

## PART III - Controls Operation and Pricing

### 7. PARKING ENFORCEMENT AND CONTROLS

#### 7.1 Enforcement

- 7.1.1 The Council recognises that a practical, common sense and fair approach is needed to carry out the parking enforcement responsibilities it took over in 1994. Without traffic management & parking laws there can be little doubt that many busy parts of Croydon would quickly grind to a halt.
- 7.1.2 Traffic management & parking laws should be known and understood by everyone who takes a driving test. It should not come as a surprise when laws are enforced, particularly when illegal parking causes other problems. The cost of delays through congestion, pollution and the repairs to pavements, kerbstones, verges, trees, and underground services damaged by parking on the footway. The cost is considerable and has to be met by Council taxpayers and local businesses.
- 7.1.3 Lack of knowledge or deliberate abuse of the rules is unfortunately common. Each individual inconsiderate breach of the rules might only take a minute - but there are many such selfish individuals who through their combined actions, inconvenience and endanger everyone else, as well as adding to the traffic congestion on our streets.
- 7.1.4 **Croydon streets cater for pedestrians cyclists and motorised vehicles. The aim of parking enforcement is to assist the movement of people, goods and services safely and expeditiously, as such all bus routes will be effectively enforced to protect against illegal and other offences by the use of parking attendants and cameras wherever possible to contribute to improving bus journey time**
- 7.1.5 Parking contraventions are dealt with by the issue of Penalty Charge Notices (PCN) and, in appropriate circumstances, by the immobilisation or by towing away of the vehicle. In certain circumstances, warning notices are recommended instead of PCNs. The offences for which PCNs can be issued are detailed in the PCN Contravention Codes issued by the Association of London Government (ALG Tec), see appendix G. The current PCN charges are detailed in appendix H.
- 7.1.6 Enforcement in Croydon is currently carried out in-house. The Council is in the process of drawing up a new parking enforcement contract based primarily on incentive payments rather than penalties, without PCN targets or default penalties. Instead the contract will set out a list of quality measurements which will include:
- For all Parking Attendants to pass the Croydon Council training programme before starting and committed to achieving the NVQ Level 2 Parking award.
  - High staff retention
  - Parking Attendants to dress smartly
  - Correct ratio of supervisors to Parking Attendants
  - Appropriate number of Parking Attendants deployed in all areas at any one time
  - Dealing promptly with any problems highlighted by the Council
  - The numbers of complaints received from the public
  - The number of appeals won at adjudication stage
  - The percentage of representations accepted
  - Compliance levels, as gauged by independent compliance surveys
  - The number of spoilt or cancelled Penalty Charge Notices

- Adherence to the Council's best practice and policy regarding the removal of vehicles
- The successful uploading of handheld data onto the notice processing IT system & service, including photographs, within specified timescales.

**7.1.7 Enforcement priorities are determined by compliance and customer surveys. They are endorsed by committee and are reviewed on an annual basis. They are intended to encompass the level of enforcement required in each area and CPZ, days and times during the week and recommended targets for each type of contravention. The current breakdown of targeted enforcement is as follows:**

- **35%-40% for restricted parking contraventions**
- **35%-40% for permitted parking contraventions**
- **10%-15% for moving contraventions**
- **10%-15% for Bus lane contraventions.**

**The Council is aiming for 30% to 40% of enforcement to be made by CCTV as being a non confrontational method.**

7.1.8 The strategy is mainly based on where the Council envisages the priorities for enforcement lie, in order to create a smooth flow for buses and emergency vehicles. The density of traffic around the commercial town centre makes that a priority area. Croydon expects to use the available resources in the following manner:

- 60-70% Town Centre.
- 10-15% in District Centres,
- 20-25% elsewhere.

7.1.9 PCN Processing

7.1.9.1 When a PCN is issued the recipient is given an opportunity to pay the charge at a discounted rate if paid within fourteen days after the date of issue.

7.1.9.2 It is a statutory requirement for Local Authorities to comply with certain procedures laid down in the civil debt recovery process, to issue the following notices.

Notice to Owner: If following 28 days the PCN has not been settled a Notice to Owner is issued to the registered keeper. It requests payment in full and warns that if payment is not received within 28 days a Charge Certificate will be issued, increasing the penalty by 50%, it also explains how to make a representation against the PCN and on which grounds. Any representation must be made within 28 days.

Charge Certificate: If the PCN remains unpaid, a Charge Certificate is issued 28 days after the Notice to Owner. This notifies the keeper that the amount outstanding has increased by 50% and warns that the amount will be registered as a debt with the County Court, if not paid within 14 days.

7.1.9.3 If no payment is received following the issue of the Charge Certificate, the Council will register the charge as a debt at the County Court. Subsequently a Warrant of Execution may be granted and the case will be put in the hands of bailiffs who will add their own costs of recovery, to the outstanding penalty charge, for recovery.

7.1.9.4 In the case of driving traffic offences other than being in a bus lane there is no requirement to issue the Notice to Owner/Enforcement Notice if the PCN is not settled, at the discounted rate within 14 days, or full rate within 28 days and a representation is not made, then the Charge certificate is issued.

7.1.10 Footway Parking

7.1.10.1 Vehicles parked on, or overhanging, **any** footway, verge or central reservation, including on dropped kerb crossings, are liable to receive a PCN unless they are fully

parked within an exempted footway parking area. Such areas are normally signed and may have marked bays. Where a marked bay is provided the vehicle must not overhang the marking.

7.1.10.2 When carrying out enforcement of footway parking offences Parking Attendants will not issue PCNs to vehicles in roads where more than 6 vehicles are parked on the footway or verge in close proximity to each other, unless that road already has signs and markings exempting footway parking and the vehicles are parked outside the designated exempted areas. In these circumstances the Parking Enforcement Section will refer the matter to the Parking Design and Implementation Team who will consider a possible exemption to the footway parking ban in that road.

7.1.10.3 Whilst consideration of a possible footway parking ban is taking place the whole road will be temporarily exempted from the footway parking ban and no penalties will be issued by Parking Attendants except in cases of blatant obstruction. Frontagers will be formally informed of this and, in the absence of any such notification, frontagers and motorists should assume that the footway parking ban **will** still be enforced.

7.1.10.4 Once consideration of an exemption has been completed and any exempted areas have been properly signed and marked, formal notice will be given to frontagers and any parked vehicles of the proposed re-commencement of enforcement for a period of one week prior.

## 7.2 Permits

### 7.2.1 Shared Use and Residents Parking Permits

Resident parking permits are permits issued to residents of the zone who wish to park in the area, whose vehicle is registered at their address within the zone and the aim of the permit is to facilitate parking near to their place of residence.

Nearly all permitted parking spaces in the borough are “shared use”, i.e. anyone displaying either a pay and display ticket or a resident or some other form of valid permit, such as a disabled badge, may park in any permitted space. Shared use spaces are designed to optimise available parking space for all motorists, but provide no reserved space for residents. Maximum parking availability is essential in order to maintain the viability of the commercial and business centres around which most of the controlled zones are based. The charge for a resident's permit is currently subsidised by the charge collected from pay and display machines.

### 7.2.2 Residents Only Parking Permits

Coulsdon CPZ is the only zone to have “Resident Only” spaces operating 1 hour a day, Monday to Fridays and was introduced on an experimental basis. The 30 spaces were introduced to overcome particular difficulties for residents with no off-street parking in an area where there is no other permitted “shared use” parking provision and is exclusive to the residents in the affected frontages. The annual charge for this permit is the same as for a Shared Use Residents Permit.

The extension of the scheme however, is being investigated for other residential areas. If this option is pursued a new pricing structure more representative of the real cost of enforcement will need to be considered.

### 7.2.3 Visitors' Permits

These permits are in the form of vouchers and are applied for by residents of the zone to pass on to their visitors to park. A maximum of 30 one-day permits, per year, are available to any household within any CPZ outside the Central Croydon controlled zone for the use of their visitors and can be used up to 2 years after

purchase. In Central Croydon 100 one day permits can be issued of which 10 are free of charge. These free one day visitor permits can only be obtained once the house holder has purchased the first 30 permits.

#### 7.2.4 Business Permits

This permit is available to help small businesses whose premises are within the zone to carry out their regular duties. Permits are generally issued to small companies with up to 12 - 15 employees.

A maximum of 4 permits is allowed per business in the outer zone , 2 in the inner zone and none in the Central Zone due to the large concentration of shops and other businesses in the Town Centre and the need for shoppers' parking.

7.2.5 The structure allowing limits to the number of permits issued to any business and its cost is regularly reviewed. Business permits should be used primarily for delivery vans etc. Prior to limiting the issue of business permits about one third of the vehicles seeking to park in any inner zone were business permit holders and are competing with residents for parking spaces. In an aim to control the numbers of business permits used for commuter parking the Council has reduce the number of permits in the inner zones to a maximum of 2 and in the outer zones to 4, where the 3<sup>rd</sup> and 4<sup>th</sup> permits are at a higher and escalating price. It is intended to continue to review the number of business permits in use and consider ways of limiting any fraudulent use. Alternative fuel vehicles can purchase permits for up to 4 vehicles in the inner and outer zones at the cost of the first permit.

#### 7.2.6 Charity Permit

These permits are open for Registered Charities with premises within the zone to apply for up to 3 permits each year. This permit will enable the holder to park in any vacant shared use pay and display and permit holders' parking bay within the zone for which the permit has been issued. A total of one hundred permits per year may be issued to charitable organisations whose address lie in the borough. The name of the charity is shown on the permit and can be used on any vehicle being used on charity business.

#### Neighbourhood Care

Permits are issued in the form of NC permits specifically for groups within the Croydon Neighbourhood Care Association (CNCA) to facilitate their work in the community. The permits are provided free of charge and are issued in the name of CNCA. They should only be displayed on a vehicle whilst being used on official business. For eligibility of renewal the organisation must submit a record of the usage of each permit every two months. The permit may be used in any shared use pay and display bay within the Croydon controlled zones and also in any Council owned pay and display car parks. The vehicles covered by these permits are also allowed to park on the single yellow lines in contravention of the normal waiting restrictions providing that the vehicle is not causing an obstruction.

#### 7.2.7 Special Permits

##### Council Permits

In order to assist with the Council's front line service provision, there is a need for a general parking permit. Such permit is valid in any CPZ, on any permitted parking space and in any off-street council car park. The permits are not valid on yellow or red lines. These permits are made available to authorised, essential front line Council staff, such as Highway Enforcement Officers, Social Workers, Councillors, Aldermen, MP's etc., for use on council business. Authorisation from the relevant Department's Chief Officer and payment is required for the issue of the permit.

Council permits are also issued to Community Health Service staff such as. District Nurses etc. The Head of Clinical Services at Croydon Community Health arranges the issue of these permits.

#### 7.2.8 Statutory Undertakers

These permits are issued as Council Permits but showing the words Statutory Undertakers instead of the vehicle registration number. A limited number of these permits are available, as agreed by the Assistant Director, Parking and Technical Services, as vehicles covered by these permits are also allowed to park on single yellow lines in contravention of waiting restrictions providing that the vehicle is not causing an obstruction.

#### 7.2.9 Doctors Permits

Under an agreement between the London Authorities the Health Emergency Badge (HEBS) allows the holder to park on a yellow line or in a parking bay without payment for an extra 30 minutes after the paid for time has expired. The badge must show the address being visited by the holder and be correctly displayed at all times. A vehicle displaying the badge will not normally be removed, clamped or penalised, without an attempt to contact the driver at the address shown on the badge.

### 7.3 The Moovit System

7.3.1 This is a vehicle-mounted driver communication tool, which enables the parking attendant to quickly recall drivers to their vehicles to validate loading. The vehicle is equipped with a specially designed window-mounted unit, which incorporates a transmitter and an exterior membrane button. The lightweight unit is held in place over the top of the passenger window with removable adhesive tabs, the slimline transmitter unit is located securely inside the window, while the membrane button fits flush to the outside. The driver carries a small convenient audio receiver with him/her when leaving the vehicle. Should a third party need to recall the driver, they simply need to push the button on the vehicle window.

7.3.2 Moovit system is designed to:

- Minimise frustration and aggravation between drivers and parking enforcers/third parties.
- Provide greater clarity in loading/unloading situations.
- Reduce the number of erroneous parking tickets.
- Minimise the time spent by both businesses and local authorities in dealing with appeals.
- Increase the efficiency of parking enforcers through immediate on-street communication.
- Reduce congestion.
- Improve driver parking behaviour.
- Enhance the brand of the companies that use it.

### 7.4 Dispensations

7.4.1 Dispensations are issued by the Parking Enforcement Section to permit a vehicle to park on yellow lines for a specific period and specified purpose where no alternative parking is reasonably available. There is a charge for parking on yellow lines and a parking bay. If a dispensation has been granted the vehicle concerned should display the dispensation certificate clearly on the windscreen and should be used for the specified purpose. Statutory undertakers are permitted to park any vehicles associated with works being carried out on the highway within the area required for

the works to be carried out. This area has to be delineated by cones and / or barriers.

- 7.4.2 Disabled Badge Holders are permitted to park on yellow line waiting restrictions for up to 3 hours and are allowed parking free of charge for unlimited periods on regular parking bays. Some disabled bays however restrict the length of stay. On yellow lines or in restricted bays a parking disc must be displayed showing the time of arrival of the vehicle.
- 7.4.3 Health Emergency Badge holders are allowed to park on yellow lines for 30 minutes or in parking bays without payment for 30 minutes after the paid time has expired in the bay. The badge must show the address being visited by the holder and be correctly displayed at all times. The dispensation does not apply if the vehicle is causing serious obstruction, left for an excessive length of time (over an hour) in the same position, or regularly seen in the same place. The exemption does not apply in the vicinity of the holder's place of work. A vehicle displaying a BMA badge will not normally be removed, clamped or penalised without an attempt made to contact the driver at the address shown on the badge.

## **7.5 Temporary Controls**

- 7.5.1 Suspended parking bays within Controlled Parking Zones - Enforcement of suspended bays is restricted to enforcing the underlying waiting restriction during the operation of the CPZ (usually 9am – 5pm Monday to Saturday). Enforcement cannot take place outside these times unless temporary restrictions are introduced.
- 7.5.2 Temporary waiting restrictions in unrestricted streets - Temporary waiting restrictions are placed in roads only occasionally and for various reasons, normally programmed events such as resurfacing works or special events. Before these restrictions can be placed they are advertised by the use of Public Notices. Enforcement can take place but only during the hours of operation and for the restrictions stated in the Temporary Traffic Management Order.

## **7.6 Camera Enforcement (CCTV)**

### **7.6.1 Bus Lane Enforcement**

- 7.6.1.1A pilot project intended to monitor and enforce bus lane restrictions with the purpose of reducing delays to buses was launched in London in November 1995, supported by the Association of London Government, Transport for London, the Home Office and the Metropolitan Police.
- 7.6.1.2The camera technology is provided by means of the CCTV networks that already cover much of London. Operators are able to remotely monitor traffic offences, whilst video tape recorders record whatever is being observed by the operator. The CCTV network is already in place for traffic surveillance and an enforcement function is simply a logical extension of this existing resource.
- 7.6.1.3A consistent, fair and sustained level of enforcement will help to improve the reliability and punctuality of public transport, making it a more viable alternative to individual car use, factors which combine to help reduce traffic levels, congestion and pollution.
- 7.6.1.4The London Local Authorities Acts 1996 and 2000, decriminalised moving traffic offences in the boroughs' bus lanes, making it possible for enforcement to be carried out using CCTV equipment with penalty charge notices being served by post to the registered keeper.
- 7.6.1.5Most of the bus lanes in Croydon are already covered by CCTV cameras. Enforcement officers use these to record the registration numbers of vehicles that are seen to be illegally using these lanes. Secure video tape recorders also record what

the enforcement officer has seen via the CCTV camera and the images stored on these tapes are used as back up evidence of the offence.

## 7.6.2 Yellow Line Enforcement

7.6.2.1 The London Local Authorities Act 2000 has also made it possible to enforce parking contraventions on the basis of information provided by the use of a CCTV camera. The enforcement of waiting and loading restrictions using CCTV cameras is being carried out in a similar way to bus lane enforcement and in accordance with the Road Traffic Act 1991. Croydon took part in a pilot project to trial this new method of enforcement and in April 2002 was given the approval to proceed with the enforcement in certain controlled areas.

## 7.6.3 Enforcement of Moving Offences

7.6.3.1 Under the London Local Authorities and TfL Act 2003, London boroughs and TfL have taken over responsibility for enforcing a number of non endorsable traffic offences and issuing penalty charge notices to motorists for offences such as U turns and stopping in a box junction. The powers came into force on the 6 August 2004, and are to be enforced by councils through CCTV.

7.6.3.2 Croydon has been part of a pilot scheme to test the workability of the legislation which was launched this year to run for a period of 9 months. The pilot includes the camera enforcement of box junctions and banned turns around the town centre.

**7.6.3.3 If the pilot is approved Croydon intends to continue the existing enforcement of these sites and is planning to add new sites for enforcement.**

## 7.7 Service Level Agreement

7.7.1 TfL LBI Partnership has a Service Level Agreement with Croydon Council to improve compliance with bus lane restrictions, waiting and loading restrictions and stopping restrictions along the entire length of all key bus corridors. The Key Bus Corridor Routes in Croydon that are covered by CCTV and on-street enforcement are: 60, 109, 119, 157.

## 7.8 Vehicle Removal and Clamping Operation

7.8.1 Parking enforcement officers are issued with clear guidelines to tackle different types of parking offences uniformly, not just in Croydon, but across London as a whole. The following criteria indicate the circumstances when a vehicle may be clamped or removed.

### CRITERIA FOR REMOVING VEHICLES

1. Dangerous Position
  - a) A position likely to cause danger to other road users.
  - b) Preventing emergency vehicle access.
  - c) Serious obstruction of traffic or pedestrian flow.
  - d) Parked at or near a junction.
  - e) Preventing access to or from private property.
  - f) On footway causing pedestrian obstruction particularly to the disabled.
2. Serious Infringement.
  - a) On Urban Clearway particularly at peak periods.
  - b) On Clearway where stopping is prohibited.
  - c) In Bus Lane when in operation.
  - d) On Bus Stop marked as restricted.
  - e) On a Cab Rank marked as restricted.
  - f) In a restricted street subject to and during hours of loading ban.

- g) In a suspended meter bay or parking place.
- 3. Infringements
  - a) In a restricted street with no loading / unloading taking place.
  - b) Unauthorised parking in a bay, e.g. residents' or doctors' bays.
  - c) In a paying bay when no initial charge has been paid.
  - d) In a paying bay 15 minutes after expiry of paid time.
  - e) In a paying bay having returned within an hour of leaving.
  - f) In a paying bay having "fed" the meter / ticket machine.
  - g) In a paying bay when meter / ticket machine is not working and such parking has been made an infringement.
  - h) In a parking place when not correctly parked e.g. in a loading gap.
  - i) In a parking place when not correctly parked e.g. overlapping markings / two bays.
  - j) In a parking place and also on footway, verge, central reservation.
- 4. Other
  - a) Contravening regulations and also a persistent evader.

#### CRITERIA FOR CLAMPING VEHICLES

- 1. Serious Infringement.
    - a) In a restricted street subject to and during hours of loading ban.
    - b) In a suspended metre bay or parking place.
  - 2. Infringements
    - a) In a restricted street with no loading / unloading taking place.
    - b) Unauthorised parking in a bay, e.g. residents' or doctors' bays.
    - c) In a paying bay when no initial charge has been paid.
    - d) In a paying bay 30 minutes after expiry of paid time.
    - e) In a paying bay having returned within an hour of leaving.
    - f) In a paying bay having "fed" the meter / ticket machine.
    - g) In a paying bay when meter / ticket machine is not working and such parking has been made an infringement.
    - h) In a parking place when not correctly parked e.g. in a loading gap.
    - i) In a parking place when not correctly parked e.g. overlapping markings / two bays.
    - j) In a parking place and also on footway, verge, central reservation.
  - 3. Other
    - a) Contravening regulations and also a persistent evader.
- 7.8.2 Vehicles that meet the criteria but are displaying a valid disabled parking badges shall not be clamped but may be removed if parked in a dangerous position or causing an obstruction. Under those circumstances the vehicle may only be removed to a nearby, safe, unobstructive location and every effort must be made to locate the disabled person to advise them of the new location of the vehicle.
- 7.8.3 When a vehicle meets the criteria, then the Parking Attendant or his Controller, **not** the removal / clamping contractor, will decide on the priority for affixing a clamp or removing the vehicle based upon the table shown in Appendix J.
- 7.8.4 Under normal circumstances it is anticipated that the available resources will limit action to high or medium priority calls only. Whether to clamp or remove will be partly dependent upon the criteria and partly upon the availability of a clamp or removal team. These teams will be directed to the vehicles to be clamped or removed by the Controller via a computer / radio communication system. It is anticipated that the majority of low priority calls will be dealt by issuing Penalty Charge Notices.

### 7.8.5 EXEPTIONS TO PRIORITY OF CALLS

The above procedure for dealing with calls and their priority can be altered under the following circumstances:

1. High level of complaints from residents.
2. Persistent evaders e.g. owners / drivers of vehicles that are regularly parked in contravention of restrictions (whether the penalty charges are paid or not).
3. Persistent evader, e.g. owners / drivers of vehicles which have a number of unpaid penalty charges. All such vehicle numbers are stored within a database, which is displayed via the hand held computers used by Parking Attendants.
4. Vehicles contravening permitted parking place restrictions, on the Priority (Red ) Routes, should be dealt with as "High"

7.8.6 Clamps shall not be used in permitted parking bays, on Priority (Red) Routes, enforced by the Local Authority.

## 7.9 Representations

7.9.1 Motorists wishing to object to the issue of a Penalty Charge Notice must do so in writing. This correspondence is known as a Representation. Formal representations have to be made before the Charge Certificate has been issued and have to be made by the registered keeper of the car or the driver on behalf of the keeper. Once the Charge Certificate has been issued there is no further right of appeal to the Council although the owner/keeper may make a statutory declaration.

The grounds for representations are the following:

- (a) That the recipient never was the owner of the vehicle in question; had ceased to be its owner before the date on which the alleged contravention occurred; or became its owner after that date.
- (b) that the alleged contravention did not occur.
- (c) that the vehicle had been permitted to remain at rest within the special parking area by a person who was in control of the vehicle without the consent of the owner
- (d) that the relevant designation order is invalid
- (e) that the recipient is a vehicle hire firm and the vehicle in question was on hire from that firm under a vehicle hiring agreement at the time and the person hiring it had signed a statement of liability acknowledging his/ her liability in respect of any PCN received during the time of the hiring agreement
- (f) that the penalty charge exceeded the amount applicable in the circumstances of the case
- (g) The parking attendant was not prevented from issuing the PCN

7.9.2 When making representations on the grounds of (a) above the representation must include a statement of the name and address of the person to whom the vehicle was disposed of / or acquired from, by the person making the representation, if known.

7.9.3 It is the duty of the authority to consider any representations made, examine any supporting evidence provided and to inform that person of the decision as to whether the grounds in question have been accepted.

- 7.9.4 If sufficient grounds are established by the representation, the PCN will be cancelled, if the grounds made by the representation have not been established and are not accepted by the authority, a Notice of Rejection must be served, as follows:
- (a) explaining the reasons for the rejection, stating that a charge certificate may be served unless the penalty charge is paid or there is an appeal to a parking adjudicator against the penalty charge, to the effect that the penalty charge in question is increased by 50 %.
  - (b) detailing how to appeal to the Parking Appeals Service, indicating the nature of a parking adjudicator's power to award costs against any person appealing to him, describe in general terms the form and manner in which an appeal must be made and any other information as the authority considers appropriate.

## **7.10 Appeals**

- 7.10.1 Motorists, who are not satisfied with the decision made, may appeal to the Parking and Traffic Appeals Service. Appeals against the authority's decision must be made in writing the appellant may request a personal hearing, before the end of the 28 day period after the Notice of Rejection has been issued.
- 7.10.2 On an appeal the parking adjudicator shall consider the representation and any additional representations which are made by the appellant on any of the grounds for representation. If the appeal is allowed, the adjudicator must instruct the Council to cancel the PCN and may give the authority directions, as he considers appropriate. It is the duty of the authority to which the direction is given to comply with it forthwith. If the appeal is declined the adjudicator must instruct the appellant to pay and give a date by which payment must be made.

## **7.11 Debt Registration and Collection**

- 7.11.1 If no payment is received following the issue of The Charge Certificate, requesting payment of an extra 50% on top of the full price, the Council will register the charge as a debt at the Northampton County Court.
- (a) The owner is then issued with an Order for Recovery of Unpaid Penalty Charge, which notifies the keeper that the Authority has registered a Penalty Charge in their name with the Parking Enforcement Centre at Northampton County Court and requires payment within 21 days or the filing of a Statutory Declaration by the debtor.
  - (b) The Statutory Declaration, gives the registered keeper the final opportunity to deal with the charge before the bailiffs are instructed. If filed by the debtor, the case will be reviewed by an Officer of the court and charge certificate and notice to owner will be revoked if the statutory declaration is accepted. Otherwise the Council will apply for a warrant of execution with the Northampton County Court, which once issued will then be put the debt in the hands of bailiffs for enforcement.
  - (c) Warrant of Execution of Unpaid Penalty Charge grants authority to Bailiffs to recover the debt. The bailiff is entitled to include reasonable costs for executing the warrant and will accept payment or may remove goods to the required value.

## **7.12 Payments**

- 7.12.1 Payment of Penalty Charge Notices can be made to the Council by cheque or by postal order, either sent by post to Parking and Technical Services, Municipal Offices, Fell Road, Croydon CR9 1BJ or by calling in person at Council Cash Offices in Fell Road, Croydon (Monday to Friday 8.30am to 5.30pm); Strand House, Zion

Road, Thornton Heath (Monday to Friday 9am to 3.30pm); Central Parade, New Addington (Monday and Friday 8am to 4pm Tuesdays and Thursdays 9.30am to 2pm); and The Car Pound, Factory Lane, Croydon (Monday to Saturday 7am to Midnight and Sunday 10am to 6pm), where cash, credit and debit card payments are also accepted. Payment can also be made by phone, using a credit card number or by using the cash till machines located at the cashiers in Fell Road. Payment by Internet can be made by accessing the Council's web site ([www.croydon.gov.uk](http://www.croydon.gov.uk)).

- 7.12.2 Tow away charges are generally paid at the Car Pound in Factory Lane, Croydon, as detailed above.
- 7.12.3 Park by Phone is another system being investigated which allows the motorist to pay for on-street parking using their mobile phone. Motorists currently pay for on street parking by inserting cash into a pay and display machine.
- 7.12.4 Car park and season tickets can be paid for directly to the car park in cash or check only, the introduction of credit card payments in car parks is currently being investigated. Dispensations must be paid for at the Car Pound, as detailed above.
- 7.12.5 Resident, business and visitor's permits are paid for by cheque or postal orders or in cash by visiting Fell Road Offices.

### **7.13 Persistent Evader**

- 7.13.1 Parking Enforcement is in charge of the scheme that sets out to identify vehicles registered to have evaded payment of three or more Penalty Charge Notices (PCNs) issued by the boroughs parking attendants. The procedure is set in motion once a vehicle who is found to be parked illegally is identified by the system as having unpaid fines, the vehicle is then removed to the Pound. To recover the vehicle the cost of the last outstanding PCN incurred and the tow away charge need to be paid in full. As part of the process proof of ownership and details of the registered keeper are obtained to pursue payment of any outstanding debt. TfL is making the case for changing regulations so that anyone picking up their vehicle from a car pound should have to pay all outstanding tickets against that vehicle.

## **8. ABANDONED VEHICLES**

- 8.1 Recent fluctuation in markets for scrap metal has meant that at times when the price decreases there is an increase in the numbers of vehicles abandoned on street. There is also reluctance on the part of scrap metal merchants to take abandoned vehicles, when the market is in decline. Currently the price of scrap metal has been relatively high, encouraging people to dispose of vehicles directly to scrap dealers, although changes in legislation are making it more difficult for unauthorised removal contractors to take scrap into dealers.
- 8.2 Under the available legislation (Refuse Disposal Amenity Act) Local Authorities are enabled to remove abandoned vehicles following service and expiry of a Seven Day Notice provided that during that period the owner does not claim the vehicle. More recent legislation (The Removal and Disposal of Vehicles Regulations 2002) has allowed Local Authorities to remove vehicles, which are deemed to be abandoned after 24 hours.
- 8.3 Following extensive discussions between the Government, DVLA, TfL and ALG to enable Local Authorities to enforce regulations relating to untaxed vehicles on behalf of the DVLA enforcement commenced during the summer of 2002, whereby untaxed vehicles are removed after 24 hours if clearance is given by DVLA. Croydon has negotiated directly with DVLA and is allowed to remove vehicles immediately The Council provides the use of one removals vehicle solely for the tow away of untaxed

cars. An estimate of 8 cars per day is the initial target. The value of the vehicle determines the period of time the car is stored before disposal, if the value is estimated to be greater than £1000, the vehicle will be taken to auction to recover costs.

- 8.4 The abandoned vehicles service and operation has seen substantial development of investigation, enforcement removal and disposal processes. Since 1999 Croydon has had to increase its abandoned vehicle removals operations from 450 to just under 5,000 per annum in 2002, however demand fluctuates. Responding to the numbers of abandoned vehicles has required co-ordination and liaison with Council departments particularly Housing and Housing Associations.
- 8.5 There are substantial costs involved in removing abandoned vehicles for which the Council has recently acquired a site, in Selsdon, for the disposal of vehicles in accordance with new environmental legislation. The disposal cost per vehicle has been estimated at £180 and in 2002 with approximately 5000 abandoned and 2000 untaxed vehicles to dispose of the operation will exceed £1.2M for that year.
- 8.6 Priority for the removal of a vehicle is generally given to urgent cases, such as, vehicles abandoned near schools, parks, and playgrounds, which otherwise pose a threat to public safety or are badly damaged or burnt out.
- 8.7 The following Guidance is used to identify / classify Abandoned Vehicles. Using this guidance officers are able to determine the condition of a vehicle and the state of the immediate location in which the car is parked, to ascertain whether it should be destroyed or removed.

To ascertain if a vehicle is abandoned, Officers should check if the dirt surrounding the wheels has been disturbed.

Category A	Category B
These are vehicles which in the opinion of the attending Officer are considered abandoned but are not in a condition such that they should be destroyed	These are vehicles which in the opinion of the attending Officer are considered abandoned and in such a condition such that they should be destroyed <ul style="list-style-type: none"> <li>• One or more wheels are flat, missing, slashed, etc.</li> <li>• Smashed or broken windscreen, windows, wing mirrors, etc.</li> <li>• Damaged or missing body panels.</li> <li>• Internal fabric is in poor condition.</li> <li>• Generally rusty bodywork.</li> </ul>
If the vehicle is to be removed it can be removed immediately, but a letter must be sent to the last known keeper within 24 hours giving 7 days notice of the disposal of such a vehicle	If a vehicle satisfies all or some of the above, a 24 hour notice should be placed on the vehicle in a position that is clearly visible

- 8.8 a 24 hour notice period, this is generally carried out where the vehicle is deemed to have no residual value, however, they are frequently acted on by the owners who remove or relocate their vehicles elsewhere.
- 8.9 It is clear that many owners of abandoned vehicles are not prepared to pay the proper disposal costs (or in many cases, tax their vehicles). Measures are being developed to prosecute offenders under the Highways Act and Refuse Disposal (Amenity) Act respectively and a number of test Court cases are currently being developed. In the case of abandoned vehicles, for example, under the legislation the keeper may be liable for a fine of up to £2,500 and for reimbursement of the Council's costs.

## 9 Transport for London Road Network (Red Routes)

- 9.1 In Croydon the primary and red route networks included in the Transport for London Road Network (TLRN) as part of the base network of roads, consist of the following sections of road: -
- The A23 - Brighton Road (between the Coulsdon borough boundary and Purley Cross); Purley Cross junction (including Banstead Road and Purley Road); Purley Way; Thornton Road; London Road (between Thornton Heath Ponds and the Norbury borough boundary).
  - The A232 - Croydon Road; Stafford Road (between Purley Way and Epsom Road); Epsom Road (between Purley Way and Stafford Road); Duppas Hill Road; Croydon Flyover; the Park Lane Gyratory; Barclay Road; Fairfield Road; Chepstow Road; Addiscombe Road (between Chepstow Road and Shirley Road); Shirley Road (between Addiscombe Road and Wickham Road); Wickham Road.
  - The A22 - Godstone Road.
- 9.2 Responsibility for decriminalised parking enforcement of the parking restrictions on roads within the TLRN came into effect on the 15<sup>th</sup> November 2004. The enforcement is being undertaken using Metropolitan Police Traffic Wardens and Transport Police Community Support Officers through a Special Services Agreement (SSA) which will be augmented with camera enforcement from the spring of 2005. The controls are a combination of no stopping restrictions and limited time parking and loading bays.
- 9.3 The red routes have proved successful in making the operation of these roads more effective by managing road space based on the safe and reliable movement of people and goods, while placing greater emphasis on improving conditions for those who use sustainable modes of transport. This was achieved through the Local Plan approach, which involved designing packages of measures, tailored for each area, that support reduced car use and improve conditions for bus passengers, pedestrians, cyclists and disabled people. This approach is wholly in line with the principles of the Strategy. In order to ensure that the management of the TLRN is carried out in a consistent and logical manner, it is proposed to continue with the Red Route Local Plan approach and extend it to the management of the whole of the TLRN including roads designated as GLA side roads.
- 9.4 Whilst TfL is not proposing that other 'A' roads become red routes, the extension of this integrated traffic management approach will help to ensure the effective operation of London's strategic roads. Boroughs will therefore be expected to adopt a similar integrated approach to the management of main roads under their control to reflect the priorities in the Strategy whilst recognising and reflecting local priorities.
- 9.5 The Council will pursue any parallel initiatives to be applied to all other 'A' roads and busy bus routes as indicated above.

## 10 School Crossing Patrols

- 10.1 The Council took over responsibility for the provision of school crossing patrols from the Metropolitan Police from 1 April 2000. The criteria adopted by the Council to determine whether or not a patrol is justified are based upon surveys of the numbers of children crossing the road and the numbers of conflicting vehicle movements and are the same as those which were previously used by the Police.

10.2 there are currently 51 school crossing patrols within Croydon, for which funding is provided by central government and cover the cost of running the service, including staffing and administrative expenses.

**10.3 The Council is committed, through the introduction of Safe Routes to School and the safe transport and environment projects, to persuade parents and children to use more sustainable forms of transport to and from school and will encourage schools to reduce the number of car based escort trips, and urges the wider use of school buses. School Crossing Patrols are seen as part of a overall strategy to achieve this goal.**

**11 Consultation**

11.1 As part of the on-going reviews, the Council measures customers needs and service performance within its parking related operations. The following section outlines key issues in the latest findings, which are taken into account as part of the parking pricing review, car park investment strategy and the on-going Best Value review. The full results of the survey are shown in Appendix F.

11.2 Croydon Parking Services conducted a survey to businesses, customers and residents in October 2004. The survey was carried out using the Internet and submissions were generally made on-line after being advertised in Croydon Reports. Croydon Marketing and Development were also asked to distribute business surveys. The purpose of the survey was to measure parking related services, school crossing patrols and abandoned vehicle services controlled by the London Borough of Croydon in respect of:-

- Customer satisfaction
- Effects of changes in services on Customers
- Customer needs and priorities
- Staff attitude and competence
- Service quality and effectiveness

Customer Group	Response
Businesses	5
Customers	75
Residents	87

11.2.1 Summary

11.2.2 Returned surveys were analysed showing that the responses were from the following groups:-

Businesses: Most responses (80%) were from small businesses with 0-9 employees with the remaining holding 10-19 employees. These included a Specialist Independent Retailer, a Computer Games Developer and a Jewellers. 80% of surveys were from businesses located in Central Croydon who rely predominantly on On Street parking. It should be noted that the number of responses was not sufficient to provide a full picture of business opinions and further consultation is required.

Customers: 81.3% of respondents were aged between 30 and 59. Almost ½ of respondents were male (46.7%) and female (42.7%) with 5.3% having a disability. Disabilities included visual impairment (1.3%), mobility impairment (2.7%) and arthritis (1.3%). The majority of respondents were English (70.7%) with a further 4% being Welsh. Respondents were also Scottish (1.3%), Irish (1.3%), European (2.7%), White other (2.7%), Chinese (2.7%), Black Caribbean (1.3%) and Anglo European (1.3%).

**Residents:** 67.8% of respondents were aged between 30 and 59. Over ½ of respondents were male (50.6%) with 9.1% having a disability. Disabilities included visual impairment (4.6%), hearing impairment (1.1%) and mobility impairment (2.3%). The majority of respondents were English (65.5%) with a further 5.7% being Scottish. Respondents were also Welsh (2.3%), Irish (3.4%), European (2.3%), White other (2.3%), Indian (2.3%), Bangladeshi (1.1%), Asian Other (2.3%), Black Caribbean (1.1%) Black African (1.1%) and Irish Armenia (1.1%).

***The results and recommended action points will be used to continually review services. All action are listed Below.***

Reference	Action
A1	Further consult residents in the Central South Permit Zone to identify whether a review of signing in this area is required.
A2	Further consultation with businesses in areas where difficulties were identified to establish whether a review of CPZ is required.
A3	Further consultation in Coulsdon and the East Outer Permit Zone to identify whether enforcement levels require review.
A4	To review road safety figures in Central Croydon and identify improvements to on street parking provisions to help improve road safety.
A5	The effects on accessibility of parking restrictions should be reviewed together with provisions made by Council owned Car Parks.
A6	Parking Services to work with Local Agenda 21 to identify ways to move motorists onto public transport.
A7	Purley Multi-Storey Car Park is the only MSCP to be run by the Council. Due to the response from this particular car park being low, further consultation needs to be carried out to underpin the findings of this survey and enable appropriate action points to be identified.
A8	Customer expectations to be taken into account at next price review.
A9	Results to be passed to Town Centre Manager for consideration and concern relating to parking prices should be taken into consideration at the next pricing review.
A10	Further consultation with customers at Purley would identify whether the below average ratings above were accurate and appropriate action should be taken as a result.
A11	Detailed analysis of ease of parking within different areas to be passed to Design and Implementation Team to be used in reviewing Controlled Parking Zones across the borough.
A12	Detailed analysis of sufficient enforcement levels within different areas to be passed to Enforcement Team to be used in reviewing enforcement across the borough.
A13	ack to be passed to Abandoned Vehicle Service Team Leader for appropriate action.
	<i>All reviews should be carried out in line with the Council's Green Policy.</i>

11.2.4 Due to budget restrictions, this survey was conducted over the internet which generated a much lower response than the postal survey carried out in the previous year. The response rate was in some cases too low to accurately measure public

perception and experience. If surveys are to be conducted in the future, a greater response is required and a postal survey is recommended.

## **11.2 New Schemes Consultation Process**

- 11.2.1 Local Authorities are legally bound to carry out consultation with the Police, other emergency services, bus and other operators providing a local schedule service and organisations representing people who use the roads affected, local residents, representatives of commerce and industry, organisations representing pedestrians, cyclists, motorists, bus and freight operators, the disabled and neighbouring Authorities, if affected. Altogether a list of around 30 organisations require consultation. The extents and effect of the scheme proposed determine the extent of the consultation. This involves a letter explaining the proposals and their effect together with a drawing showing the proposals.
- 11.2.2 The consultation is carried out before publishing a public notice of proposals, thus any problems can be established prior to progressing to the stage of publishing notices to make an order.
- 11.2.3 For larger schemes such as introduction of new controlled parking zones, consultation also takes place informally by questionnaire, via exhibitions or by forming working groups with local people. This ensures that as many of the problems and likely objections have been taken on board and resolved before advancing the scheme.
- 11.2.4 Public Notices are published on the Croydon Council website, in the London Gazette and in the local newspaper and are displayed in each road to which the Order relates. The Notice includes the date by which objections must be made, in writing. The period of objection is usually 21 days or 28 days for the advertisement of paid for parking, from the date of publication of the notice.

## **11.3 Best Value Consultation**

- 11.3.1 The Council is committed to consulting with the community and all other interested parties, including residents and businesses, about the Council's priorities and performance to ensure that it is meeting the needs of its customers according to the principles of Best Value. Consequently Croydon places people at the centre of its approach to Best Value and in Croydon this means: -

Community involvement and being accountable for services by:

- listening to our customers and wider stakeholders and responding to their diverse needs and preferences;
- effectively communicating changes and improvements;
- reporting and explaining performance.

Putting customers at the centre of our work by:

- involving customers in our planning and decision-making to ensure services are designed to better meet their needs and are valued by them;
- being more accessible and responsive to the individual customer;
- monitoring and reviewing performance with customers in an open and honest way.

Continuously improving our service performance by:

- measuring and comparing services against best practice and the highest current standards;

- challenging existing practices and ways of thinking;
- working in partnership with private and voluntary groups;
- seeking innovative solutions to deliver better value for money and service quality