



Derby City Council Parking Annual Report 2020/21

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Chapter 1 - Parking Administration

Derby City Council offer drivers the opportunity to appeal via an online challenge portal for both informal and formal representations. The portal allows driver to view images taken by the Civil Enforcement Officer and also to view footage if the Penalty Charge Notice was camera enforced.

Informal Representations

Under the Traffic Management Act 2004, a motorist who has received a PCN has the ability to pay the PCN at a 50% discounted amount providing it is paid within 14 days from the date the PCN was issued or they can submit a 'challenge' (also called an informal representation) to the Council if they do not believe they should have been given a PCN.

When we receive a challenge, the case will go on hold until a decision is made and the motorist is informed whether they need to pay or not. If the challenge is rejected the motorist will be offered the reduced payment again at this point.

formal Representations

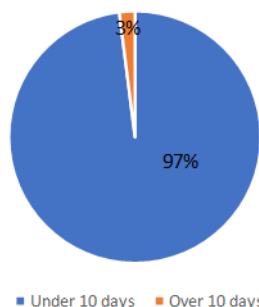
if a Penalty Charge Notice remains unpaid and a Notice to Owner has been issued to the registered keeper of the vehicle, that person can submit a 'formal representation' based on specific grounds:-

- ❖ The alleged contravention did not occur
- ❖ The receipt was never the owner of the vehicle in question or had ceased to be the owner before the date of the alleged contravention occurred, or became the owner after that date
- ❖ The vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner
- ❖ The recipient is a vehicle hire firm
- ❖ The penalty charge exceeded the amount in the circumstances of the case
- ❖ There had been a procedural impropriety on the part of the enforcement authority
- ❖ The Traffic Regulation Order which it is alleged to have been contravened in relation to the vehicle concerned is invalid

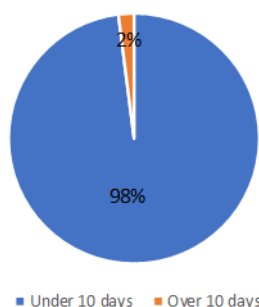
The Council must consider representations made on any grounds provided they are made within 28 days of the date of the Notice to Owner being served. The Council must then respond within 56 days.

If the representation is rejected, the registered keeper will be given the opportunity to appeal to an independent adjudicator.

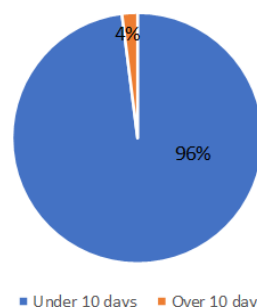
Pre NTO Response times for correspondence received by post



Pre NTO response times for correspondence received online



Post NTO Response times for correspondence received by post



Chapter 2 - Traffic Penalty Tribunal

The Traffic Penalty Tribunal provides impartial, independent adjudicators who can consider appeals against penalties issued for parking and bus lane contraventions.

If the Council rejects a representation the keeper of the vehicle has the right to appeal to an Adjudicator within 28 days of the date of service of the Notice of Rejection. The Adjudicator has to consider an appeal providing it is made within the 28 days.

If the Adjudicator allows the appeal, they direct the Council to cancel the PCN which the Council must comply with without any delay.

The Adjudicator's decision is final, subject to any request to review the decision and no further challenges can be made other than on a point of law through an application to the High Court for a judicial review.

For full information about the PCN appeal procedure you can visit the Tribunal's website at:-

<http://www.trafficpenaltytribunal.gov.uk>

In 2020/21, 32 cases were appealed by drivers to the Traffic Penalty Tribunal

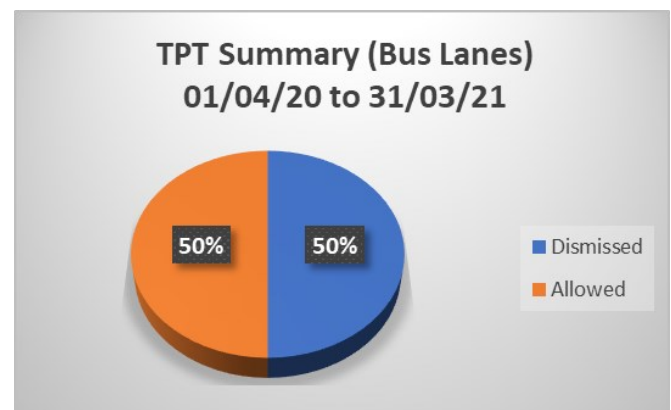
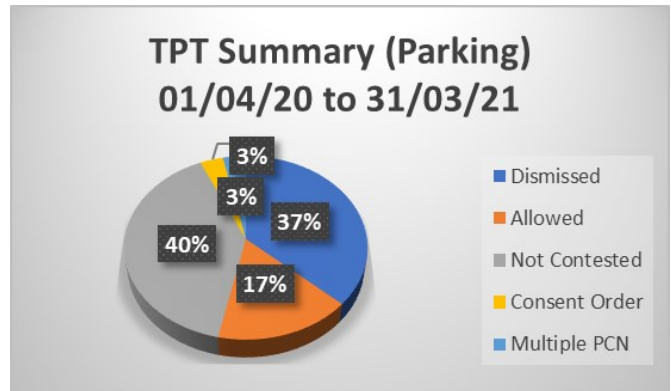
Of the parking cases:

- 12 Were not contested,
- 11 Appeals were dismissed
- 5 Appeals allowed
- 1 Consent Order
- 1 Multiple PCN

Of the bus lane cases:

- 1 appeal was dismissed
- 1 appeal was allowed

The following charts show the percentage of cases that went to the Tribunal in 2020/21 the percentage of cases that were dismissed, and percentage allowed and not contested.



Cases were not contested due to the following reasons:-

- ❖ New keeper details provided
- ❖ Additional evidence provided at TPT stage accepted
- ❖ Discount payment accepted
- ❖ Further review made and discretion given

The directions and decisions of the tribunal are very useful to the Motorist and the Council and its enforcement approach. The administration of the PCN is adapted on a continuous basis taking in account the lessons learned.

Chapter 3 - Penalty Charge Notices and Permits

Penalty Charge Notices issued - Payments and cancellations

	1 April 2020 — 31 March 2021			1 April 2019 — 31 March 2020		
	Total PCNs	On Street	Off Street	Total PCNs	On Street	Off Street
Total number of PCNs	26,412	24259	2153	54460	34539	2527
Number of higher level PCNs issued	22986	22946	40	30490	30438	52
Number of lower level PCNs issued	3426	1313	2113	6576	4101	2475
Postal PCNs (VDAs)	71	71	0	99	97	2
BUS LANE PCNS	9961	9961	0	17394	17394	0
Number of PCNs paid	26931	25607	1324	45011	29281	2062
Number of PCNs paid at discount rate	22819	21676	1143	39622	24855	1714

Chapter 3 - Penalty Charge Notices and Permits

Penalty Charge Notices issued by Contravention

Code	Contravention description	Differential Charging level	2020/2021	2019/2020	% difference
01	Parked in a restricted street	Higher	5457	6195	-11.91%
02	Loading in a restricted street	Higher	124	367	-66.21%
05	Parked after payment expired	Lower	711	2548	179.92%
06	Parked without clear display	Lower	5	0	200%
12	Parked in a resident's place with no permit or P&D ticket displayed	Higher	4079	7982	-48.90%
14	Parked in an electric place	Higher	1	4	-75%
16	Parked in a permit space with no permit	Higher	4457	7374	-39.56%
18	Parked for sale of goods	Higher	2	0	200%
19	Parked in a resident's place with invalid permit or P&D ticket	Lower	150	887	-83.09%
22	Re-parked in the same place	Lower	7	0	200%
23	Parked in a place not designated for that class of vehicle	Higher	1	1	0%
25	Parked in a loading place	Higher	259	673	-61.52%
27	Parked adjacent to a dropped footway	Higher	40	122	-67.21%
30	Parked longer than permitted	Lower	438	488	-10.25%
36	Disc parked longer than permitted	Lower	1	0	100%
40	Parked in a disabled bay	Higher	897	1839	-51.22%
41	Diplomatic Vehicles	Higher	2	0	200%
45	Parked in a taxi rank	Higher	90	126	-28.57%
46	Clearway	Higher	0	2	-100%
47	Parked on a bus stop or stand	Higher	3371	8979	-62.46%
48	Parked on a school zig zags	Higher	3653	1570	132.68%
62	Footway Parking	Higher	405	635	-36.22%
63	Parked with the engine running	Lower	1	0	100%
82	Parked after payment expired	Lower	264	453	-41.72%
83	Parked without clear display of P&D ticket	Lower	1825	2730	-33.15%
86	Parked beyond the bay markings	Lower	1	3	-66.66%
87	Parked in disabled bay	Higher	40	58	-31.03%
99	Parked on a Pedestrian crossing	Higher	121	71	70.42%
34J	Being in a bus lane	Higher	9961	17394	-42.73%

Chapter 3 - Penalty Charge Notices and Permits

Permits

Permit Type	2020/21	2020/21	Total 2020/21
Residents	189	2923	3112
Residents Pay and Display	10	217	227
Residents Limited Waiting	8	73	81
Residents Visitor Permit	4567	118713	123280
Residents Visitor Permit Pay and Display	60	1137	1197
Residents Visitor Permit Limited Waiting	0	60	60
Business	52	146	198
Business Visitor Permit	1003	9939	10942
Season Ticket Off Street	13	103	116
Season Ticket On Street	80	461	541

Permit Type	2020/21	2019/20
Residents	3112	3871
Residents Pay and Display	227	267
Residents Limited Waiting	81	87
Residents Visitor Permit	123280	172511
Residents Visitor Permit Pay and Display	1197	1271
Residents Visitor Permit Limited Waiting	60	110
Business	198	279
Business Visitor Permit	10942	46262
Season Ticket Off Street	116	205
Season Ticket On Street	541	575

