

# Parking in Gateshead

## Annual Report



**2010/11**



## **FOREWORD BY *COUNCILLOR JOHN McELROY* PORTFOLIO HOLDER FOR TRANSPORT & ENVIRONMENT**

Welcome to Gateshead Council's Annual Parking Report for 2010-11, the fourth full year of Civil Parking Enforcement in Gateshead. We try to keep the issues covered both informative and relevant to those who read it. As last year, it provides information to residents and other stakeholders about how Gateshead Council seeks to deliver parking provision and enforcement, as well as other associated services across the borough. In doing so, it places those activities in the context of other policies, including our contribution to the council's vision for the economic and environmental sustainability of the borough and our legal duty to keep traffic moving as freely as we reasonably can on our roads.

The Council realises that people have different parking needs and expectations. Levels of car ownership continue to rise and the resulting demand for parking places, particularly on-street, far outstrips the availability of kerb space in most urban areas, including Gateshead. The council's Parking Services team, part of the Transport Strategy Service within Development & Enterprise, seeks to balance and manage the competing needs of a range of different road users, including car, bus and delivery drivers, cyclists, and pedestrians.

To help achieve the above goals and contribute to our commitments in respect of the Tyne and Wear Local Transport Plan, Parking Services manages a wide range of the borough's parking-related functions and these will be referred to in this report. They include:

- Council operated public car parks (off-street)
- On-street public parking bays
- Residents parking schemes and permits
- The Blue Badge scheme
- Civil Parking Enforcement strategy and appeals

I do understand that parking enforcement is not always popular, particularly if you have received a parking ticket. Equally, however, motorists who do park correctly expect robust action to be taken against those who do not, especially in busy areas. As ever, I hope that the contents of this report will help to explain what some of the objectives of parking enforcement are and why enforcement activity is necessary to help meet those objectives.

If you have any further questions after reading this report, the council's Parking Services team will gladly help to answer them:

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**OVERVIEW BY NICOLAS CLENNETT  
HEAD OF TRANSPORT STRATEGY**

As indicated above by Councillor McElroy, the Council tries to use this Annual Parking Report to provide the sort of information that many people find useful, as well as meeting our statutory obligations. We have therefore made some further changes this year so that it better reflects the type of information which the Parking Services team is most frequently asked to provide. Unless indicated otherwise, the information contained in this report relates to the year from 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011.

It is more important than ever that the limited resources available are spent to best effect. To help achieve that, the way the teams within my service operate has been changed to ensure that the team with the most appropriate skills deals with queries that come in. It is also important that the various teams within the Service work together to ensure that the most effective solutions to traffic issues are identified and delivered and that, where possible, we can anticipate future issues by looking beyond the horizon. To support the commitment in the revised Tyne and Wear Local Transport Plan, we will work to ensure effective management of car parking within the NewcastleGateshead area, working more closely with Newcastle City Council to achieve this.

Like all authorities in Tyne & Wear, Civil Parking Enforcement (CPE) operates throughout the Borough of Gateshead (with the exception of a few significant routes such as the A1, the A184 and certain sections of the A167). This means that the Council is responsible for the enforcement of parking restrictions rather than the police, although they continue to be responsible for the roads not subject to CPE and for all obstruction offences.

During April 2010, the CPE operation was reviewed by the Council's Sustainable Communities (Place) Overview and Scrutiny Committee. The committee fully supported our efforts to focus more on the financial self-sufficiency of the operation and to increase the proportion of penalty charge notices (parking tickets) issued to vehicles parked on-street having a detrimental effect on traffic flow or road safety, whilst still dealing with parking infringements in the Council's car parks.

The Council began the year with 12 Civil Enforcement Officers (CEOs) plus two Senior CEOs employed to enforce parking restrictions. We ended the year on 31<sup>st</sup> March 2011 with nine CEOs and two senior CEOs. At the time this report was prepared, the Council was in the process of recruiting to fill some of those vacancies.

When dealing with formal appeals against parking tickets, I expect my officers to take full account of Council policies and to adopt as consistent an approach as possible when considering each case. However, they will also take account of any mitigating evidence presented to them which they believe is relevant to that particular case before reaching a decision on the appeal.

We have continued to refine the decisions we take when considering appeals against parking tickets in the light of decisions of the independent Traffic Penalty Tribunal, particularly those decisions which concern parking the tickets we have issued.

This has led to the proportion of cases where the Tribunal found against Gateshead Council, following a hearing before an Adjudicator, falling from 31% in 2009-10 to 19% in 2010-11. Furthermore, the proportion of appeals to the Tribunal not contested by the Council saw a welcome fall from 30% during 2009-10 to 23% in 2010-11.

In turn, when broader issues are identified through the appeals process, guidance is issued to the enforcement team so that any appropriate changes in the enforcement of certain parking restrictions are implemented as soon as it becomes clear that they are necessary.

One of the main reasons people contact us is to tell us about difficulties in getting parked in residential streets and asking whether there is anything the Council can do about this. This is not an easy problem to resolve, particularly as there are more and more vehicles using the same amount of road. In general, however, the Council does not have the power to deal with vehicles which are causing an obstruction of the highway (in this sense, "highway" includes footpaths as well as roads). Obstruction offences of this nature are dealt with by the Police, and Gateshead Area Command can be contacted on 03456 043043 or via the [Northumbria Police website](#).

A number of people contact us about a residents parking scheme for their street and each case is considered on its merits. Any requests for new parking restrictions (or the removal or amendment of existing ones) should, in the first instance, be directed to our Network and Traffic Management Team for initial consideration. They can be contacted either by telephone on 0191 433 3093 or by email at [TrafficManagement@Gateshead.Gov.UK](mailto:TrafficManagement@Gateshead.Gov.UK). Please feel free to contact them if you think they may be able to assist you.

## PURPOSE OF THIS REPORT

Statutory guidance issued by the Secretary of State for Transport under section 87 of the Traffic Management Act 2004 requires local authorities operating Civil Parking Enforcement to publish an annual report on their enforcement activities within six months of the end of the financial year under review. This report fulfils Gateshead Council's obligations pursuant to that requirement for the 2010-11 financial year.

This annual report is also intended to explain to members of the public and other stakeholders how parking is managed in Gateshead and to provide information regarding some of the services we provide. Reporting is an important part of accountability, as the transparency given by regular and consistent reporting helps people to understand and accept the imposition and enforcement of parking regulations.

Under section 55 of the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004, all English local authorities are required to keep an account of all income and expenditure in designated (i.e. on-street) parking spaces which are in a Civil Enforcement Area, and of their income and expenditure related to their functions as an enforcement authority.

In respect of off-street parking places (i.e. car parks), national regulations and guidance confirm that "*income and expenditure as enforcement authorities*" includes that related to the issue of Penalty Charge Notices. It does not, however, include pay and display or permit/season ticket income or direct expenditure relating to the collection of that income.

***Please note: unless otherwise indicated, all of the information in this report relates to the financial year from 1<sup>st</sup> April 2010 to 31<sup>st</sup> March 2011.***

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## 1.0 PARKING CONTROL OBJECTIVES

### 1.1 Background

The Traffic Management Act 2004 imposes a statutory duty on all local traffic authorities, of which Gateshead is one, to manage their highway network so as to achieve, as far as reasonably practicable and taking into account their other duties and responsibilities, the expeditious movement of traffic (both vehicular and pedestrian) on their highways. An efficient, proactive enforcement regime to combat inconsiderate parking, particularly where it impacts on traffic flow, is seen as an essential element in fulfilling this duty.

The Road Traffic Act 1991 originally provided for local authorities to seek powers to decriminalise parking offences. These powers allowed local authorities to assume responsibility for enforcing parking restrictions from the Police and to retain the income received from the penalties to fund their enforcement activities. Under this legislation, offences were decriminalised so that a Penalty Charge Notice (PCN) is a civil charge payable to the Council, not a fine payable to the Police or a Magistrates Court.

Other highway-related traffic offences, whether or not they are endorsable (where points may be added to the licence) remain a criminal offence and continue to be enforced by Northumbria Police. These might include offences such as dangerous parking or obstruction, as well as moving traffic offences.

The Traffic Management Act 2004 has now superseded the Road Traffic Act 1991 in respect of decriminalised parking enforcement, which is now called "civil parking enforcement or simply "CPE".

The main advantages of local authority enforcement of regulations are as follows:

- More effective implementation of parking policies seeking improved traffic flow, better management of traffic levels, fewer accidents, a fairer distribution of parking spaces and more pleasant streets
- Better monitoring of the effectiveness and value of regulations
- The ability for local authorities to use revenue from charges to fund parking enforcement with any surplus used for improving off-street parking or other transport related measures.

### 1.2 Policy Context

The Gateshead District Annex of the Tyne and Wear Local Transport Plan (LTP) states, with respect to parking, that:

*Gateshead Council will control on- and off-street parking to support the economic viability of the Borough, regeneration initiatives and reduce the adverse environmental impacts of car travel.*

The introduction of Civil Parking Enforcement (CPE) is in line with the vision for transport as outlined in the Gateshead Community Strategy and Vision 2030 and embodied in the Gateshead Transport Strategy Statement. The council wants to develop a system where:

*Local people and businesses should have easy access to integrated, safe and affordable transport which supports economic growth and balances the needs of all users in a responsible way.*

The Gateshead Transport Strategy Statement brings together the main themes of the LTP together with other transport related strategies into a single summary document for Gateshead.

This recognises the importance of a range of different factors, including:

- Resolving localised parking problems, particularly where demand for parking is greater than supply due to commuter parking or high levels of car ownership;
- Identifying ways of reducing the problems of parked vehicles obstructing pavements;
- Effective management of car parking, including appropriate levels of charging in Gateshead town centre and other important locations throughout the Borough

The council's policy acknowledges that parking contributes significantly to many of the problems (such as delays to public transport, junction safety and safety around schools) and seeks to address them in the most appropriate way.

In particular, our parking control objectives seek to:

- Minimise the use of vehicles in the most congested areas, during what experience and research shows to be the most appropriate times;
- Provide sufficient short-stay parking facilities to support shops as well as other commercial and voluntary organisations and leisure activities, thereby underpinning social and economic life across the borough;
- Reduce the risk of accidents;
- Safeguard the needs of all sections of the community, including visitors to the area;
- Improve traffic conditions;
- Encourage public transport use;
- Preserve and improve the infrastructure and the general environment;

- Increase and improve pedestrian and cyclist mobility;
- Improve accessibility for people with mobility difficulties;
- Regulate and control parking both on and off street.

Parking operations will contribute towards these objectives by providing or facilitating:

- On street parking enforcement, by patrolling restricted areas with a particular focus on main bus routes and other busy transport corridors where parking issues are apparent
- Enforcement of the Council's off street car parks and parking places to ensure effective use of limited spaces and to protect the Council's revenue by issuing PCNs for any contraventions observed;
- Management and administration of suspensions and dispensations;
- Checking of Pay & Display machines and meters to identify faults;
- Permit parking schemes;
- Reviewing strategic enforcement and deployment and amending them as necessary from time to time.

Such operations will embrace the following activities:

- The issue and serving by Civil Enforcement Officers (CEOs) of PCNs where vehicles are observed to be parking in contravention of the regulations – both on and off street;
- Reporting inadequacies of and/or damage to signs and markings;
- Suspension procedures for Pay & Display machines and parking bays.

## 2.0 GATESHEAD PARKING PROFILE

### 2.1 Car Parks

The Council operates a number of public car parks. They tend to be concentrated in the areas of greatest demand, such as around Gateshead Quays or in Gateshead Town Centre, but there is also significant provision elsewhere in the Borough. Appendix D lists all of the off street car parks operated as public car parks by Parking Services as at 31<sup>st</sup> March 2011. The table includes the following information:

- Car park name and general location;
- What charges apply and when;
- Whether or not annual permits are available;
- Where or not the car park has bays marked out;
- What, if any, designated bays (reserved for specific users) the car park has.

Whilst this information is provided to assist users of the car parks, please note that it was valid as at 31<sup>st</sup> March 2011 and changes to charges and conditions may have occurred since then. In the event of any conflict between the information contained in this report and that published on signs or notices on site, the information on site will prevail.

### 2.2 The Safer Parking Scheme

The Safer Parking (or "Park Mark") Scheme is managed by the British Parking Association in conjunction with the Association of Chief Police Officers (ACPO). The scheme was introduced by the Government in order to promote more safe and secure parking facilities all over the country. Higher security standards reduce both crime and the fear of crime. To be awarded a "Park Mark", car parks must be independently judged to have

achieved high standards of security. Owners and operators must meet a stringent set of standards, including good design and management and provide an effective level of security, good lighting and help points.

Over 4,700 car parks in the UK currently hold Park Mark status, and both operators and users have seen the benefits of increased security within car parks. In recognition of our investment in security, Gateshead Council proudly holds seven of these prestigious awards.

The public car parks in the borough that have attained the Park Mark Award are:

- Baltic Car Park, Gateshead Quays
- Church Street Car Park, Gateshead Quays
- Swinburne Street Car Park, Gateshead Town Centre
- Heworth North (Long Stay) Car Park
- Back Durham Road (North) Car Park, Birtley
- Wrekenton Centre Car Park

Gateshead Civic Centre car park, which is private, has also attained the Park Mark Award. Subject to cost pressures, which are particularly great at present, the Council will continue to strive to ensure that all public car parks under its control are brought up to the standards set out in the Park Mark scheme.



### 2.3 On Street Metered Parking Bays

We operate a number of on street parking bays throughout the Borough. They tend to support short stay parking near places like local shops and, as such, are normally time limited. The bays are listed in appendix E, along with the days and times when charging applied as at 31<sup>st</sup> March 2011.

### 2.4 On Street Disabled Bays

In areas of high demand, or in response to acute local need, the Council operates a number dedicated on street disabled bays within the Borough. Those which existed at 31<sup>st</sup> March 2011 are set out below in Appendix F.

These bays may only be used by vehicles which are clearly and correctly displaying a valid Blue Badge which is being used in accordance with the rules of the Blue Badge Scheme.

If the vehicle is not being driven by the badge holder, the journey must be for the badge holder's purposes (i.e. to drop the badge holder off or pick them up). It cannot, for example, be used by someone other than the badge holder to pick up a prescription or go shopping for the badge holder; they must be personally present during the journey.

Vehicles which are clearly and correctly displaying a valid Blue Badge together with a correctly set time clock are also entitled to park on double yellow lines (or single yellow lines during their hours of operation), provided that they are not causing an obstruction and that no other parking restriction prevents them from doing so. For example, blue badges cannot be used where a loading ban is in force, or in bays reserved for other types of vehicle (such as goods vehicles, residents, etc).

Fuller information on where blue badges may and may not be used is provided in the guidance booklet issued by the Government and sent out with each blue badge in Gateshead.



### 2.5 "Police Vehicles Only" Bays

These bays are in operation adjacent to the police station in Warwick Street, Gateshead, and are in operation at all times on all days. They may ONLY be used by operational police vehicles. They may not be used by people visiting the police station or working for the police, whether contractors or employees using their own vehicles.

### 2.6 Permit Parking Zones

The Council operates a number of residents' parking schemes in the Borough; these are listed at Appendix G. There is a general presumption that a vehicle legally on the road may park on any unrestricted public road, provided no obstruction is being caused. Permit parking schemes are therefore only introduced where the Council considers that there is an exceptional commuter parking issue in connection with a significant "parking generator", such as concentrations of high employment or next to the Queen Elizabeth Hospital.

When restrictions within a residents' parking zone are in force, any vehicle parking within the zone which is not exempt (such as an operational emergency services vehicle) must display a valid permit in order to park within the zone.

Failure to do so may result in the issue of a Penalty Charge Notice. Please note that blue (disabled) badges are *not* valid for use in these circumstances. The following types of permit are valid for use in residents' parking zones:

- A resident or business permit showing that it is valid for use in that zone;
- A visitor scratchcard, with the date/time correctly showing, valid in that zone;
- A red visitor disc, with the date/time correctly set, valid in that zone.

The days and times when restrictions apply can vary from zone to zone, although most of them tend to operate on weekdays between 9.00am and 6.00pm. The permit's conditions of use are set out on the application form and accompanying notes. Appendix G indicates the days and times when restrictions apply within each zone. ***Please note that restrictions apply on Bank Holiday Mondays or other public holidays, unless the signs in each zone state otherwise.***

### 3.0 PARKING ENFORCEMENT

The enforcement of parking regulations is carried out by Civil Enforcement Officers (CEOs) who are based within Facilities Management in Local Environmental Services. Key operational support to parking enforcement is provided by the service's Operations Centre at Shearlegs Road depot, which operates 24 hours, 7 days a week. This facility also offers potential for future traffic enforcement using CCTV systems.

We began 2010-11 with 12 CEOs employed by the council. At the end of the year, nine CEOs were employed by the Council.

These were directly supervised by two Senior CEOs who were in turn managed by an Operations Officer.

The Parking Services Team is jointly funded from monies generated by CPE and existing funding generated by charged off-street car parks, on-street Pay & Display and resident parking schemes.

The success of CPE depends to a very large extent on the dedication and quality of both the front line and back office staff who actually deliver the service. It is essential to give staff at all levels the skills and training to do their jobs effectively if the service is to command public confidence and respect.

Prior to commencing independent enforcement patrols, all CEOs undertake training and are required to attain the NVQ Level 2 Qualification in Parking Enforcement, or equivalent. Staff involved in back office CPE operations also complete the same course as a matter of good practice. Further training takes place on an ongoing basis as required to improve the efficiency and effectiveness of the operation and the level of service we offer to our customers and service users.

#### 3.1 Enforcement Protocol

The Council is committed to being as transparent as possible about its parking and enforcement activities, for which it is accountable. It has therefore produced the following documents which are free to read or download on the [Parking pages](#) of the Council's website.

***Gateshead Parking Strategy:*** This outlines the policy framework for the operation of CPE and sets out the role of parking in the overall transport and regeneration strategies of the Council.

**Parking Services Procedures:** This manual provides a detailed but 'user-friendly' guide describing the routine tasks the Council needs to undertake to administer all the activities associated with operating a CPE regime.

**Gateshead Enforcement Guidance:** This is a dynamic reference document, produced predominantly for the back office parking teams who deal routinely with CPE. It covers the majority of circumstances that regularly occur in letters, representations or appeals to the independent parking Adjudicator. It is not intended to be a detailed guide to processing PCNs, nor to replace knowledge of the regulations and Council's policies and practices, but to provide a reference manual for common situations that arise in letters, representations and appeals. For ease of use, categories have been listed in alphabetical order.

Gateshead Council is in regular discussion with other Local Authorities in Tyne and Wear and across the wider North East Region to try and develop regional policies with respect to how their enforcement duties are undertaken. This is intended to promote consistency of processes as well as clarity and transparency, as all councils will work to an agreed set of policy and operational guidelines. This approach will result in greater public understanding of and confidence in the enforcement processes. It will also move towards compliance with the aspirations of both the Traffic Penalty Tribunal and the Local Government Ombudsman.

**Parking Charter:** This is a public declaration setting out Gateshead Council's clear commitment to provide an effective yet safe and friendly parking service.

### 3.2 Deployment Strategy

Because Civil Parking Enforcement is primarily intended to support the authority's transport policies, strategic decisions regarding deployment are taken within the council's Transport Strategy Service, with day to day operational deployment decisions taken by line management within the Facilities Management Service. In practice, however, the services necessarily need to work closely together to maximize the effectiveness of the operation and to make the best use of limited resources.

Deployment is undertaken via shifts and "beats". A deployment strategy has been established to maximize the coverage available whilst patrolling the restrictions and parking places which are enforceable.

CEOs are on duty throughout the main controlled hours which apply in the various zones within the borough, as well as additional hours outside those normal hours as needs dictate. Whilst the Council reserves the right to undertake enforcement at all times and on all days, the routine hours of the operation as at 31<sup>st</sup> March 2011 were:

- Monday to Friday - 7:30am to 10:30pm;
- Saturday - 8.00am to 10.30pm;
- Sunday - 8.00am to 6.20pm (there is generally less need for cover after 6.00pm on Sundays because many restrictions do not apply then).

These hours of operation are monitored and adjusted as appropriate to provide an effective, proactive enforcement strategy for both on-street and off-street operations.

During the course of 2010-11, the council has continued to focus enforcement activities towards on-street contraventions as opposed to those in its car parks. This helped to reinforce our main enforcement priority of supporting the council's transport objectives.

Significant work was undertaken during the year regarding the trialling of body-worn video camera devices (or “headcams”) and these have now been rolled out for routine operational use by all CEOs. Although photographic evidence is not a legal requirement, it is desirable. The evidence they provide is very helpful both when considering individual cases and when looking at them in a wider context.

The cameras are also a very useful safety tool. The council will not tolerate abuse or violence against its staff and these cameras both have a deterrent effect and provide additional evidence for the council or the police to use if necessary.

### 3.3 Appeals process

PCNs will normally only be cancelled in response to a challenge or appeal, although some may be cancelled if the council realises straight away that they were wrongly issued. The reasons for cancelling PCNs fall into three broad categories:

- those which were incorrectly issued in the first place;
- those where evidence has come to light later that circumstances existed when the PCN was issued which were entirely beyond the driver’s control and which forced them to park where they did; or
- those where the council is satisfied, based on satisfactory evidence provided by the person making the appeal, that there were mitigating circumstances sufficient to justify the cancellation of the PCN, even though it was correctly issued

There are effectively three opportunities to challenge a PCN:

- an informal challenge, prior to the issue of a “Notice to Owner”;
- a formal challenge (or “Representations”) after the issue of a Notice to Owner;
- an appeal to the Traffic Penalty Tribunal (TPT) against a “Notice of Rejection of Representations” issued by the council.

The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 set out the grounds upon which the council must cancel a PCN where it is satisfied that one or more of the grounds applies. Where such grounds are referred to in an appeal, the council will normally require the person making the appeal to submit acceptable documentary evidence in support.

A summary of those grounds follows, but it necessarily does not contain all of the information set out in the law. For the actual legal grounds, please consult the regulations:

- The alleged contravention did not occur;
- You were not the owner of the vehicle in question at the time;
- The vehicle had been taken and parked there without your consent;
- You are a vehicle-hire firm and the hirer acknowledged liability for any Penalty Charge Notice issued during the hiring period;
- The penalty charge exceeded the amount applicable in the circumstances;
- There has been a procedural impropriety by Gateshead Council;
- The Traffic Regulation Order was invalid;
- The penalty charge due has already been paid:

In addition, the council will consider any other *compelling* reasons submitted to it in support of an appeal. Once again, however, we would normally require sight of acceptable documentary evidence in support of such reasons.

Whilst Representations to the council and Appeals to the Traffic Penalty Tribunal are statutory processes, informal challenges are not. The council introduced informal challenges to deal more speedily with PCNs which we agree were obviously incorrectly issued, or where we accept that there were circumstances entirely beyond the driver's control. However, the informal challenge process is not intended to deal with special circumstances or arguments involving mitigation; these are intended to be dealt with during formal Representations or Appeals.

By definition, CPE operates under civil law, not criminal law. Cases are therefore decided "*on the balance of probabilities*" based on the available evidence (as opposed to "beyond reasonable doubt", which is the standard of evidence in criminal cases).

In all cases where the Traffic Penalty Tribunal has ruled against the Council (and sometimes when their decisions are in our favour) a review is conducted to see what lessons can be learned from the decision. We are particularly keen to learn whether the decisions were specific to the case concerned or whether they have wider implications for the council (such as lines or signs at a particular location needing to be changed).

The Parking Adjudicators who decide appeals are qualified lawyers appointed by the Lord Chancellor and are totally independent of local authorities.

Further information about the work of the Traffic Penalty Tribunal, including the

appeals process, example cases and various reports and statistics, can be found on the Tribunal's website: [www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk).

***There are over 103km of waiting restrictions in the authority's area. On-street enforcement may take place in all areas where Traffic Regulation Orders (TROs) exist, with a particular emphasis on major transport routes.***

#### 4.0 FINANCE AND STATISTICS

The financial operation of a CPE system is broken down into two distinct elements, namely costs (expenditure) and income (revenue). The balance between these two elements indicates whether the scheme is likely to be sustainable over the longer term.

Costs are broken down into three areas:

- Capital Expenditure – Fixed elements, irrespective of their size and design. These include scheme design (Civil Enforcement Area, contractors, etc), media campaign, street works;
- Revenue Expenditure – Fixed elements, irrespective of size and design, including enforcement software maintenance, printing, tribunal costs, DVLA tracing charges;
- Revenue Expenditure – Variable elements depending on the size and design, including Notice Processing and Enforcement Officer costs.

Part 6 of the Traffic Management Act 2004 introduced Civil Parking Enforcement to create a more reasonable, transparent and proportionate system of parking enforcement. It also sets out to improve consistency across England, whilst allowing local councils which operate CPE to tailor their specific operations and policies to suit their transport policies and other local needs with that national framework.

#### 4.1 Parking Revenue Budget

The table at Appendix H is published in accordance with s.55 of the Road Traffic Regulation Act 1984 (as amended), which specifies the data which is to be provided. **The figures listed do not include “pay and display” or season ticket income from the council’s off-street car parks.**

Where parking operations covered by this legislation produce a surplus, the legislation specifies the order in which that surplus must be applied. As indicated in the table, however, there was no surplus in Gateshead during any of the three financial years listed, with the deficit being made good from the general fund.

#### 4.2 Penalty Charge Notices issued

The council issued a total of 13,784 PCN's across the Borough during the year in review, which was a reduction of 10.4% on the previous year. Of those, 8,018 (57.8%) were issued for on-street contraventions with 5,766 (42.2%) issued for off-street contraventions (a contravention is essentially the civil law equivalent of an offence).

Under national regulations, the value of a PCN is £70 (higher level) or £50 (lower level) depending on the contravention. 6,345 of our PCNs (46%) were for higher level contraventions and 7,439 (54%) for lower level ones. The regulations also provide discounts for early payments and surcharges for late payments.

Appendix A lists the meaning of each contravention code for which we issued PCNs during the year and shows whether they are higher level or lower level. It also shows the number of PCNs issued under each contravention code.

Appendix B shows the number of PCNs issued by month throughout the borough.

Appendix C shows what proportion of PCNs were paid at what stage.

#### 4.3 Challenges, Representations and Appeals

During the year, just over 5,000 pieces of written correspondence were recorded as having been received in connection with appeals against PCNs. The council endeavours to record the principal reasons for the cancellation of PCNs. This enables us to make any changes or improvements necessary to reduce the probability of the same problems occurring again.

Of the 13,784 PCNs issued in 2010-11, 15.0% were cancelled, compared with 16.7% cancelled the previous year. By far the largest number of cancellations (626) was because a valid Pay & Display ticket was subsequently produced where none was clearly visible in the vehicle at the time. 334 PCNs were cancelled because a disabled badge was produced which was not clearly visible at the time.

The number of cases cancelled for discretionary reasons, perhaps because evidence was subsequently produced showing there were mitigating circumstances, was 484.

By contrast, 176 PCNs were cancelled because of faulty Pay & Display machines in our car parks and 128 PCNs were cancelled because of errors on the part of the council.

The number of appeals submitted to the Traffic Penalty Tribunal during the year was 63, which represents 0.46% of all PCNs. The council decided not to contest 15 of those appeals because further evidence had come to light since the Representations were considered. Of the remaining 48 cases, 12 were allowed by the Tribunal, 33 were rejected, 1 was resolved by consent of both parties and 2 are still awaiting decision.

## Appendix A – Number of PCNs issued by type and reason

**Note:** Codes 01 to 49, as well as 99, relate to **on-street** contraventions. Codes 81 to 95 relate to **off-street** contraventions. The descriptions are for ease of reference and may not be the same as the formal definition.

### HIGHER LEVEL PCNs (£70)

01	Double or single yellow lines	2531
02	Loading ban	152
12	Resident or shared place, no permit	1303
23	Wrong class of vehicle	565
25	In a loading bay, no loading observed	16
26	Parked more than 50cm from kerb	24
27	Parked next to a dropped footway	534
40	In disabled bay, no blue badge visible	387
42	Parked in police bay	38
47	Stopped in a bus stop	174
48	Stopped on school clear markings	17
81	Parked in a restricted area	63
85	Parked in a permit bay	130
87	In disabled bay, no blue badge visible	320
91	Wrong class of vehicle	68
99	Parked on a pedestrian crossing	23

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**6345**  
**46.0%**

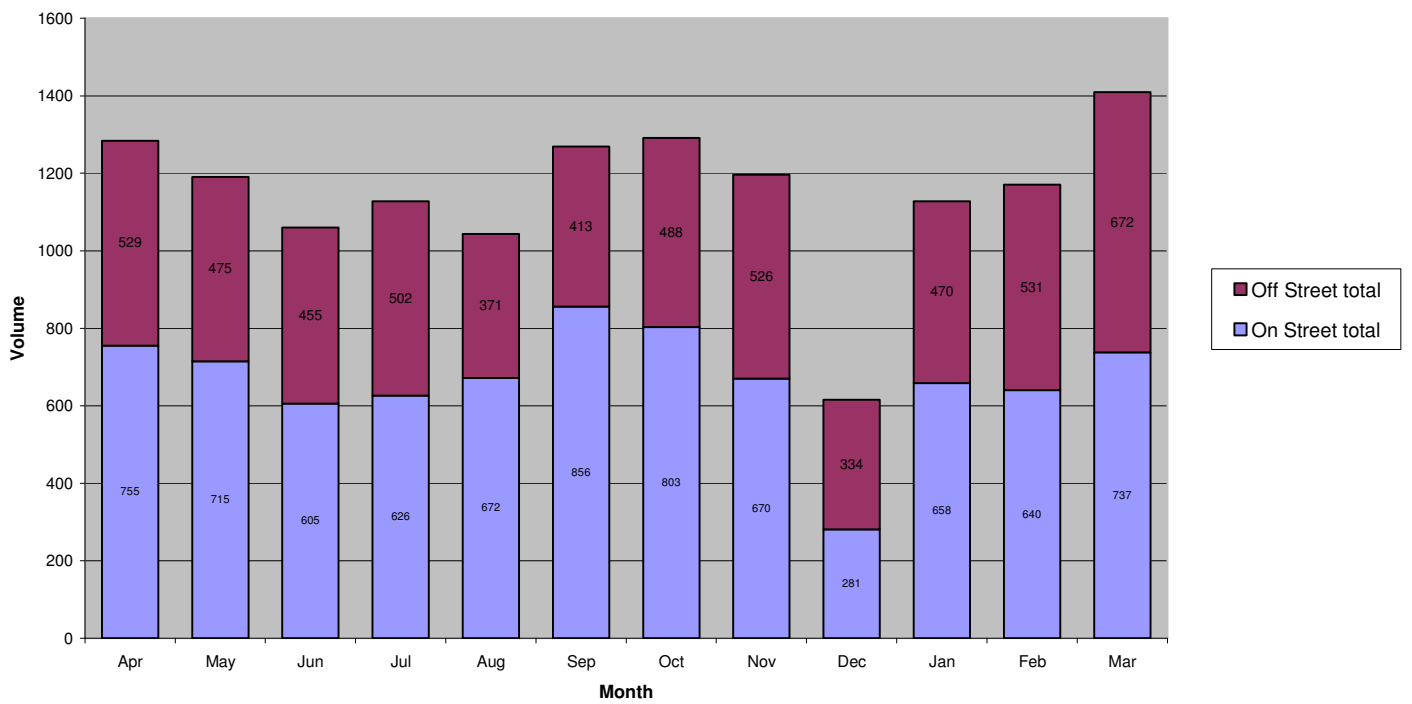
### LOWER LEVEL PCNs (£50)

05	Pay & Display ticket expired	623
06	No valid Pay & Display ticket	1145
19	Invalid permit displayed	107
21	Parked in suspended bay	1
22	Returning before the time allowed	24
24	Incorrectly parked	72
30	Parked for longer than allowed	282
82	Overstaying Pay & Display ticket	2129
83	No valid Pay & Display ticket	2289
86	Not parked within marked bay	762
93	Parked in car park when closed	3
95	In space designated for other vehicles	2

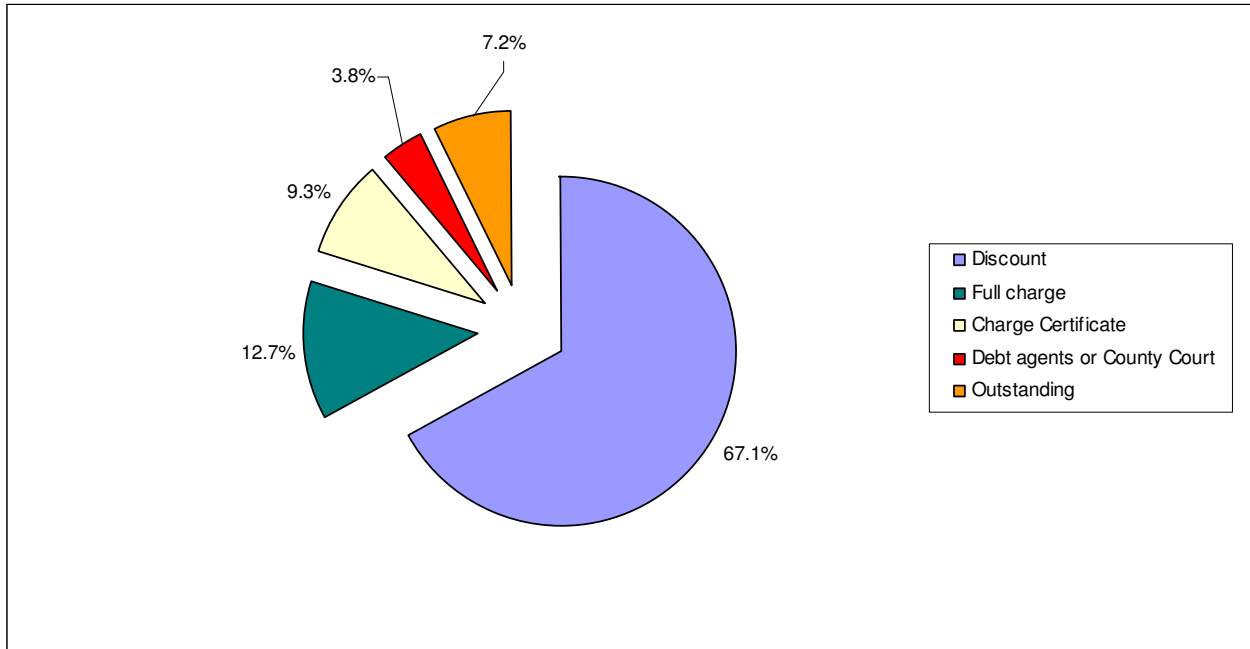
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**7439**  
**54.0%**

## Appendix B – Number of PCNs issued by month



## Appendix C – Proportion of PCNs paid at each payment stage



*NB: The figures in this chart represent the position when this report was prepared. Accordingly, a number of PCNs recently issued will not be overdue for payment and are included within the "outstanding" figure.*

## Appendix D – Table of Off Street Car Parks

Car Park	Charging /Parking Information	Annual permits available?	Car park has marked bays?	Designated bays in this car park
Back Durham Road, Birtley	FREE	×	✓	Disabled bays
Back Harraton Terrace, Birtley	FREE	×	×	NONE
Back High Street / Back Jackson Street, Gateshead	Permit Holders Only 8.00am-6.00pm	✓	✓	NONE
Back Walker Terrace/Regent Street	Permit Holders Only 8:00am to 6:00pm, Monday to Friday Charges apply on Sat & Sun	✓	✓	NONE
BALTIC Car Park, (managed by BALTIC but enforced by Gateshead Council)	Charges apply on all days between 8.00am-9.00pm. Maximum stay: 4 hours.	×	✓	Disabled bays
Blaydon Shopping Precinct, Blaydon	FREE	×	✓	Disabled bays
Charles Street, Gateshead	Charges apply on all days between 8.00am-6.00pm	×	✓	NONE
Church Street, Gateshead	Charges apply on all days between 8.00am-9.00pm.	✓	✓	Disabled & Motorcycle bays
Claremont Street Gateshead	FREE	×	✓	NONE
Coach Park, Gateshead	Charges apply on all days between 8.00am-9.00pm	×	✓	Only Coaches may use this coach park
Cromwell Place, Winlaton	FREE	×	×	NONE
Cross Keys Lane, Low Fell	FREE	×	✓	Disabled bays
Felling Metro, Felling	Charges apply on all days between 7.00am-8.00pm	×	✓	Disabled bays
Felling Shopping Precinct, Victoria Square, Felling	FREE	×	✓	Disabled bays
Fewster Square, Meresyde, Leam Lane	FREE	×	✓	Disabled bays
Fewster Square, Whinbrooke, Leam Lane	FREE	×	✓	Disabled bays
Garden Street, Gateshead	Charges apply on all days between 8.00am-9.00pm	✓	✓	Disabled bays

Gateshead Leisure Centre, Gateshead	FREE	×	✓	Disabled bays
Heworth North	Charges apply on all days between 7.00am-8.00pm.	✓	✓	Disabled bays
Heworth South	Charges apply on all days between 7.00am-8.00pm.	×	✓	Disabled bays
High Street, Felling	FREE	×	×	NONE
Lowrey's Lane, Low Fell	FREE	×	✓	Disabled bays
Mill Road, Gateshead	Charges apply on all days between 8.00am-11.00pm.	✓	✓	Disabled bays
Pipewellgate, Gateshead	Charges apply on all days between 8.00am-9.00pm.	✓	✓	Disabled bays
Prince Consort Road	FREE	×	✓	Disabled & Motorcycle bays
Ravensworth Road	FREE	×	✓	NONE
Regent Court	Charges apply on all days between 8.00am-6.00pm.	✓	✓	Disabled bays
Ryton RFC	FREE	×	✓	NONE
South Shore Road	Charges apply on all days between 8.00am-9.00pm.	✓	✓	Disabled & Motorcycle bays
Sunderland Road (Peartree)	FREE	×	×	NONE
Sunderland Road (Tynegate)	FREE	×	✓	NONE
Swalwell Bank	FREE	×	×	NONE
Swinburne Street	Charges apply on all days between 8.00am-6.00pm.	✓	✓	Disabled bays
Town Hall	Charges apply on all days between 8.00am-6.00pm.	✓	✓	Disabled bays
Whickham Shopping Precinct (East)	FREE	×	✓	Disabled & Motorcycle bays
Whickham Shopping Precinct (West)	FREE	×	✓	NONE
Winlaton Central Area	FREE	×	✓	NONE
Wrekenton Centre	FREE	×	✓	Disabled bays

*Please note that the terms and conditions applicable in each car park (including charging rates and time limits) do change from time to time. In the event of a conflict between the information contained above and that published at each location, **the terms and conditions shown on the car park tariff/notice board at the time of parking shall prevail.***

## Appendix E – On Street Metered Bays

Location of Metered Parking Bay	Day(s) & Time(s) of Operation
Bensham Road, Gateshead	Monday to Saturday between 9.00am & 5.00pm
Church Street, Gateshead	All days between 8.00am & 9.00pm
Ely Street, Gateshead	Monday to Friday between 8.00am & 6.00pm
High Street, Gateshead	All days between 8.00am & 6.00pm
Hopper Street, Gateshead	Monday to Saturday between 8.00am & 6.00pm
Half Moon Lane/Hudson Street, Gateshead	Monday to Friday between 8.00am & 6.00pm
Lambton Street, Gateshead	All days between 8.00am & 6.00pm
Mulgrave Terrace, Gateshead	Monday to Friday between 8.30am & 5.30pm
Nelson Street, Gateshead	All days between 8.00am & 6.00pm
Peterborough Close, Gateshead	Monday to Friday between 8.00am & 6.00pm
Queen Elizabeth Avenue, Windy Nook	Monday to Friday between 9.00am & 6.00pm
Swinburne Place, Gateshead	All days between 8.00am & 6.00pm
Swinburne Street, Gateshead	All days between 8.00am & 6.00pm
Walker Terrace, Gateshead	All days between 8.00am & 6.00pm
Warwick Street, Gateshead	All days between 8.00am & 6.00pm
Wellington Street, Gateshead	Monday to Friday between 9.00am & 6.00pm
Worcester Green, Gateshead	Monday to Friday between 8.00am & 6.00pm

*Please note that the terms and conditions of parking applicable at each of the above locations (including charging rates and time limits) do change from time to time. In the event of any conflict between the information contained above and that published at each location, **the terms and conditions shown on signs at the parking bays at the time of parking shall prevail.***

## Appendix F – On Street Disabled Bays

Unless otherwise indicated, all of the bays listed below are operational every day of the year for 24 hours a day. *Vehicles which use these bays without clearly and correctly displaying a valid blue badge may be issued with a Penalty Charge Notice.*

Durham Road, Low Fell	
Bensham Court, Bensham	
Elgin Road, Carr Hill	
Front Street, Whickham	These bays operate every day between 10.00am and 4.30pm
Galloping Green Road, Wrekenton	
Gladstone Terrace, Gateshead	
Jackson Street, Gateshead	
Longrigg Lane, Leam Lane	
Prince Consort Road, Gateshead	
Saltwell Road South, Saltwell	
Service areas to the west of Leam Lane	
South Shore Road, Gateshead	
St Mary's Square, Gateshead (loop road)	
Sunderland Road, Gateshead	
Stirling Lane, Rowlands Gill	
Worcester Green, Gateshead (access road)	

## Appendix G – Permit Parking Zones

Permit Parking Zone	Hours of Operation	Street(s) (or part of) included in the scheme
Zone 'A'	All days, all times	<ul style="list-style-type: none"> <li>• Church Chare, Wickham</li> </ul>
Zone 'B'	All days, all times	<ul style="list-style-type: none"> <li>• Duckpool Lane</li> </ul>
Zone 'C'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Charnwood Gardens</li> <li>• Windy Nook Road</li> <li>• Queen Elizabeth Avenue</li> <li>• Southend Road</li> <li>• Southend Terrace</li> <li>• Bywell Gardens</li> <li>• Causeway</li> <li>• Aged Minors Cottages</li> <li>• Leeming Gardens</li> <li>• Hilltop Avenue</li> </ul>
Zone 'D'	Monday to Friday 9.00am – 10.00am AND 2.00pm – 3.00pm	<ul style="list-style-type: none"> <li>• Bewick Road (West)</li> </ul>
Zone 'E'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Coburg Street</li> </ul>
Zone 'F'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Denmark Street</li> </ul>
Zone 'G'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Outside of 26 Denmark Street <b>ONLY</b>. There is only <b>one</b> permit issued for this zone.</li> </ul>
Zone 'H'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Ely Street</li> </ul>
Zone 'J'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Worcester Green</li> <li>• Peterborough Close</li> <li>• Chichester Close</li> <li>• Havelock Terrace</li> <li>• Alexandra Road</li> <li>• Claremont North Avenue</li> <li>• Affleck Street</li> </ul>
Zone 'K'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Alexandra Road</li> <li>• St Albans Terrace</li> </ul>
Zone 'L'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Villa Place</li> </ul>
Zone 'M'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Low Heworth Lane</li> <li>• Netherfarm Road</li> </ul>

Zone 'N'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Ridley Terrace</li> <li>• Stowell Terrace</li> <li>• The Bungalows</li> <li>• St Mary's Terrace</li> </ul>
Zone 'O'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Sunderland Road Villas</li> <li>• Vicarage Court</li> </ul>
Zone 'P'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• The Drive, Heworth</li> </ul>
Zone 'Q'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Kirkwood Gardens</li> <li>• Keir Hardie Avenue</li> <li>• Broadoak</li> </ul>
Zone 'R'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Clement Street</li> <li>• Ainthorpe Gardens</li> </ul>
Zone 'S'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Croxdale Terrace</li> <li>• Fisherwell Road</li> </ul>
Zone 'T'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Stephenson Terrace</li> </ul>
Zone 'U'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Beaconsfield Road</li> </ul>
Zone 'V'	Monday to Saturday 9.00am – 5.00pm	<ul style="list-style-type: none"> <li>• Bensham Road</li> <li>• Mulgrave Villas</li> </ul>
Zone 'W'	Monday to Saturday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• School Lane, Whickham</li> </ul>
Zone 'X'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Kells Lane</li> </ul>
Zone 'Y'	Monday to Friday 9.00am – 6.00pm	<ul style="list-style-type: none"> <li>• Bewick Road (East)</li> </ul>
Zone 'D1'	All days, all times	<ul style="list-style-type: none"> <li>• Outside of back 5 Tyndal Gardens <b>ONLY</b>. There is only <b>one</b> permit issued for this zone.</li> </ul>
Zone 'D2'	All days, all times	<ul style="list-style-type: none"> <li>• Outside of 118 Bewick Road <b>ONLY</b>. There is only <b>one</b> permit issued for this zone.</li> </ul>

*The above list contains details of the schemes in existence at 31<sup>st</sup> March 2011. However, zones may be created or amended in the future in accordance with the council's parking strategy and changing circumstances and demand. **Motorists should note that the above parking restrictions apply on public holidays unless signs at the location indicate otherwise.***

## Appendix H – Borough of Gateshead Parking Account

pursuant to s.55 Road Traffic Regulation Act 1984 (as amended)

	2008/09	2009/10	2010/11
	Actual	Actual	Actual
	£	£	£
<b><u>Income</u></b>			
Penalty Charges (On-street)	267,236	256,260	247,566
Penalty Charges (Off-street)	132,721	130,106	139,911
Pay & Display / Meters (On-street)	72,486	92,178	124,344
Residents' & Visitors' Permits	25,675	28,447	25,903
Other non-PCN income	0	0	0
Total Income	<u>498,118</u>	<u>506,991</u>	<u>537,724</u>
<b><u>Expenditure</u></b>			
Traffic Penalty Tribunal	8,695	11,414	8,188
TEC (Northampton County Court)	0	0	5,000
CPE Salary Costs	460,094	469,547	406,963
CEO uniforms and equipment	12,364	26,616	13,683
Transport	21,350	16,524	16,294
Security/Cash collection (contractor)	85,716	73,308	82,825
Consultants' fees	0	1,276	7,625
DVLA fees	685	1,172	709
Total expenditure	<u>588,904</u>	<u>599,857</u>	<u>541,287</u>
<b>Surplus / (Deficit)</b>	<u><u>(90,786)</u></u>	<u><u>(92,866)</u></u>	<u><u>(3,563)</u></u>

(includes NHS contribution)

E&OE