidence pointing to this. However the Committee urges boroughs work hard to convince the public the system is equitable, proportionate and driven by clear and transparent standards.
- 8.6 There are some who are of the view that regulations are there to be observed and any transgressions need to be punished. But there appears to be an emerging view that penalising all motorists in the same way, whether they have made a clear statement of intent to flout regulations or whether people have tried to comply, but have fallen foul through lack of knowledge or confusion, is probably not the best way to garner support for parking controls. We would welcome any moves to address the current lack of discretion in the system.
- 8.7 Of course awareness raising will go some considerable way in reducing any confusion, and this is why we welcome the publication of any standards, guidance or directions given to those enforcing regulations.
- 8.8 It is evident that the boroughs are recognising that there is an issue of public confidence in the system and it is in their interest to demonstrate that everything they do leading to a ticket is valid, proportionate and fair. Boroughs

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<sup>121</sup> The New Enforcers, Local authorities and the penalty notice system. Fellows' Associates, December 2004

are slowly moving in that direction, we agree that they are moving a bit slowly and have moved a bit late, but generally that is the direction they are moving in.

- 8.9 The Committee hopes that this pace of progress can be accelerated across London. There is nothing to gain from a system which allows authorities to impose a penalty on a citizen without that citizen being fully aware of the reasons for that penalty and having absolute confidence that the fine is being imposed fairly, efficiently and transparently.

## **Recommendations**

### **Recommendation 1**

The Committee recommends that PATAS makes the reasons for the changes in the rate and type of appeals it is receiving known to key stakeholders including the boroughs and London Assembly. It would be helpful to Londoners for PATAS to include an assessment of these trends in its next Annual Report.

### **Recommendation 2**

We recommend that the ALG produce an early report on the results of the Hackney trial of the BPA “new model contract” in terms of compliance, representations, cancelled tickets, appeals and any impact on Parking Attendant safety and security with a view to embedding good practice in new forms of parking contracts.

### **Recommendation 3**

Work should be undertaken by the ALG, BPA and contractors on assessing the effectiveness of parking regulations in improving compliance, particularly to understand why compliance seems to be happening in some boroughs and not in others.

### **Recommendation 4**

We recommend that the ALG produce a report on differential charging options, which better reflects the varying degrees of parking infringements. This could support a more sensitive system and increase public acceptance of parking charges.

### **Recommendation 5**

Boroughs need to enhance the evidence made available to the public when issuing penalty notices to improve public confidence in the enforcement system. The Committee recommends that the ALG, boroughs and contractors implement a range of technological advances which ensure tickets are issued correctly to leave people without doubt they have been, such as:

- Issuing digital photographs showing the offence with tickets;
- Issuing digital photographs showing tickets have been affixed to the vehicle;
- Using hand held computers which cannot issue tickets before a mandatory observation period has expired.

### **Recommendation 6**

Boroughs and contractors should investigate all allegations of “fraudulently” issued tickets and ensure that disciplinary action ensues if allegations are proven to be true.

### **Recommendation 7**

The Committee commends reciprocal arrangements as set out in paragraph 4.80 as good practice, and recommends that boroughs ensure that boundary signs are made as clear as possible, particularly in roads which run along borough boundaries.

### **Recommendation 8**

There should be regular reviews of the effectiveness of signage at ticket “hot spots” to assess whether more can be done to reduce any confusion which results in tickets being issued when motorists are trying to park legally.

### **Recommendation 9**

The Committee understands that neither PATAS nor the ALG have the power to enforce their advice, guidance or good practice notes on boroughs but would recommend all local authorities have arrangements in place for carefully considering such advice and feedback and acting on it if this can improve the challenge process.

### **Recommendation 10**

Boroughs should ensure their “back office” functions are adequately resourced, and should aim to obtain some quality standards so that this aspect of the system offers the best possible service to the public.

### **Recommendation 11**

Boroughs should ensure evidence is provided for appeals in a timely manner.

### **Recommendation 12**

Boroughs and contractors should review the training of Parking Attendants so that they fully understand the laws and regulations about the loading and unloading of vehicles and also their knowledge of the freight industry’s needs.

### **Recommendation 13**

Boroughs make use of training videos and other innovations and also work with the freight industry to identify solutions to current delivery problems.

### **Recommendation 14**

There should be regular reviews on the need for short stay parking in shopping areas and studies should be carried out, both before and after the introduction of controls in shopping areas, to assess the impact of schemes on local business.

### **Recommendation 15**

Boroughs should ensure the process for obtaining visitor/temporary parking permits is made as simple as possible so as not to deter the ability of residents to commission activities such as domestic building or other trades people.

### **Recommendation 16**

Boroughs should consider conflicts between parking regulations and health and safety legislation and consider agreed exemptions for industries such as scaffolding and glaziers vehicles, as Westminster City Council has recently announced, where the health and safety imperatives have been recognised and prioritised.

### **Recommendation 17**

Boroughs should seriously consider the proposals made by the Freight Transport Association with regard to the “London Delivery Disc” and agree the best practice and

standards that companies would have to adopt in order to qualify for the scheme and the way in which this system would be enforced.

### **Recommendation 18**

The Committee commends Westminster City Council for the publication of guidance given to Parking Attendants and believes that this could be successfully transferred to other boroughs which could publish their own rules, standards and directions so that the motoring public are clear which regulations apply in the different parts of London.

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The ALG should review the effect of BPA parking contract in the respect of “employing the right calibre of parking attendants, who are well motivated, well trained and suitably remunerated” and the effect on the numbers of tickets issued, challenges, appeals and compliance.

### **Recommendation 20**

That boroughs and contractors should review the appropriateness of schemes such as Kensington and Chelsea’s “side by side” initiative and ensure that risks to Parking Attendants are reduced by measures such as:

- Recording and reporting all assaults;
- Minimising the instances of patrolling alone particularly in known trouble spots;
- Encouraging conflict avoidance or resolution training for all staff;
- Regularly reviewing risk assessments.



## Appendix 1

Penalty Charge Notices show a contravention code and a description of the offence on the front. These codes and descriptions are given below, with further information about the contravention.

Code	Explanation
01	Parked in a restricted street during prescribed hours. Parked on a yellow line or in a street where there is a temporary waiting restriction.
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force. Parked where there is a yellow line and yellow markings on the kerb.
04	Parked in a meter bay when penalty time is indicated. You must move your car before the time purchased has expired.
05	Parked after the expiry of paid for time at a pay and display bay. You must move your car before the pay and display ticket expires.
06	Parked without clearly displaying a valid pay and display ticket. The pay and display ticket must be clearly displayed on the windscreen.
07	Parked with payment made to extend the stay beyond the initial time ('meter feeding'). You may not pay extra money into a meter/pay and display machine to extend the time you have already purchased - even if this does not take you past the maximum time allowed at that parking place.
15	Parked in a resident parking space without clearly displaying a valid resident parking permit. A resident permit must be clearly displayed on the windscreen.
16	Parked in a permit space without displaying a valid permit. The appropriate permit for that space must be clearly displayed on the windscreen.
20	Parked in a loading gap marked by a yellow line. This is a yellow line between two parking spaces.
21	Parked in a suspended bay/space or part of bay/space. A suspension is marked by a yellow triangular sign, which gives details of the date/time and area suspended.
22	Re-parked in the same parking place within one hour of leaving. You must not return to the same parking place within a specified period of leaving it - details will be shown on the sign or meter.
23	Parked in a parking place or area not designated for that class of vehicle. Only certain vehicles may park in some places - this will be shown on the sign.
24	Not parked correctly within the markings of the bay or space. All the wheels must all be within the parking space.
25	Parked in a loading place during restricted hours without loading. Loading places are for loading and unloading only.
26	Vehicle parked more than 50cm from the kerb and not within a designated parking place. You may not 'double park'. This applies even if there is no other vehicle present.
30	Parked for longer than permitted. This applies in a free parking space with a restriction on the length of stay.
34	Vehicle seen contravening bus lane. You may not park or drive in a bus lane.
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge. Only orange/blue badge holders may park in a disabled person's space.
45	Parked on a taxi rank. Only a taxi may park on a taxi rank. You may not park, even to pick up someone.
47	Parked on a restricted bus stop/stand. You may not park at a bus stop or stand.
48	Stopped in a restricted area outside a school. This is shown by yellow zig-zag markings. You may

not stop there for any reason.

- 55 A commercial vehicle parked in a restricted street in contravention of the overnight waiting ban.  
No commercial vehicle over 5 tonnes in weight may park overnight in London streets.
- 61 HGV parked with one or more wheels on any part of an urban road other than a carriageway  
(HGV footway parking) You may not park with any part of an HGV on the pavement.
- 62 Parked with one or more wheels on any part of an urban road other than a carriageway (footway  
parking). You may not park with any part of your car on the pavement.
- 82 Parked after expiry of time paid for in a Pay and Display car park. You must move your car before  
the pay and display ticket expires.
- 83 Parked in a Pay and Display car park without clearly displaying a valid pay and display ticket. The  
pay and display ticket must be clearly displayed in the windscreen.
- 99 Stopped on a pedestrian crossing and/or crossing area marked by zig-zags. You must not stop on  
a pedestrian crossing or in the white zig-zag area.

## Appendix 2: PCN Volumes by borough

Local Authority	PCN volumes 99/00	PCN volumes 00/01	PCN volumes 01/02	PCN volumes 02/03	PCN volumes 03/04
Barking & Dagenham	20452	22574	22,865	34,823	38038
Barnet	100549	87165	88,000	150,181	211464
Bexley	69825	69529	66,630	66,773	77581
Brent	85925	96149	113,126	113,179	124,899
Bromley	62306	65385	75,008	75,806	72281
Camden	316638	303332	426,617	441,062	467683
City of London	91434	93142	94,947	78,665	59015
Croydon	111751	140515	174,638	141,348	121,230
Ealing	119640	185704	183,730	222,545	223510
Enfield	75775	89650	113,538	122,769	174656
Greenwich	64637	62021	68,042	62,779	58350
Hackney	86548	89401	139,080	165,428	149715
Hammersmith & Fulham	145446	142886	181,402	196,810	217663
Haringey	121040	142484	163,217	172,755	211097
Harrow	82145	98771	95,660	104,519	93658
Havering	39000	45905	56,187	47,735	43882
Hillingdon	59773	66630	66,900	66,629	60292
Hounslow	91871	85732	79,841	76,689	83183
Islington	110825	132859	126,756	206,518	286174
Kensington & Chelsea	240077	233238	303,151	293,596	291445
Kingston upon Thames	62844	72837	56,658	75,069	81471
Lambeth	119454	128562	197,930	160,835	245027
Lewisham	51785	52737	69,446	51,963	50387
Merton	33876	35197	39,088	37,176	44301
Newham	97642	128471	143,769	198,096	243617
Redbridge	66020	80094	93,159	92,505	97109
Richmond	95831	84075	89,714	100,001	85009
Southwark	145135	131808	145,854	160,024	162,810
Sutton	44445	42459	61,540	51,003	52281
Tower Hamlets	111062	93214	84,938	78,767	74217
Waltham Forest	110326	120696	121,153	121,983	139572
Wandsworth	135005	181918	250,061	244,877	235365
Westminster	897467	857814	909,792	976,476	1,051,798
Transport for London				246,200	307706
<b>Total PCNs</b>	4,066,549	4,262,954	4,902,437	5,435,584	5,936,486

Source: ALG written evidence

### Appendix 3: Removal and clamp data

<b>Removals</b>	volumes 1999/2000	volumes 2000/01	volumes 2001/02	volumes 2002/03	volumes 2003/04
Brent	3071	3935	4328	4659	4788
Bromley	0	39	93	21	23
Camden	9049	8239	7452	10371	9456
City of London	2082	1849	492	703	672
Croydon	6972	3852	4072	4785	510
Enfield	1550	1535	1617	1462	1124
Greenwich	1058	2623	0	0	0
Hackney	1159	1460	1076	1212	1743
Hammersmith & Fulham	3188	3071	3318	2874	2869
Haringey	166	461	342	631	205
Havering	0	0	0	0	0
Islington					2934
Kensington & Chelsea	9795	8494	10971	10447	9704
Lambeth	5018	6330	8221	8137	7685
Newham	1838	756	0	0	2510
Southwark	3236	2175	2216	3402	3721
Sutton	28	79	0	0	0
Tower Hamlets	1350	2898	451	0	3842
Waltham Forest	50	98	104	34	1431
Wandsworth	5480	2354	5693	6229	2037
Westminster	16366	16594	15455	18117	20508
<b>Clamps</b>					
Camden	22358	22328	20473	32234	29554
City of London	2336	2168	624	3266	2130
Croydon	1341	1544	1452	1389	4713
Enfield	0	0	0	0	0
Greenwich	780	2215	0	0	0
Hackney	6439	7583	7104	9617	13033
Haringey	12	2	3	0	0
Havering	0	0	0	0	0
Islington					10919
Kensington & Chelsea	18049	15014	16171	15762	15654
Lambeth		4789	5672	6717	6946
Newham	1675	1334	0	0	0
Southwark	6013	5339	4517	5464	5863
Tower Hamlets	1441	3819	1185	0	7263
Waltham Forest					4432
Westminster	24633	24498	30070	27862	45384
<b>Total clamped</b>	85,077	90,633	87,271	102,311	145,891
<b>Total removed</b>	71,456	66,842	65,901	73,084	75,762

Source: ALG written evidence

## Appendix 4: Parking account data for 2002/03

Borough	Total Income	Expenditure	Surplus/Deficit
Barking	£1,221,313	£1,756,412	-£535,099
Barnet	£5,744,358	£2,372,758	£3,371,600
Bexley	£1,819,000	£1,500,000	£319,000
Brent	£7,348,557	£5,503,455	£1,845,102
Bromley	£2,891,647	£1,878,217	£1,013,430
Camden	£29,259,000	£15,980,000	£13,279,000
City of Westminster	£64,939,100	£31,484,358	£33,454,742
Corporation of London	n/a	n/a	n/a
Croydon	£15,301,875	£12,618,160	£2,683,715
Ealing	n/a	n/a	n/a
Enfield	£3,574,596	£2,873,242	£701,354
Greenwich	£2,454,935	£2,002,710	£452,225
Hackney	£27,242,569	£25,940,993	£1,301,576
Hammersmith & Fulham	£18,608,807	£8,942,366	£9,666,442
Haringey	£5,367,000	£4,719,000	£648,000
Harrow	£3,306,000	£1,375,000	£1,931,000
Havering	£1,513,689	£1,125,504	£388,185
Hillingdon	£2,524,591	£2,263,695	£260,896
Hounslow	£4,026,783	£1,896,407	£2,130,376
Islington	£10,700,828	£6,727,774	£3,973,054
Kensington & Chelsea	£30,893,103	£14,898,121	£15,994,982
Kingston	£2,673,772	£1,607,660	£1,066,112
Lambeth	n/a	n/a	n/a
Lewisham	£1,883,000	£1,127,000	£756,000
Merton	£2,522,140	£695,396	£1,826,744
Newham	£3,823,808	£3,957,723	-£133,915
Redbridge	£2,727,000	£1,983,000	£744,000
Richmond Upon Thames	£8,720,683	£4,888,950	£3,831,733
Southwark	£7,418,544	£5,500,432	£1,918,112
Sutton	n/a	n/a	n/a
Tower Hamlets	£8,763,934	£6,399,870	£2,364,064
Waltham Forest	£2,936,795	£2,486,759	£450,036
Wandsworth	£17,154,000	£10,267,000	£6,887,000
TfL Street Management	n/a	n/a	n/a
<b>Total</b>	<b>£297,361,427</b>	<b>£184,771,961</b>	<b>£112,589,466</b>

Source: ALG written evidence

## Appendix 5: PCN Appeal rates by borough

Parking enforcement statistics 2003/04 – Parking PCNs excluding bus lanes

	PCNs	Appeals	% Rate	% Appeals Allowed
Barking & Dagenham	38,038	349	0.9	65.6
Barnet	181,881	2,927	1.6	51.3
Bexley	61,700	401	0.6	67.3
Brent	116,708	1,346	1.2	51.4
Bromley	65,625	902	1.4	38.0
Camden	446,212	1,863	0.4	39.7
City of London	59,015	475	0.8	48.6
Croydon	96,323	1,417	1.5	26.0
Ealing	168,991	1,827	1.1	87.1
Enfield	169,477	341	0.2	33.4
Greenwich	58,350	478	0.8	47.7
Hackney	149,715	853	0.6	63.7
Hammersmith & Fulham	186,401	1,534	0.8	70.9
Haringey	168,506	829	0.5	101*
Harrow	93,658	805	0.9	39.6
Havering	43,882	687	1.6	54.9
Hillingdon	56,254	789	1.4	67.4
Hounslow	83,183	901	1.1	49.2
Islington	260,888	1957	0.8	66.9
Kensington & Chelsea	291,445	2940	1.0	64.1
Kingston upon Thames	81,471	352	0.4	36.1
Lambeth	184,157	3,954	2.1	67.2
Lewisham	50,387	400	0.8	54.8
Merton	42,262	103	0.2	72.8
Newham	173,180	695	0.4	45.9
Redbridge	97,109	311	0.3	42.1
Richmond	83,198	1,041	1.3	66.8
Southwark	143,194	1,303	0.9	61.5
Sutton	52,281	472	0.9	54.7
Tower Hamlets	74,217	871	1.2	50.1
Waltham Forest	130,471	455	0.3	51.4
Wandsworth	208,902	1,039	0.5	96.2
Westminster	1,051,798	9,663	0.9	54.4
Total PCNs	5,178,879	44,280	0.9	58.4

Note: In 2003/04 more appeals from Haringey were decided than were received

Source: ALG TEC statistics 2003/04

## **Appendix 6: Evidentiary hearings and written evidence**

### **First evidentiary hearing 13<sup>th</sup> January 2005**

#### **Witnesses**

Kevin Delaney, Head of Traffic and Road Safety Policy, RAC Foundation for Motoring

Richard Currie, UPS and Vice Chair Association of International Couriers and Express Services (AICES)

Sharon Dance (Committee Member, Transport Committee, AICES)

Bob Macnaughton, Chief Executive, National Car Parks (NCP)

Alan Clark, Council Member, British Parking Association (BPA)

Lynn Witham, Council Member, BPA

### **Second evidentiary hearing 10<sup>th</sup> February 2005**

#### **Witnesses**

Councillor Philip Portwood, London Borough of Ealing and Association of London Government Transport and Environment Committee (ALG TEC) Chair

Councillor Daniel Moylan, Royal Borough of Kensington and Chelsea and ALG TEC Vice Chair

Nick Lester, Director of Transport and Environment, ALG

Simon Aldridge, Director, Pulp Faction Recycling

Jeroen Weimar, Director of Transport Policing and Enforcement, TfL

Patrick Troy, Head of Traffic Enforcement, TfL

Martin Wood, Chief Parking Adjudicator, Parking and Traffic Appeals Service (PATAS)

Councillor Steve Hitchins, Leader, Islington Council

#### **Written evidence was received from the following organisations or individuals representing other interested groups**

AppealNow.com

Association of British Drivers

Association of International Couriers and Express Services

Association of London Government

Brewery Logistics Group

Bromley Borough Roads Action Group

British Motorcycle Federation

British Parking Association

British Telecom Field Services

Central Parking Systems  
Confederation of British Industry  
ECS Metering and Data Services  
Federation of Small Businesses  
Food Ferry Co. Ltd.  
Freight Transport Association  
Hampstead Garden Suburb Residents Association  
John Squires  
La Fromagerie  
Laura Willoughby  
Local Freedom  
London Borough of Bexley  
London Borough of Brent  
London Borough of Camden  
London Chamber of Commerce and Industry  
Motorcycle Action Group  
National Car Parks  
Parking and Traffic Appeals Service  
RAC Foundation for Motoring  
Royal College of Nursing  
Simon Aldridge  
Transport for London  
UNISON

In addition the Committee received letters or e-mail comments on the questions asked by the investigation from over 400 individual members of the public.



## **Appendix 7: Orders and Translations**

### **How to Order**

For further information on this report or to order a copy, please contact Paul Watling, Scrutiny Manager, on 0207 983 4393 or email at [paul.watling@london.gov.uk](mailto:paul.watling@london.gov.uk)

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# GREATER**LONDON**AUTHORITY

City Hall

The Queen's Walk

London SE1 2AA

**[www.london.gov.uk](http://www.london.gov.uk)**

Enquiries **020 7983 4100**

Minicom **020 7983 4458**