



Leicester
City Council

WARDS AFFECTED: ALL

Cabinet

9 March 2009

ON-STREET PARKING ANNUAL REPORT

Report of the Corporate Director, Regeneration & Culture

1 Purpose of Report

- 1.1 This report is to inform members of actual income and expenditure for 2007/08 and gives a breakdown of where surplus income was spent. As there is a requirement of Part 6 of the Traffic Management Act 2004 to produce an annual report details are also provided with respect to penalty charge notice issues during the last financial year. Cabinet is asked to agree proposals for spending the expected surplus income generated by the on-street parking bays and enforcement during 2008/09 in order to improve transport in the City.

2 Background

- 2.1 As laid down in Section 55 of the Road Traffic Regulation Act 1984, use of any surplus received from on-street bays and enforcement is restricted to expenditure on certain highways and transportation services and improvements and certain environmental improvements. To date, it has been variously spent on off-street public parking, bus services, and a contribution to the cost of the employment of staff in the Highways and Transportation Section, employed in various capacities to help improve bus services and the highway.

3 Recommendations

- 3.1 Cabinet is recommended to:
- a) Reaffirm that it is not currently desirable or necessary to provide further off street parking
 - b) Note where surplus on-street income was spent during 2007/08
 - c) Approve the proposals for spending the surplus income during 2008/09.
 - d) Approve this report as forming the annual report providing both financial and statistical details regarding on-street parking activities during 2007/08 for publishing on the website as well as placing copies in civic offices.
 - e) Note the delegation to the Corporate Director of Regeneration and Culture to vary the amounts spent on the various items referred to in the Appendix, subject to funding being available, and agree that this delegation be exercised in consultation with the Cabinet Lead Member (paragraph 30.1 of the report).

REPORT

4 Parking and enforcement operation

- 4.1 Net income during 2007/08 was nearly £400,000 more than anticipated. The additional income came from a larger number of parking tickets issued following the Council taking over enforcement from the Police on 2nd January last year. Over 12,000 more penalty charge notices were issued than the expected level of 52,000. Increased enforcement of the restrictions in the Central Area also resulted in greater income from the pay & display machines. Costs, however, also rose, but the net effect was a surplus of £779,000 in the balance sheet account at the start of the current financial year.
- 4.2 A further increase in both income and expenditure is now anticipated in 2008/09, because the Council's enforcement of traffic regulation orders (TROs) will be based on an increase in the number of civil enforcement officers enforcing on street. The table at the end of the report breaks both income and expenditure down into various elements.
- 4.3 Although the parking enforcement contractor is based centrally in the City no more than 50% of the daily deployment of CEOs is spent covering the City Centre area. The remainder of the deployment is spent on enforcing the main arterial roads leading into the City, including the bus corridors and the central and outer ring roads, especially during the peak hours. In addition attention is given to the high density residential, outer central areas and outer suburban areas.

5 Use of surplus income during 2007/08

- 5.1 The following paragraphs give details of the various uses to which surplus income was put during the last financial year. These proposals are summarised in the table at the end of the report.

6 Local Bus Services

- 6.1 The vast majority of bus services in Leicester are run commercially by private bus operators, the three largest of which are First, Arriva and Centrebus. However, there is a duty on the Council to consider whether, in its view, the commercially run network contains any deficiencies in provision, and, if so, the Council has the power to invite commercial operators to fill any gaps in provision. The Council has to contribute towards the cost of this provision. Last year £1,057,000 was spent on these services.

7 The New Leicester Traffic Regulation Order

- 7.1 The City Council is currently in the process of re-writing all the Traffic Regulation Orders (TROs) in the City. At the time the Council took over parking enforcement from the Police 90% was completed. The remaining 10% still needs to be done.
- 7.2 Following enactment of the new Leicester Traffic Regulation Order on 2nd January 2007 during 2007/08 work has been carried out on delivering the Highfields South and Riverside resident parking schemes. These commenced in August and September respectively. Work is continuing on other outstanding residents parking schemes. Last year £44,000 was spent on new orders and £65,000 was spent on the cost of employing two members of staff in the TRO Team, as agreed by Cabinet in March 2001.

7.3 The City Council has legal powers in the shape of Temporary Traffic Regulation Orders, which can support community events and lay the groundwork for local traffic management. A sum of £10,000 will be made available to meet some of the legal and administrative costs and to contribute to the costs of any traffic management required.

8 Highways and Transportation staff

8.1 In addition to the two staff in the TRO Team, with the agreement of the Planning and Transportation Committee in March 2000, certain posts in the Highways and Transportation Division were created in order to improve service delivery in various areas. These posts were the Public Transport Co-ordinator, the Development Co-ordinator, the Travel Plans Officer, a Direction Signing Officer and an additional Transport Strategy Officer. Last year £181,000 was spent on staff.

9 St. Margaret's Bus Station

9.1 On-street parking income is used to fund the management of the St. Margaret's Bus station, because there is no provision in the Regeneration and Culture base revenue budget. Total expenditure from on-street parking income was £150,000.

10 York House rental

10.1 The staff in the former Transport Development Section (which is being re-organised) occupying York House are either involved in the management of the on-street parking operation, the provision of public transport or the procurement of highway improvements. Last year total expenditure from on-street parking income was £150,000.

11 Public Transport Information Strategy (PTIS)

11.1 The Government requires the City Council to develop and implement a Public Transport Information Strategy. Work has been taking place over the past three years, with consultants TAS advising a consortium of City and County Councils, together with the main commercial bus operators as to what the key elements of such a strategy should be. The consortium has identified the key elements as:

- Information at bus stops (service numbers, real-time and timetables)
- Information by telephone (traveline, bus operator services, startext)
- Information on the internet
- Maintenance and update of all the above, to ensure accuracy and coverage
- Promotion activities, such as door-to-door delivery of timetables

11.2 The cost of this work is being shared between the City and County Councils, and the various local bus operators. Most of the City Council's cost currently comes from the Department's revenue budget, but a small contribution from on-street parking is required. Last year the contribution was £10,000.

12 Haymarket car park dilapidations

12.1 As part of maintaining the operation of the Haymarket Centre car park £40,000 has been spent replacing the pay & display machines. In addition to meet health and safety requirements a heat sensitive fire alarm system has been installed throughout the covered car park level resulting in a total spend last year of £106,000. It had originally been planned to fund some of this expenditure from on-street parking income, but, in the event, it proved to be possible to pay for this work from the base revenue budget.

13 Repayment of prudential borrowing and DPE set-up costs

13.1 To bring about the Decriminalised Parking Enforcement regime, which came into operation on 2 January 2007 money on equipment and other items had to be spent up front before the new income stream from penalty charge notices started. In total £240,000 was borrowed. Last year £140,000 was paid back and this combined with money previously repaid from developer funding has resulted in full repayment. It was also decided to use the larger than expected surplus to pay off the outstanding costs of £96,000 which had arisen in the course of establishing the on-street parking operation. This concludes payments on Prudential Borrowing and setup costs.

14 Penalty Charge Notice Issues

14.1 During the period between 1st April 2007 and 31st March 2008 64,306 penalty charge notices (PCNs) were issued of these 78% were paid. Vehicle clamping and removal has not been carried out since commencement of civil parking enforcement to allow a period of assessment and to determine the necessity to carry this out. Arrangements are now being made for a tow away service to be put in place to deal with persistent evaders and the removal of any vehicle causing a hazard or dangerous obstruction on the highway. The table below gives a breakdown on the processing of those PCNs including those paid, cancelled and written off.

	PENALTY CHARGE NOTICE	NUMBERS
1.	Paid within 14 days at £30	39,975
2.	Paid at £60	7,799
3.	Paid at £90	1,861
4.	Paid at £95	555
5.	Challenge received (Informal)	10,212
6.	Returned Notice to Owner (Formal)	1,660
5.	Cancelled resulting from informal or formal representation	4,201
6.	Written off – no trace, foreign vehicle, etc	1,117
7.	Passed to bailiffs	3,782
8.	Other states – charge certificate, TEC, DVLA, NTO, Review, etc	5,016
9.	Vehicles immobilised	0
10.	Vehicles removed	0

15 Parking Enforcement

15.1 Parking enforcement is carried out throughout the day covering the main arterial roads leading into the City including bus corridors and the Central and Outer Ring Roads especially during the peak hours along with any problem roads with parking `hot spots`. The City Centre streets including on-street pay & display bays, car parks and residential parking schemes are also given special attention. Enforcement within the Outer Central areas include high density residential, suburbs such as Beaumont Leys, Knighton, Aylestone and Eyres Monsell. The outer shopping centres, hospitals and schools are also covered. Additional enforcement also extends into the evenings during the week as well as on Sundays. Beat patrols are carried out both on foot and by mobile patrols.

15.2 There has been a marked improvement in the level of compliance with the parking restrictions since the City Council took over responsibility from the Police in January 2007. Compliance surveys carried out in September 2006 and September 2007 showed that the number of contraventions had been reduced

by almost 75% from the 2006 level. The six areas surveyed were within the Central Ring Road and Outer Central areas. To ensure increased parking compliance the original establishment of 33no. Civil Enforcement Officers has been increased to 37no. to allow greater coverage of the Outer Central beats in particular Belgrave, Highfields and the West End areas of the City.

15.3 The introduction of new regulations contained within the Traffic Management Act 2004 from 31st March this year resulted in changes to parking enforcement issues. Enforcement now includes additional contraventions, including:

- a. Double parking (i.e. more than 50cm from the kerb)
- b. Parking adjacent to dropped kerbs such as at a dropped pedestrian footway or driveway.
- c. Parked on pedestrian crossing 'zig-zags' (but the Police can still enforce)

Unfortunately at present it is not possible to enforce parking in circumstances (a) and (b). Provisions within local legislation allow authorities in London to continue to enforce these restrictions without traffic signs and/or road markings. However, the powers in the Traffic Management Act 2004 do not exempt authorities outside London from the general requirement that these parking restrictions are required to be indicated by the appropriate traffic signs and road markings before they can be enforced.

Local authorities have recently been consulted over the proposal to amend sections 85 & 86 of the Traffic Management Act 2004 to remove the requirement for signing and lining for those authorities outside London. Following this consultation by the Dept for Transport local authorities are expected to be able to exercise the powers to enforce parking adjacent to dropped kerbs next year.

Parking Attendants have now become Civil Enforcement Officers dealing with Civil Parking Enforcement and differential PCNs have been introduced for different types of contravention. There are 2 levels of PCNs as follows:

- a. The higher level PCN for example is for more serious offences such as parking on double yellow lines. The level of PCN is £70-
- b. The lower level PCN is for a lesser offence such as overstaying in a permitted parking bay. The level of PCN is £50-

16 Proposed use of surplus income during 2008/09

16.1 The following paragraphs give details of the various uses to which it is proposed to use surplus income during the current financial year. These proposals are summarised in the table at the end of the report.

17 Provision of off-street parking

17.1 Under the terms of the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004, the first call on any surplus income, after the cost of the operation has been paid for, is for the provision of off-street parking. When the on-street parking scheme was first introduced in 1999, the Council agreed that the provision in Leicester of further off-street parking was unnecessary or undesirable, and the position has been reviewed annually since then. Cabinet is recommended to reaffirm this position. However, the opportunity for the provision of additional on-street parking will be considered as part of the on-going review of traffic regulation orders in the City.

18 Local Bus Services

- 18.1 It is proposed that the City council will continue to support the operation of a number of socially necessary bus services that are not provided commercially. Expenditure on these bus services will be £1,020,000 this year.

19 The New Leicester Traffic Regulation Order

- 19.1 Last year's expenditure on the new Leicester TRO was considerably less than originally envisaged, largely because of the length of time it took to complete consultations with residents in the residents parking areas in South Highfields, Riverside and the proposed West End, where they are still on-going.
- 19.2 The major expenditure on the installation of the Highfields South and Riverside Residents Parking areas has taken place in the current financial year, consultation is also taking place in the Belgrave residents parking area. There are a significant number of minor TRO's in progress and a major scheme involving the introduction of One-Way traffic restrictions in Spinney Hills Ward. It is anticipated that spending on TRO's will be £100,000.

20 St. Margaret's Bus Station

- 20.1 It is proposed that a modest increase in the contribution made to help fund the management of the St. Margaret's Bus station, giving proposed expenditure of £154,000.

21 York House rental

- 21.1 It is proposed that expenditure from on-street parking income on the occupation of York House remain at £150,000. The continued occupation of York House in future years will be reviewed.

22 Haymarket car park dilapidations

- 22.1 Whilst some of the work on the Haymarket dilapidations and the fire alarm system were paid for in 2007/08, the bulk of the work slipped into the current financial year, and with no funding available from the base revenue budget, it is proposed that this cost be met from on-street parking income. It is estimated that this work will cost £265,000.

23 Christmas Parking

- 23.1 Parking in the Council's city centre car parks and at the Meynell's Gorse Park n' Ride scheme was free after 6pm on weekdays during the run-up to Christmas. This has an estimated cost of £36,000, attributable to surplus parking income on this occasion but subject to an overall review of city centre management in future years.

24 Bus shelters

- 24.1 A contribution of £40,000 towards the cost of the annual bus shelter programme (which is funded from LTP capital and various other sources), allowing prudently for maintenance, will provide for 6 shelters.
- 24.2 The priority list for these bus shelters is:
- Inbound, Pebbles/Glencroft Road
 - Opposite Beaumont Lodge School
 - Bennion Road, opposite Beaumont Lodge Road
 - Aikman Avenue, junction with Kay Road
 - Gipsy Lane junction with Yorkshire Road
 - Outside Hastings Road Day Centre

24.3 Other proposed shelters will be considered in the programme for future years.

25 Concessionary fares

25.1 The base revenue budget approved by the Council in March requires a further contribution of £772,000 from on-street parking in the current and following financial years. Additional provision will be made in 2009/10 and subsequent years for a further £420,000 for concessionary fares on a contingency basis if support from Government is not forthcoming.

26. Redundant crossings

26.1 We can improve accessibility for all pedestrians especially parents with prams and the disabled around the City by the removal of redundant large vehicle crossings and replacement with a standard footway. These crossings, which are no longer used by vehicles to get access to the adjacent property, usually have kerbs across the footway which cause trip hazards to pedestrians. Discussions will take place with the Disabled Access Forum and the Local Access Forum to determine priority locations for this work.

27 Future years

27.1 As reported in paragraph 14.1 above, provision is made for a tow-away service to enhance parking enforcement. This is proposed to start in the Spring of 2009 and a sum of £88,500 is earmarked for this service. Projections for the surplus in 2009/10 are also included in the Appendix. The most significant additional item is the contribution of £325,000 to fund the initial projected operating losses on the Enderby Park & Ride service which was agreed by Cabinet on 14 July 2008.

28 Powers of the Director

28.1 Under the terms of the City Council's constitution, the Corporate Director of Regeneration and Culture has delegated powers to vary the amounts spent on the various items referred to in the Appendix, subject to funding being available.

29 Financial & Legal Implications

29.1 *Financial implications*

There will be anticipated income from on-street parking, the use of which is restricted by the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004. The income and expenditure account for on street parking actual and projected is shown in the Appendix. The carried forward surplus at the end of 2009/10 is committed in 2010/11 to fund further operating losses on the Enderby Park & Ride service.

Paresh Radia, Deputy Head of Finance ext. 6507

29.2 *Legal implications*

The expenditure proposed in the Appendix is of a type allowed by the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004.

Jamie Guazzaroni, Solicitor ext. 6350

30 OTHER MATTERS
Other implications

OTHER IMPLICATIONS	YES/NO	PARAGRAPH REFERENCES WITHIN THE REPORT
Equal Opportunities Policy	Yes	26.1
Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Older People on Low Income	No	

31 Risk Assessment Matrix

Risk	Likelihood L/M/H	Severity Impact	Control Actions (If necessary/or appropriate)
The amount of income earned is less than forecast	L	L	The level of income earned will be monitored throughout the year, and, if necessary, changes will be made to the planned programme of expenditure. The income forecast is at the cautious end of expectations

L - Low
M - Medium
H - High

L - Low
M - Medium
H - High

32 Background Papers – Local Government Act 1972

- Report to Planning and Transportation Committee on 22 March 2000
- Report to Cabinet on 19 March 2001
- Report to Cabinet on 23 March 2007

33 Consultations

33.1 None required.

34 Report Author

Andrew Thomas, Traffic Manager
39 41 00, e-mail Andrew.Thomas@leicester.gov.uk

35 DECISION STATUS

Key decision	Yes
Reason	Revenue expenditure over £250,000
Appeared in Forward Plan	Yes
Executive of Council Decision	Executive (Cabinet)