

READING BOROUGH COUNCIL

REPORT BY DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

TO:	POLICY COMMITTEE		
DATE:	4 APRIL 2022		
TITLE:	ANNUAL PARKING SERVICES REPORT 2020 - 2021		
LEAD COUNCILLOR:	COUNCILLOR T PAGE	PORTFOLIO:	STRATEGIC ENVIRONMENT, PLANNING & TRANSPORT
SERVICE:	PARKING SERVICES	WARDS:	BOROUGHWIDE
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1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Traffic Management Act 2004 states that each local authority with Civil Parking Enforcement should publish an Annual Report about their enforcement activities covering financial and statistical data.
- 1.2. **Appendix 1** Parking Services Annual Report 2020 - 2021
- 1.3. **Appendix 2** Climate Impact Assessment (CIA) Parking Annual Report

2. RECOMMENDED ACTION

- 2.1 That members note the contents of this report and that the annual reports for 2015-2020 are available on the Council's website.
- 2.2 That Members note the annual report for 2020-2021 is intended to be published in April 2022

3. POLICY CONTEXT

- 3.1. The Council is a Civil Enforcement Authority under the Traffic Management Act 2004 and is therefore required to produce an annual report.
- 3.2. Reading Borough Council took up statutory powers under the Road Traffic Act 1991 (as amended) in 2000 to become a Special Parking Area (SPA) taking over parking enforcement from the Police. In April 2008, every Local Authority with SPA powers became a Civil Enforcement Area (CEA) under the Traffic Management Act 2004 (TMA). One of the requirements of the TMA is that each Local Authority submit an Annual Parking Report to the Department for Transport (DfT) each year. The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions sets out the minimum information to be included in the Annual Parking Report.

- 3.3. The Statutory Guidance requires that as a minimum the Local Authority must include financial details relating to total income and expenditure on the parking account and statistical information relating to the number of Penalty Charge Notices (PCNs) issued, paid, cancelled, and challenged.
- 3.4. The Traffic Management Act 2004 and Transport Act 2000 (for bus lane Penalties) sets out the appeals process that recipients of Penalty Charge Notices must follow if they believe they have grounds for the ticket to be cancelled. There are 3 sequential stages to this process as set out below:
 - 3.4.1. An Informal Challenge to the Council
 - 3.4.2. A formal representation to the Council upon receipt of the Notice to Owner
 - 3.4.3. An appeal to the Traffic Penalty Tribunal if representation to the Council is unsuccessful.
- 3.5. The appeals process for bus lane Penalties is the same except there is no informal challenge to the Council, as the first notification is the “Notice to Owner” notice.
- 3.6. A legal requirement of both relevant Acts is for the Council to provide an address where these can be sent. The Council provides two dedicated addresses for motorists to correspond with (one for parking penalties and one for bus lane penalties) and has a secure online facility for direct representation to be made against the penalties.
- 3.7. A principal element of the process is the requirement for the registered keeper of the vehicle (i.e., the person named on the vehicle registration document or the registered hirer) to communicate directly with the Council. This means that a third party can only act on the registered keeper’s behalf if legally authorised to do so. Therefore, there are extremely limited circumstances in which an MP or Councillor can act for someone else.

4. THE PROPOSAL

- 4.1. The annual report for 2020-2021 includes the Statutory Guidance requirements and includes information for Residents Parking Permits, Bus Lane Enforcement, Blue Badge Issues and Enforcement, Car Parks, Pay and Display and Freedom of Information requests
- 4.2. The annual report for 2020-2021 is intended to be published in April 2022 and is available through the Council’s website at:
<https://www.reading.gov.uk/council/policies-finance-and-legal-information/freedom-of-information-foi/>

5. CONTRIBUTION TO STRATEGIC AIMS

- 5.1. By putting the Annual Report onto the website, supports visitors and residents by giving access to information regarding the service area.
- 5.2. To promote equality, social inclusion, and a safe and healthy environment for all.
- 5.3. Engaging in the digital transformation by making information accessible by digital methods. Ensuring collaboration with all.

6. ENVIRONMENTAL AND CLIMATE IMPLICATIONS

- 6.1. There are no environmental or climate implications arising from the decision of this report because it is an information report about the Council’s enforcement activities covering 2020-2021.

- 6.2. The report summarises action on issues like Red Route and Bus Lane enforcement, both of which are important to enabling efficient public transport movements which support our climate and environmental policy objectives.

7. COMMUNITY ENGAGEMENT AND INFORMATION

- 7.1. The Annual Parking Report will have wider accessibility by being published on the Council's website.

8. EQUALITY IMPACT ASSESSMENT

- 8.1. An Equality Impact Assessment (EIA) is not relevant to this report

9. LEGAL IMPLICATIONS

- 9.1. The local Authority is required to produce an Annual Parking Report under the Traffic Management Act 2004.
- 9.2 Publishing the report online facilitates efficient access to parking data often requested under the Freedom of Information Act 2000.

10. FINANCIAL IMPLICATIONS

- 10.1 None

11. BACKGROUND PAPERS

- 11.1 None