

## READING BOROUGH COUNCIL

### REPORT BY DIRECTOR OF ECONOMIC GROWTH AND NEIGHBOURHOOD SERVICES

<b>TO:</b>	TRAFFIC MANAGEMENT SUB-COMMITTEE		
<b>DATE:</b>	12 JANUARY 2023		
<b>TITLE:</b>	ANNUAL PARKING SERVICES REPORT 2021-2022		
<b>LEAD COUNCILLOR:</b>	COUNCILLOR T PAGE	<b>PORTFOLIO:</b>	CLIMATE STRATEGY AND TRANSPORT
<b>SERVICE:</b>	PARKING SERVICES	<b>WARDS:</b>	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 2021-2022

#### 2. RECOMMENDED ACTION

2.1 That Members note the contents of this report and that the annual reports for 2012-2021 are available on the Council's website.

2.2 That Members note the annual report for 2021-2022 is intended to be published in January 2023.

#### 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.

#### 4. THE PROPOSAL

4.1 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.

- 4.2 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.
- 4.3 The annual report for 2021-2022 includes the Statutory Guidance requirements and also includes information for Residents Parking Permits, Bus Lane Enforcement, Blue Badge Issues and Enforcement, Car Parks, Pay and Display and Freedom of Information requests.
- 4.4 The Cabinet report in January 2011 stated future reports were to be published on the Council's website. The annual parking reports for 2012-2021 are available through the Council's website at:
- <https://www.reading.gov.uk/contact-us/freedom-of-information-foi/>
- 4.5 The annual report for 2021-2022 is intended to be published in January 2023.
- 4.6 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:
- An Informal Challenge to the Council
  - A formal representation to the Council upon receipt of the Notice to Owner
  - An appeal to the Traffic Penalty Tribunal, if representation to the Council is unsuccessful.
- 4.7 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.
- 4.8 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's 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.
- 4.9 An important 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 very limited circumstances in which an MP or Councillor can act for someone else.

## **5. CONTRIBUTION TO STRATEGIC AIMS**

- 5.1 To promote equality, social inclusion and a safe and healthy environment for all.
- 5.2 Keeping Reading's environment clean, green and safe

## **6. ENVIRONMENTAL IMPLICATIONS**

- 6.1 The Council declared a Climate Emergency at its meeting on 26 February 2019 (Minute 48 refers).
- 6.2 There are no Environmental or Climate implications. This report is for publishing a Parking Annual Report on the Reading Borough Council as directed by the Department For Transport

## **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 Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—
  - eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
  - foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.2 It is not considered that an Equality Impact Assessment is relevant as this is an information report.

## **9. LEGAL IMPLICATIONS**

- 9.1 The Local Authority is required to produce an Annual Parking Report under the Traffic Management Act 2004.

## **10. FINANCIAL IMPLICATIONS**

- 10.1 As reported in the Annual Report
- 10.2 Revenue Implications are not applicable.
- 10.3 Capital Implications are not applicable.
- 10.4 Value for Money Implications are not applicable.
- 10.5 Financial Risk Assessment Implications are not applicable.

## **11. BACKGROUND PAPERS**

11.1 Cabinet Report - Annual Parking Report dated 17<sup>th</sup> January 2011