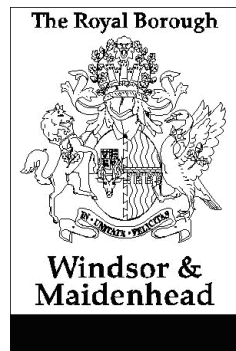


Report for: ACTION



Contains Confidential or Exempt Information	NO - Part I
Title	Parking Penalty Discount Pilot
Responsible Officer(s)	Simon Fletcher Director of Operations and Customer Service
Contact officer, job title and phone number	Jacqui Hurd, Head of Customer Service 01628 683969
Member reporting	Councillor Geoff Hill and Councillor Carwyn Cox
For Consideration By	Cabinet
Date to be Considered	25 February 2016
Implementation Date if Not Called In	Immediately
Affected Wards	All

REPORT SUMMARY

1. This reports sets out a proposal for the Royal Borough of Windsor and Maidenhead to work in partnership with the Department for Transport to conduct a 12 month pilot to assess the potential impacts on parking appeal levels.
2. The pilot introduces a 25% discount to motorists who lose an appeal at tribunal on a trial basis, as recommended by the Transport Select Committee.
3. The council seeks to ensure there is a robust and fair regime for parking enforcement for residents and visitors. This proposal maximises and incentivises the opportunity for people with credible cases to challenge their PCN improving access to justice.

If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit	Dates by which residents can expect to notice a difference
1. Greater accessibility to justice within the parking appeals process.	31 August 2016
2. Less of a financial burden on vehicle owners should their final appeal be unsuccessful.	31 August 2016
3. Increased Customer satisfaction linked to increased	31 March 2017

confidence to pursue credible appeal cases.	
4. The pilot will inform future local authority parking enforcement.	31 March 2017

1. DETAILS OF RECOMMENDATIONS

RECOMMENDATION: That Cabinet:

- i. Approves a 12 month pilot, with The Department for Transport (DfT), to assess the impact of introducing a 25% discount to motorists who lose an appeal at tribunal on a trial basis.
- ii. Agrees that the cost of the pilot will be shared on a 50:50 basis with the DfT, estimated to be £3,140 per partner.

2. REASON FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Background

- 2.1 The Department of Transport has advised that Ministers think that the current decriminalised parking process in the UK does not encourage those who have a credible case for a Penalty Charge Notice (PCN) being rescinded to utilise the full extent of the appeal process.
- 2.2 There are currently three appeal opportunities, see table 1 and Appendix 1 for a diagrammatic flow for the challenge and appeal process.

Table 1: Appeal opportunities

1) Informal challenge	This is made to the issuing authority. If the appeal is rejected at this stage the issuing authority usually allows a further 14 days to pay at the discounted rate. After this time the PCN increases.
2) Formal challenge	This can be made to the issuing authority if an informal challenge is rejected and once a Notice to Owner (NTO) has been issued to the vehicle owner. The appeal case would be considered by a different council officer to that of the informal challenge.
3) Traffic Penalty Tribunal (TPT)	Vehicle owners have 28 days to appeal to the independent adjudicator (TPT) if their formal challenge is rejected by the issuing authority. The case will be heard at a hearing either by e-hearing, in person or via telephone conference. If the case is rejected the penalty stands at the full charge and the vehicle owner has 28 days to settle the charge. If payment is not received after 28 days a charge certificate is issued and the charge is further increased by 50%. If the debt is not settled within 14 days the issuing authority will pursue the debt through the court.

- 2.3 The PCN's issued by the Royal Borough of Windsor and Maidenhead are £50 or £70 depending on the contravention. The discounted rate for both is 50%, £25 and £35 respectively if paid within 14 days.

- 2.4 Ministers believe that motorists may choose to take advantage of the initial discounted rate and are deterred from making a challenge or appeal of the PCN when they may have legitimate reasons.
- 2.5 By paying early and promptly means there is no risk of the Penalty Charge Notice amount being increased to a higher rate which is currently the case by the time the Traffic Parking Tribunal considers the PCN.
- 2.6 The Government launched a consultation paper on Local Authority parking enforcement on 6 December 2013. The consultation closed on 14 February 2014 with the results being published in June 2014, see Appendix 2 for a summary of the response to the consultation.
- 2.7 There were ten questions and 836 responses received from a mixture of individuals and organisations, including the Motoring Organisations and the TPT. Question 5 was “Do you think motorists who lose an appeal at a parking tribunal should be offered a 25% discount for prompt payment”. The response to the question was that over half of the individuals who responded were in support of the proposal. However 75% of organisations who responded disagreed with this proposal mainly due to concerns that a higher number of spurious appeals would be submitted, see table 2

Table 2 shows the response totals to question 5

Table 2	Total responses	Yes	No
Individual	406	55%	45%
Organisation	264	25%	75%

- 2.8 The Transport Select Committee recommended that the Government should conduct a pilot of this proposal with a local authority to assess the impacts on appeal levels. It is hoped that this arrangement will give those that have a potential credible appeal claim a greater degree of confidence and determination to use the full extent of the appeal process.
- 2.9 In August 2015 Andrew Jones MP, Under Secretary of State for Transport contacted the Leader of the Council inviting the Royal Borough to be the partner Local Authority to pilot the scheme. The Royal Borough of Windsor and Maidenhead will be the only council to pilot the scheme as the Department for Transport are only seeking one partner at this stage.

The Pilot - What would it offer?

- 2.10 Vehicle owners who pursue a PCN appeal through to the TPT following the rejection of an informal and formal challenge to the issuing authority would be offered a 25% discount off the full charge amount if their final appeal is unsuccessful. At this stage depending on the parking infringement the PCN's will either be £50 or £70 at full charge. This would represent a discount of either £12.50 or £17.50 respectively.
- 2.11 The discount would be offered for a seven day period and the charge would revert to full price again if payment is not received within that period.
- 2.12 It is anticipated that payments may be made more quickly than current practice at this stage as vehicle owners will have a discounted window of opportunity should their appeal be unsuccessful.

How would the pilot work?

- 2.13 The pilot will be operated for a 12 month period in order to allow a representative sample of cases to run through the process.
- 2.14 It is suggested that PCN's issued during the first nine months of the pilot period qualify for the 25% discount should they be unsuccessful at TPT. The final quarter of the pilot will allow the cases to go through the full appeal process. In addition the final analysis will be undertaken and findings report prepared opposed to adding further time beyond twelve months.

The impact

- 2.15 The latest statistics from the Traffic Penalty Tribunal are 2013/14 figures. Table 3 sets out the data on appeals submitted to the TPT and the number rejected at appeals stage, for RBWM and surrounding areas.

Authority	No. Appeals to TPT	No. Appeals Rejected	% Rejected
RBWM	154	77	50
Slough	188	70	37
Reading	337	87	26
Bracknell	11	3	27
West Berks	19	5	26
Bucks C. C.	145	56	39

- 2.16 Concerns were raised during the consultation that the discount will lead to an increase in spurious appeals. As a result, in calculating the estimated costs and impact of the pilot, it has been assumed there will be 100% uplift of cases rejected by the TPT taking the cases rejected to 154 for 2016/17 for 12 month period, (Pro-rotta for nine months is 116 cases). This assumption has been made as there is no information to provide a meaningful benchmark other than the number of cases that are submitted to the TPT currently. The worse case scenario has been accounted for.
- 2.17 The council will need to print new PCN tickets with details on the rear of the discount applicable during the pilot period. For the PCN's issued during the first nine months there will be a financial cost of £2,250 and the Royal Borough's share will be £1,125. This is based on the current volume of PCN's issued.
- 2.18 The council will need to make changes to the software used to administer parking PCN's. There will be a financial cost to this estimated at £2,000 and the council's share will be £1,000. This is based on two days software configuration.
- 2.19 The council will lose 25% of the income collected related to appeal cases that are rejected by the TPT. However, payments received after the TPT decision may be received quicker within the discounted seven day period reducing the amount of cases that are sent to collection agents. There maybe a marginal efficiency saving for the council as a result.
- 2.20 It is agreed with the Department of Transport that they will share the cost of the pilot 50:50 associated to the set up, printing and lost income. If 116 cases, as

assumed in 2.16, are rejected at TPT the lost income for the pilot would range from £1,450 (at £12.50 per case) to £2,030 (at £17.50 per case), see Table 4.

Table 4 Estimated Pilot Costs	
Staffing time for 12 months*	£6,375
Costs to be shared 50:50 with DfT	
Stationery (PCN Rolls)**	£2,250
Software configuration***	£2,000
Lost Income (at £17.50 per case)****	£2,030
Total	£6,280
RBWM 50% Share	£3,140

*The work associated with this pilot for 12 months will be assumed within existing resource.

**Based on the current annual amounts for PCN stationery supply (nine months pro-rotta).

***Based on two days configuration

****Based on 116 appeals being rejected at TPT during the pilot

2.21 However, the expectation is that the council will absorb any staffing costs.

Option	Comments
1. Cabinet agree to the implementation of the pilot proposal Recommended option	This proposal maximises and incentivises the opportunity for the Royal Borough of Windsor and Maidenhead's residents and visitors with credible cases to challenge their PCN improving their access to justice.
2. Cabinet does not agree to the pilot Not the recommended option	Residents and visitors will not have greater accessibility to justice.

3 KEY IMPLICATIONS

3.1 As this is a pilot the figures are estimated. After 3, 6, 9 months the implications will be evaluated and monitored to check validity and ensure future viability.

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
Percentage increase of cases submitted to TPT for consideration	0%	1-5%	6-10%	11-15%	31 March 2017
Percentage decrease in parking related complaints	0%	1-5%	6-10%	11-15%	31 March 2017
Percentage increase of PCN's paid	0%	1-5%	6-10%	11-15%	31 March 2017

Defined Outcomes	Unmet	Met	Exceeded	Significantly Exceeded	Date they should be delivered by
within 7 days of TPT decision					

4. FINANCIAL DETAILS

Financial impact on the budget

- 4.1 The potential impact on the 2016/17 budget is the cost of set up of pilot, and the potential loss of revenue. The estimated total maximum set up costs are £4,250 with the estimated loss of income being £2,030
- 4.2 The DfT will share these costs 50:50. The council share will be £3,140. Costs will be met from within the existing service budget.

	2015/16	2016/17	2017/18
	Revenue £000	Revenue £000	Revenue £000
Addition	£0	£0	£0
Reduction	£0	£0	£0

	2015/16	2016/17	2017/18
	Capital £000	Capital £000	Capital £000
Addition	£0	£0	£0
Reduction	£0	£0	£0

5. LEGAL IMPLICATIONS

- 5.1 This proposal will be implemented in line with the appropriate legislation requirements and processes.

6. VALUE FOR MONEY

- 6.1 The cost of implementing this pilot is hoped to be offset by a reduction in costs associated with debt recovery that cases that have been rejected at TPT. This pilot does provide greater value to residents and visitors as it provides greater access to justice and greater customer satisfaction.

7. SUSTAINABILITY IMPACT APPRAISAL

- 7.1 None.

8. RISK MANAGEMENT

- 8.1 The risks identified are related to the unknown increase in volume of cases appealing to the TPT.

Risks	Uncontrolled Risk	Controls	Controlled Risk
Estimated loss of income	Medium	Monitor closely the impact of pilot. The DfT are sharing the loss 50:50 to reduce the impact	Low
Administration Impact of increased number of cases being submitted to TPT	Low	Close monitoring will allow resources to be	Low
Negative impact on reputation and relationship with TPT due to increase cases submitted	Medium	Communication plan and proactive and early involvement of TPT	Low

9. LINKS TO STRATEGIC OBJECTIVES

9.1 The recommendations of this report support the following Strategic Objectives:

Residents First

- Improve the Environment, Economy and Transport

Delivering Together

- Enhanced Customer Services
- Strengthen Partnerships

10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION

10.1 There is no impact on equalities

11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS

11.1 None

12. PROPERTY AND ASSETS

12.1 The adoption of this pilot will not require any material physical modifications to Council property.

13. ANY OTHER IMPLICATIONS

13.1 There will be change in process that will require clear communication

14. CONSULTATION

14.1 The report will be considered by Highways Transport and Environment Overview and Scrutiny Panel on 24 February 2016 comments will be made available to cabinet for consideration.

15. TIMETABLE FOR IMPLEMENTATION

15.1 To show the stages and deadlines for implementing the recommendations

Date	Details
25 February 2016	Cabinet agreement
3 March 2016	Call in period (1 week)
25 March 2016	Ticket Printing
31 March 2016	Implementation and set up
31 March 2016	Communication and training
1 April 2016	Provisional Go live

16. APPENDICES

Appendix 1: Diagrammatic flow for the parking challenge and appeal process

Appendix 2: Response to Department for Transport consultation on local authority parking

17. BACKGROUND INFORMATION

17.1 <http://www.publications.parliament.uk/pa/cm201314/cmselect/cmtran/118/118.pdf>

18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
Internal				
Cllr Burbage	Leader of the Council	27/01/16	02/02/16	No comments
Cllr Cox	Lead Member for Environmental Services	26/01/16	27/01/16	Throughout
Cllr Hill	Lead Member for Customer and Business Services	26/01/16	27/01/16	No Comments
Alison Alexander	Managing Director	27/01/16	31/1/16	Throughout

Simon Fletcher	Strategic Director	20/01/16	22/01/16	No Comments
Michael Llewellyn	Cabinet Policy Assistant	26/01/16	27/01/16	Throughout
Mark Lampard	Finance Partner	26/01/16	02/02/16	4.1 and 4.2
Terry Baldwin	Head of HR	27/01/16	02/02/16	No Comments

REPORT HISTORY

Decision type:	Urgency item?
Key Decision	No

Full name of report author	Job title	Full contact no:
Jacqui Hurd	Head of Customer Services	01628 683969

The Parking Penalty Enforcement Process

Step 1

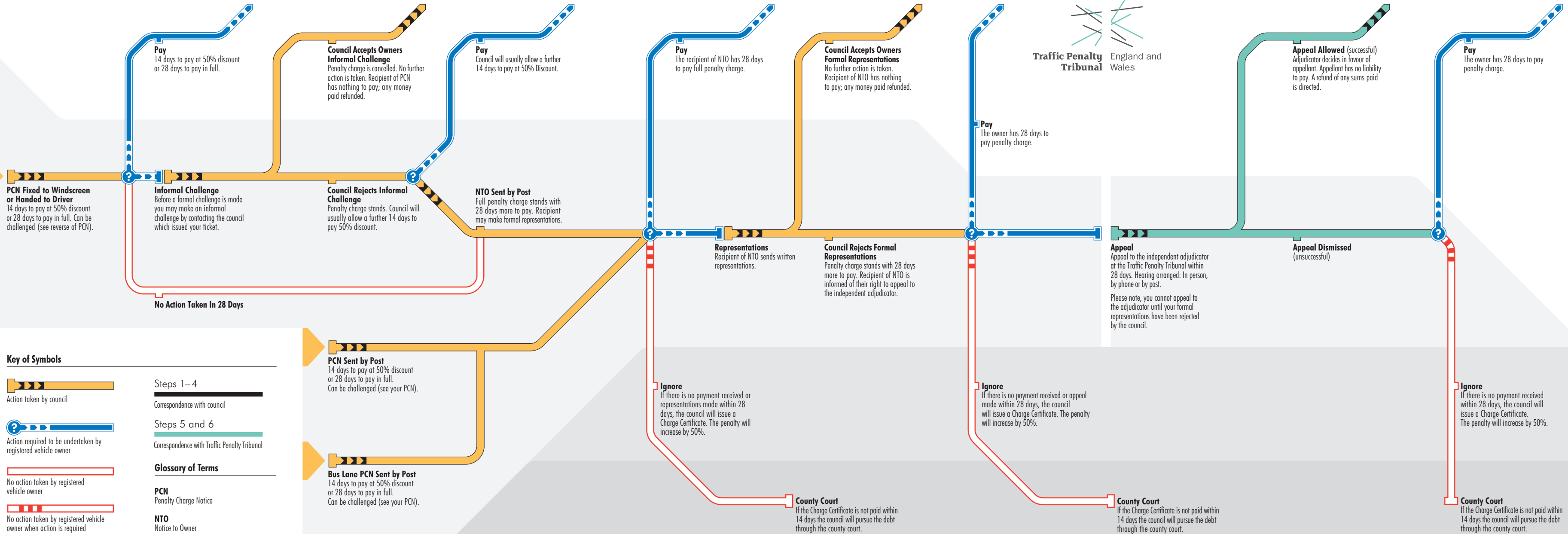
Step 2

Step 3

Step 4

Step 5

Step 6



Key of Symbols



Action taken by council



Action required to be undertaken by registered vehicle owner



No action taken by registered vehicle owner



No action taken by registered vehicle owner when action is required

Steps 1–4

Correspondence with council

Steps 5 and 6

Correspondence with Traffic Penalty Tribunal

Glossary of Terms

PCN
Penalty Charge Notice

NTO
Notice to Owner



HM Government

Response to consultation on local authority parking

June 2014

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Department for Transport
Great Minster House
33 Horseferry Road
London SW1P 4DR
Telephone 0300 330 3000
Website www.gov.uk/dft
General enquiries <https://forms.dft.gov.uk>

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2. Overview of respondents.....	5
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1. Introduction and purpose

The Government launched a consultation paper on local authority parking enforcement on 6 December 2013. The consultation closed on 14 February 2014. The purpose of this document is to report on the feedback received during the consultation period. This document also includes a breakdown of who responded to the consultation together with an analysis of their responses to the consultation questions.

The consultation asked a number of questions and invited views on a number of aspects of local authority parking enforcement. These were:

- Do you consider local authority parking is being applied fairly and reasonably in your area?
- What are your views on Government proposals to ban CCTV cameras for parking enforcement?
- Do you think the Traffic Adjudicators should have wider powers to allow appeals?
- Do you agree that guidance should be updated to make clear in what circumstances adjudicators may award costs? If so, what should those circumstances be?
- Do you think motorists who lose an appeal at a parking tribunal should be offered a 25% discount for prompt payment?
- Do you think local residents and firms should be able to require councils to review yellow lines, parking provision, charges etc in their area? If so, what should the reviews cover and what should be the threshold for triggering a review?
- Do you think that authorities should be required by regulation to allow a grace period at the end of paid-for parking?
- Do you think a grace period should be offered more widely - for example a grace period for over-staying in free parking bays, at the start of pay and display parking and paid for parking bays, and in areas where there are traffic restrictions (such as loading restrictions, or single yellow lines)?
- If allowed, how long do you think a grace period should be?
- Do you think the Government should be considering any further measures to tackle genuinely anti-social parking or driving? If so, what?

2. Overview of respondents

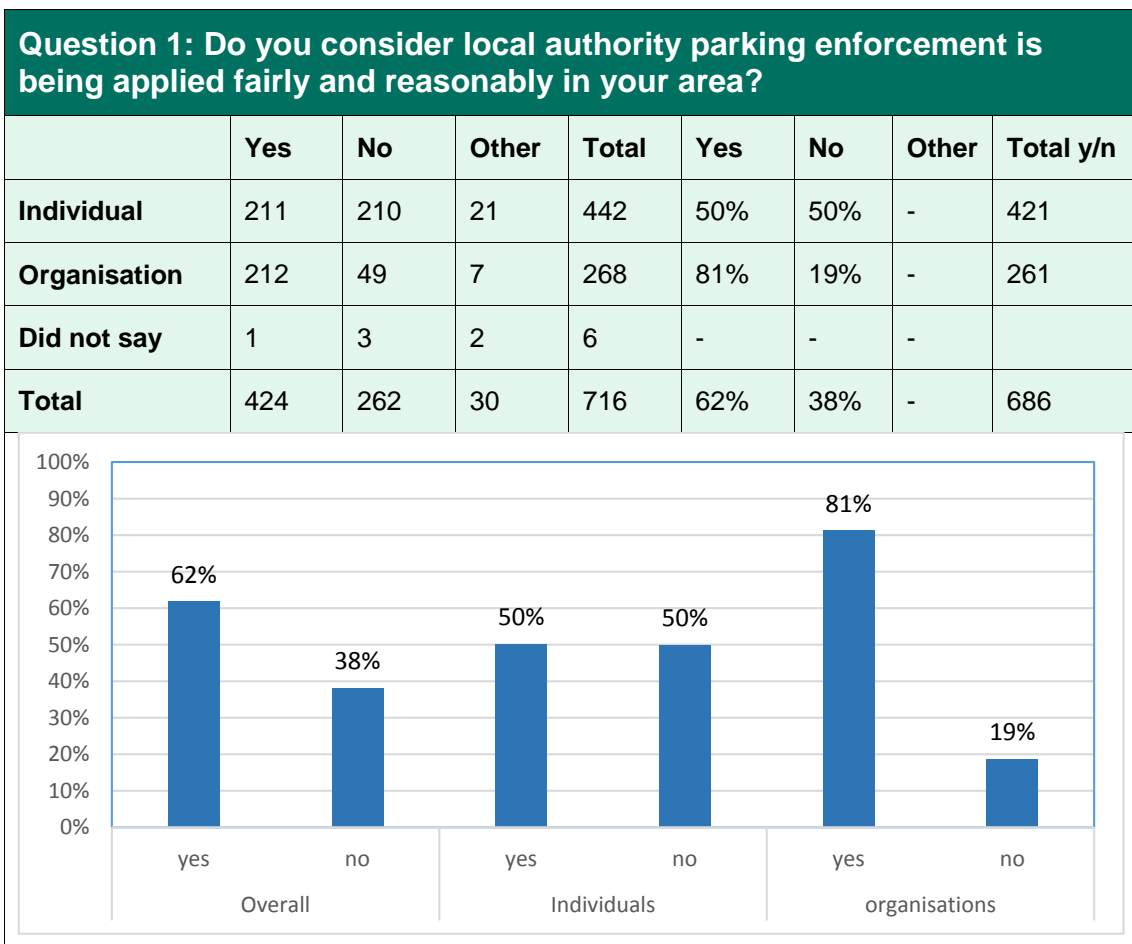
A total of 836 responses were received to the consultation. Responses were received via letter, email and through an online response form. The consultation also asked whether respondents were responding on behalf of an organisation or as an individual, to which 805 respondents gave an answer.

In total 481 responses (58%) were from individuals, 324 (39%) were from organisations, and 21 (3%) did not say.

3. Analysis of responses

The charts which follow summarise the consultation responses. Many respondents did not answer all the questions, did not enter a response or did not make the view explicit in their response.

The tables show all the responses that were received. The first four columns include all the results, whereas the percentages are calculated only from those who gave a "yes" or "no" answer. For example, in the first table 442 individuals responded to the question, of which 421 gave a yes/no answer. The percentages are calculated from the yes/no answers, so for "yes" answers Individual is calculated as $211/421=50\%$, Organisation as $212/261=81\%$ and Overall as $424/686=62\%$, and so on. This method is used in all the tables, and the percentages are shown in the charts in this document.



- The majority of respondents considered that local authority parking enforcement is applied fairly and reasonably. However this response varied considerably between organisations and individuals.

- For individuals half agree or disagree that enforcement is applied fairly and reasonably
- For organisations, the numbers agreeing that parking is applied fairly and reasonably are much higher, at 81%. Many of the organisational responses were from local authorities.

Government Position

The Government will amend guidance to make it clear that motorists parking at an out-of-order meter should not be issued a penalty charge where there are no alternative ways to pay.

Question 2: The Government intends to abolish the use of CCTV cameras for parking enforcement. Do you have any views or comments on this proposal?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
Individual	378	26	14	418	94%	6%	-	404
Organisation	264	22	5	291	92%	8%	-	286
Did not say	2	3	0	5	-	-	-	
Total	644	51	19	714	93%	7%	-	695

Whilst many respondents said that they had a view, not all choose to express their view in the consultation. The views and comments from those who did express their view were considered to see if the respondent supported the proposal to abolish the use of CCTV cameras for parking enforcement or not.

How different groups responded to the proposal to ban CCTV enforcement of parking

Local authorities – generally opposed an outright ban on cameras. Although many local authorities do not use CCTV for parking enforcement they tended to consider that it should be available as a tool, if required. Those that used it, for example in urban areas, considered that it was a necessary and efficient means of ensuring that road safety issues (e.g. around schools) and traffic congestion (e.g. bus lanes, access to hospitals) were adequately managed as part of the statutory network management duty.

Cycling groups – generally did not support a ban. They reported problems where vehicles are parked inconsiderately and in contravention of the regulations, making cycle and pedestrian journeys not just inconvenient but more dangerous. They thought that CCTV should be used if appropriate and that it would continue to be an important tool in the reduction of rogue parking.

Disabled Groups – generally did not support a camera ban. They would welcome visible blue badge parking enforcement but saw CCTV as a vital tool to help improve road safety, especially outside schools and at bus stops.

Transport Groups – commented that they regarded CCTV as an effective deterrent, without which school ziz-zag markings would be difficult to enforce. They also said that some areas can become "no go" areas for Civil Enforcement Officers because of the risk of verbal or physical abuse and considered that CCTV had a vital role to play in promoting adherence to traffic regulations, aiding road safety and maintaining traffic flow..

Motoring Groups – had mixed views about a camera ban. Some thought a blanket abolition would be a retrograde step, but others considered that if CCTV is to be retained, its use should be prescribed in law and on the Penalty Charge Notice. They commented that local authorities should also be required to include, in annual parking reports, information about the reasons, practices and impact of CCTV enforcement in their areas.

Schools – were opposed to a camera ban. Views expressed included that it was a significant safety issue to maintain safe parking outside schools. Others suggested it would leave schools powerless to rein in reckless parents. Head teachers warned of more disputes and greater safety hazards. The visibility of cameras was seen to have a useful deterrent effect. Some local authorities reported a decline in the number of tickets issued due to the deterrent effect of cameras. When camera cars are not used, dangerous parking was reported to increase.

Business had mixed views – some supported a ban of CCTV because of its abuse by local authorities. Some businesses reported that customers visiting shops regularly received parking tickets. Others opposed a complete ban where CCTV is used appropriately and offers an economic means of enforcing parking restrictions. They commented that it could remain beneficial at particular times and at particular locations.

Bus operators – opposed a camera ban on the grounds that authorities should be able to enforce bus lane contraventions in the most efficient and cost effective way. They considered a ban would increase congestion, prevent the free movement of buses and result in modal shift from public transport to cars.

Government Position

The government intends to press on and take action to see a ban on the use of CCTV cameras to enforce parking contraventions in the vast majority of cases.

The consultation showed that many respondents argued for some CCTV use to be retained where there are clear safety or serious congestion issues such as outside schools, in bus lanes and on red routes.

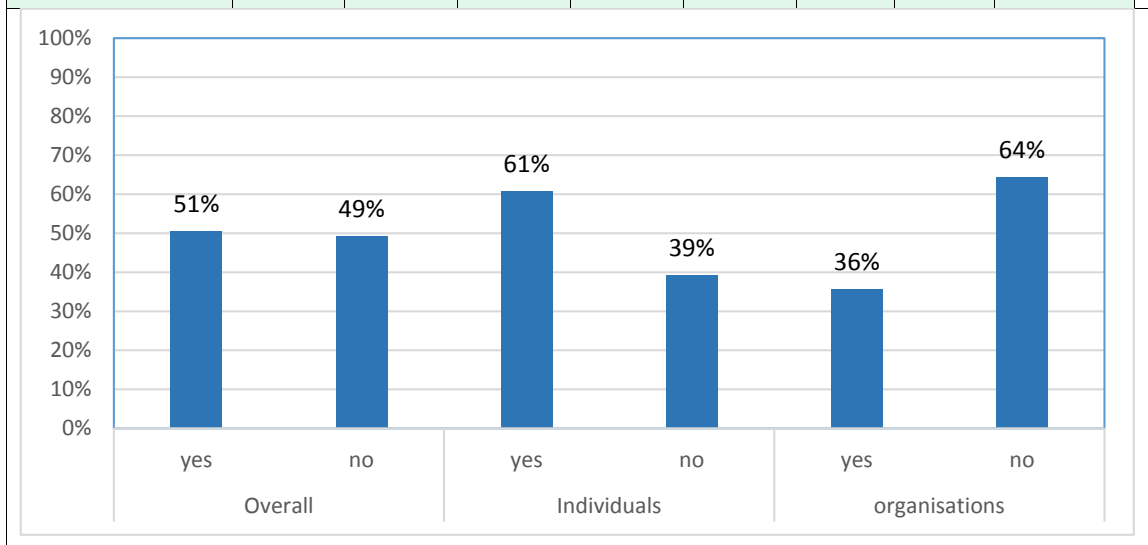
The Government therefore intends to see a ban on the use of CCTV cameras with some limited exceptions. At present there are over 40 different parking contraventions, and in future the government intends that CCTV cameras will be banned in all but the following limited circumstances:

- When stopped in restricted areas outside a school;
- When stopped (where prohibited) on a red route;
- Where parked (where prohibited) in a bus lane;
- Where stopped on a restricted bus stop or stand;

The Government will seek to legislate through the Deregulation Bill currently before Parliament.

Question 3: Do you think the traffic adjudicators should have wider powers to allow appeals?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
Individual	206	133	67	406	61%	39%	-	339
Organisation	85	153	21	259	36%	64%	-	238
Did not say	4	1	1	6	-	-	-	
Total	295	287	89	671	51%	49%	-	582



- Overall, opinions were split 51:49 on this question
- Individuals were more in favour of giving the traffic adjudicators wider powers to allow appeals (61%), but a minority of organisations supported this (36%).

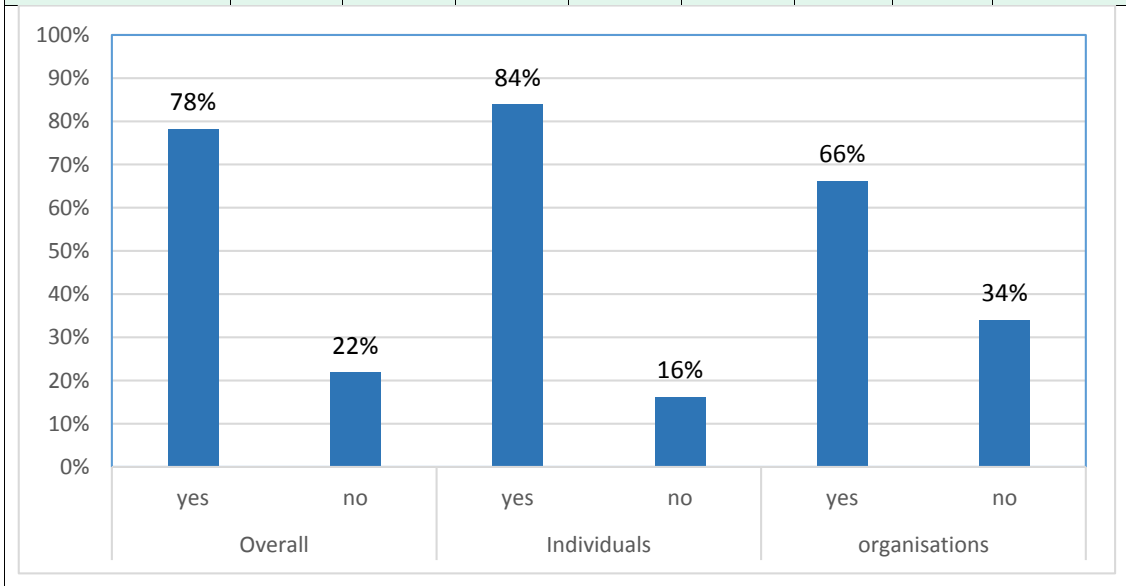
Government Position

The Government intends to legislate at the earliest opportunity to see a ban on the use of CCTV cameras to enforce parking contraventions in the vast majority of cases. If successful, adjudicators can take account of this when determining appeals.

The Government proposes to widen the powers of parking adjudicators. This could include, for example, measures to protect drivers where adjudicators have repeatedly identified a problem at a specific location (such as inadequate signage) and parking tickets have repeatedly been issued. In such circumstances, potential measures could include the ability for an Adjudicator to direct an authority to stop issuing tickets or direct the authority to change the signage, or indeed both.

Question 4: Do you agree that guidance should be updated to make clear in what circumstances adjudicators may award costs? If so, what should those circumstances be?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
Individual	207	40	133	380	84%	16%	-	247
Organisation	76	39	32	147	66%	34%	-	115
Did not say	4	1	0	5	-	-	-	
Total	287	80	165	532	78%	22%	-	367



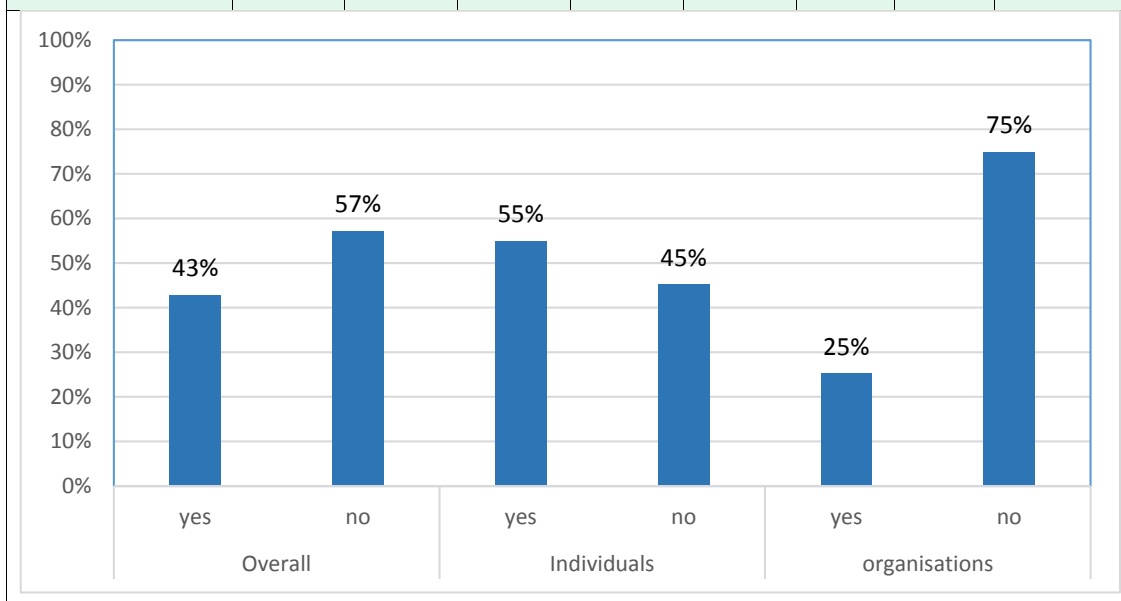
- The majority of respondents supported the proposal for guidance on costs to be updated to clarify where adjudicators may award costs.
- Many of the responses were “in principle” on the basis that greater clarity should always be supported.
- However, the Traffic Adjudicators made clear in their response to the consultation that they considered the current cost provisions to be adequate. They pointed out that the costs involved in appealing are low, and that the act of appealing is becoming easier with online appeals. They added that costs are not awarded punitively but to cover costs and expenses reasonably incurred. They suggest that changing the costs provisions would complicate the process and not encourage proportionality.

Government Position

Government promotes transparency and will change the guidance on costs, when the statutory guidance is revised, to make it clearer what provisions there are available to the public.

Question 5: Do you think motorists who lose an appeal at a parking tribunal should be offered a 25% discount for prompt payment?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
Individual	209	172	25	406	55%	45%	-	381
Organisation	64	190	10	264	25%	75%	-	254
Did not say	1	4	0	5	-	-	-	
Total	274	366	35	675	43%	57%	-	640



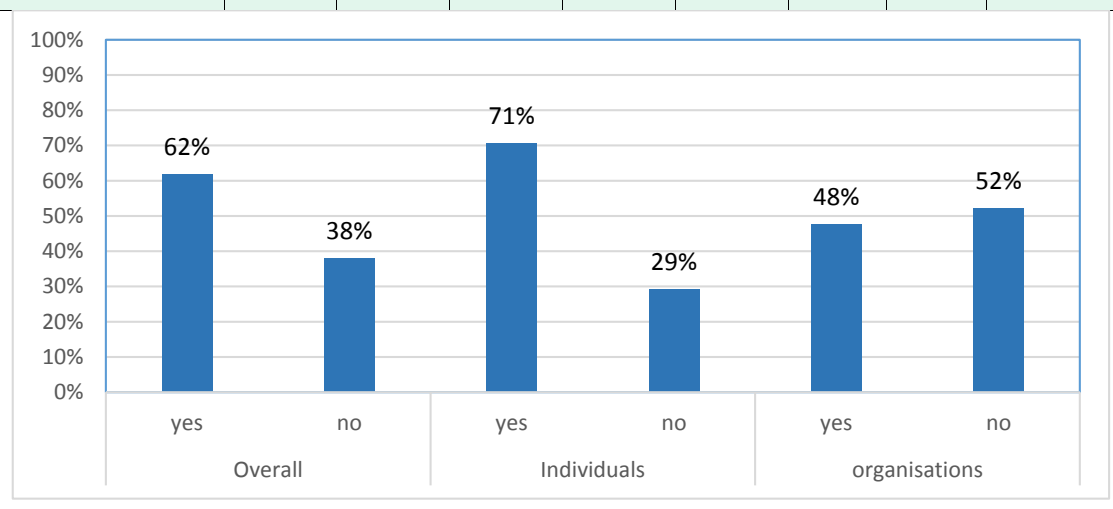
- Opinions on a further discount on appeal were broadly split, with just over half of individuals agreeing with this proposal. However the majority (75%) of organisations disagreed with this proposal.
- Whilst there was support for this proposal from some quarters, others were concerned that providing a discount to motorists who lose an appeal would encourage a high level of spurious appeals.
- The Transport Select Committee recommended that the Government should conduct a trial of this proposal with a local authority to assess the potential impacts on appeal levels.
- The Traffic adjudicators did not support this proposal, indicating that it could generate spurious appeals.

Government Position

The Department will look to work in partnership with a local authority to assess the impacts of introducing a 25% discount to motorists who lose an appeal at tribunal level on a trial basis, as recommended by the Transport Select Committee.

Question 6: Do you think local residents and firms should be able to require councils to review yellow lines, parking provision, charges etc in their area? If so, what should the reviews cover and what should be the threshold for triggering a review?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
Individual	283	117	11	411	71%	29%	-	400
Organisation	119	130	14	263	48%	52%	-	249
Did not say	4	1	0	5	-	-	-	
Total	406	248	25	679	62%	38%	-	654



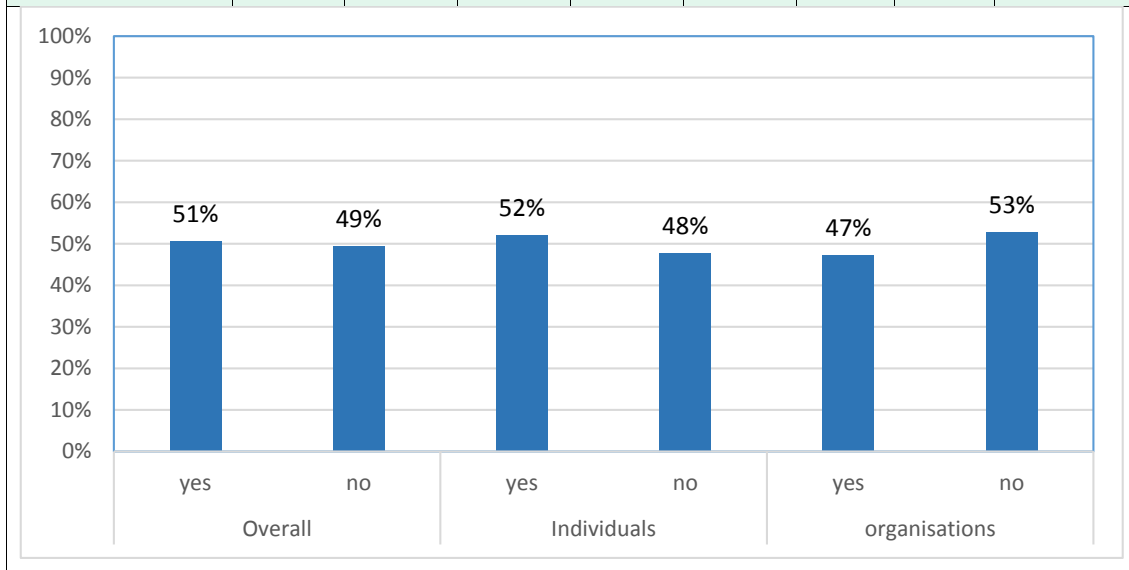
- Overall the majority of respondents were in favour of this proposal, with greater support from individuals (71%) than from organisations (48%).
- Most local authorities were against this proposal, arguing that reviews were already carried out relatively frequently, and that there was already provision for people to make representations under the current local government arrangements.
- Others expressed concerns that any threshold to trigger a review should be set appropriately high to prevent local authorities being required to act by relatively small lobbying groups, and that a minimum period between reviews should be set to prevent multiple applications.

Government Position

The Government wants to encourage councils to review their use of parking restrictions such as yellow lines, and to consider introducing more short stay parking bays. Local authority parking strategies should benefit the efficient operation of the local community, and the Government (under the Department for Communities and Local Government) will change the rules so that local residents and firms will be able to make their council review parking, including the provision of parking, parking charges and the use of yellow lines.

Question 7: Do you think that authorities should be required by regulation to allow a grace period at the end of paid for parking?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
Individual	208	191	14	413	52%	48%	-	399
Organisation	122	136	13	271	47%	53%	-	258
Did not say	5	0	0	5	-	-	-	
Total	335	327	27	689	51%	49%	-	662



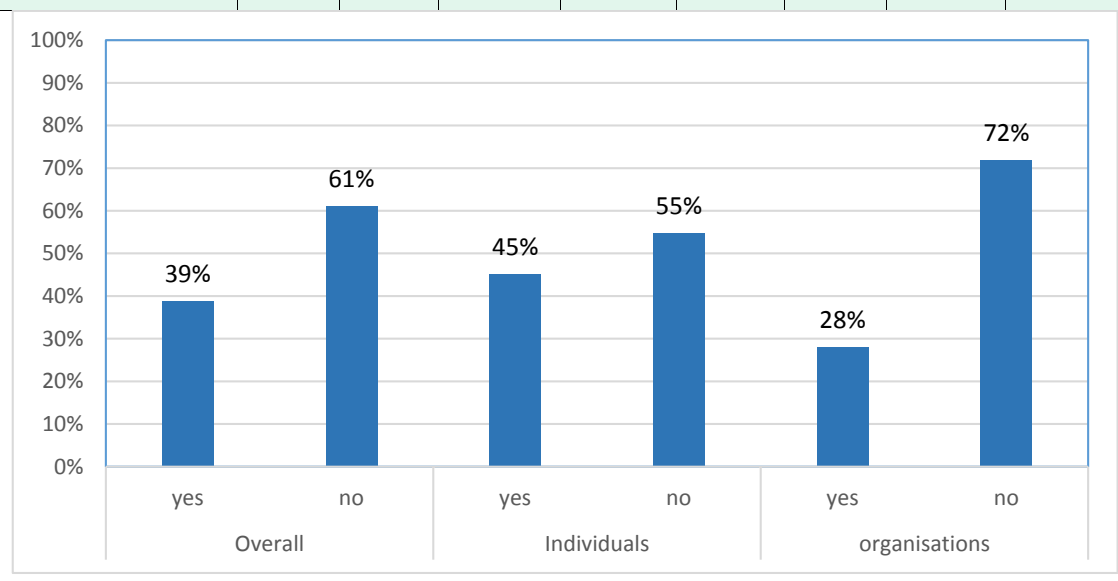
- Responses on grace periods for paid for parking were evenly split, between both organisations and individuals. Of those who supported this proposal a period of 5-10 minutes was considered to be an appropriate mandatory “free” period to be added at the end of on-street paid for parking.
- A number of authorities pointed out that they already operate, as a matter of good practice that Civil Enforcement Operators exercise an “observation period” of about 5 minutes after paid for time has expired.
- Some authorities argued that they should retain the flexibility to set different observation or grace periods appropriate to the circumstances rather than be placed under a mandatory requirement.

Government Position

The Government intends to introduce a mandatory 10 minute free period at the end of paid-for on-street parking either through amendments to statutory guidance or regulations.

Question 8: Do you think that a grace period should be offered more widely for example a grace period for overstaying in free parking bays, at the start of pay and display parking and paid for parking bays, and in areas where there are parking restrictions (such as loading restrictions, or single yellow lines)?

	Yes	No	Other	Total	Yes	No	Other	Total y/n
Individual	171	207	21	399	45%	55%	-	378
Organisation	68	174	5	247	28%	72%	-	242
Did not say	4	0	1	5	-	-	-	
Total	243	381	27	651	39%	61%	-	624



- This question was about extending grace periods to other areas such as yellow lines and loading bays.
- The majority of individuals (55%) and organisations (73%) disagreed with this proposal.
- There were concerns that allowing free periods in places where parking is not permitted (such as on double-yellow lines), could lead to confusion and encourage more anti-social and potentially dangerous parking, and also lead to sequential parking in some popular areas where kerb-space might be continually occupied despite there being a restriction in place.

Government Position

To ensure a consistent approach for motorists the Government intends to introduce a 10 minute mandatory grace period at the end of free on-street parking. This will mean that whether motorists pay for their parking, or it is available free for a time, they can have confidence that they will not be penalised for returning a few minutes late. DCLG will also lead on work to extend the same grace period to local authority off-street parking.

Question 9: If allowed, how long do you think the grace period should be?

A wide range of views were offered varying between 0-30 minutes.

Government Position

The Government recognises that many local authorities already operate a 5 minute observation period. The Government considers that 10 minutes would be an appropriate period of grace.

Question 10. Do you think the Government should be considering any further measures to tackle genuinely anti social parking or driving? If so, what?

An extremely wide range of ideas were offered. Some common themes included tougher enforcement against offenders, a uniform approach to pavement parking and tackling problems of unregistered vehicles.

Government Position

The Government is not proposing any further measures at this stage but may reconsider the responses to this question when the measures set out above have been implemented.