Part 6 of the Traffic Management Act 2004
Consultation on the Provisions on Parking
Responses to Consultation Questions –
Uttlesford District Council – September 2006

Consultation Questions

Regulatory Impact Assessment

1   Does the Partial RIA represent a fair analysis of the policy?

   ➢ *From the information provided and an assessment of it, it appears to be fair.*

2   What further evidence might be added to the assessment of costs and benefits in the RIA? Please supply substantive evidence to support your argument.

   ➢ *None.*

Information about Parking

3   To what extent and how should authorities publish information about parking provision and or parking restrictions in their area?

4   What additional information would be most useful to road users and how should it be presented?

Local authorities should provide information about car parks, residents parking schemes, season tickets in the following ways -
   o *Information Leaflet about car parks*
   o *Information on appropriate websites about car parks, resident parking schemes, season tickets and where to find details of parking restrictions*
   o *Parking Charter – what we expect from customers and what they can expect from us.*
   o *Signage to car parks*

Information about parking restrictions should not be provided, although information should be given about how to get details if required.

Smart signage would not be affordable or practical for small, rural districts such as Uttlesford.

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Accountability within local authorities

5   Should the Government encourage local authorities to set up a unit independent of the parking department to handle cases where the road users had a grievance but it falls outside the remit of the adjudicator and the Ombudsman

It is not envisaged that there will be cases that fall outside the remit of the adjudicator and the Ombudsman. It would be adding a bureaucratic layer to the system to introduce another opportunity for grievance. The current system is aimed to provide the road user with ample opportunity to take their grievance with an independent, higher authority.

Role of the Police

6   Should the regulations to implement the TMA give the police the power to enforce parking if they should wish to do so?

Uttlesford District is a large rural area which only deals with approximately 7,500 PCNs p.a. over a 10 hour day employing 6 FTE Civil Enforcement Officers. We, like many other small local authorities, will not be able to provide full, 24 hour enforcement. Therefore, it is essential that the police has the power to enforce parking if there is an infringement to the regulations.

Procedures on the Street

7   Would differential penalty charges based on the severity of the contravention help improve public acceptance of and compliance with parking regulations?

People that do not comply with On-Street parking regulations e.g. Double Yellow Lines, should incur a more severe penalty charge than those contravening Off-Street parking regulations. People contravening On-Street parking regulations are generally doing so on the basis that they are aware of the regulation and are deliberately contravening it despite the hazard that this may cause. Whereas, overstay on a car park does not normally have a hazardous affect on other users.

This approach should not be discretionary and should be applied Nationally.

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8   Or would it be confusing to have two different levels of penalty charge in the same area?

If this approach were applied nationally, the confusion would be reduced. Clear instructions on the amount of penalty to be paid would be provided on the PCN, thus reducing confusion further.

9   Should civil enforcement officers have the discretion to decide when to issue a PCN, using the authority's published policy?

CEOs should only issue PCNs using the policies described in the relevant Traffic Regulation Order for the authority wherever a contravention occurs. This approach minimalises the opportunity for fraud, bribery and deception.

10   Should the Government suggest time limits for dealing with informal and formal representations?

Yes, but it should be a national standard.

11   If so, are the following fair and achievable:
        • 14 day national standard for dealing with informal challenges?
        • 90% of formal representations decided within 21 days?

With regard to our circumstances, Yes, but this may not be acceptable to other authorities dealing with a higher work load.

12   Should it be left to the individual local authority to set its own criteria?

No, it should be a national standard so that there is consistency for all road users.

13   Should the statutory guidance recommend that a postal PCN is sent within 14 days of the contravention?

To enable effective administration of this approach, 21 days would provide more time to allow for problems associated with gaining appropriate information about the vehicle owner.

14   Should the 50% discount be available for 21 days for certain cases where the PCN was issued by post?

The 50% discount should be available from the day that the postal PCN is sent as it would be technically the first day of issue.

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15   Should local authorities have to re-offer a discount period after rejecting an informal challenge?

Yes. We do this already as we wish to be fair to the road-user

16   Or should it be at the discretion of the local authority to do this?

No. It should be a national standard to re-offer a discount period

17   How long should the period following the issue of a PCN be before a vehicle should be removed or clamped?
We do not remove or clamp vehicles. However, we consider that clamping after 60 minutes would be fair, where a vehicle is causing a hazard or obstruction. In this case it should be removed as soon as is practicable. A vehicle registered on the persistent evaders register should be subjected to the strongest possible means of enforcement.

18   Do you agree with the proposed definition of a persistent evader as an individual with 3 or more outstanding and uncontested PCNs.

Yes.

19   Would it be acceptable for the ALG to expand their persistent evader database for use across England?

We would like to see this information shared.

20   If not, what other options might be suitable?

We would be prepared to establish a register locally and share this with other local authorities.