



## Notes of the Southern Regional Group Meeting

Held on: 5<sup>th</sup> December 2013

At: Winchester Guildhall

Item	Notes	Action Points
1.	<p><b>Welcome, apologies and Notes of Previous Meeting</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>	
2.	<p><b>BPA updates</b></p> <ul style="list-style-type: none"> <li>•</li> </ul>	
3.	<p><b>Group discussion session</b></p> <p><b>1. Do you agree with Eric Pickles statement that Councils are breaking the law by using parking enforcement powers as a “cash cow”?</b>  Yes agree that council’s would be breaking the law if they were intentionally raising revenue from parking. However this is not the case as far as Southern members go and in fact it is estimated that around 90% of councils are actually in deficit when costs of providing the service have been deducted. Most council’s make any surpluses on parking from pay and display/paid for parking which is a service they are entitled to charge for.</p> <p><b>2. Where does this long held perception of local authorities profiteering from parking come from? Is it true? And what can be done to alter perceptions?</b>  The perception largely comes from one sided media reporting and members should encourage the BPA to be the medium to communicate more balanced messages. There is a lot of confusion amongst the public as to where the money comes from and perhaps councils need to promote messages themselves via annual reports/websites.</p> <p><b>3. Transport Select Committee, key recommendations:</b></p> <p><b>A trial of offering a 25% discount on the full charge to losing appellants at appeal hearings;</b>  There is concern that this discount offer will encourage more appeals if motorists think they have less to lose by taking their case to adjudication. The administrative system will not cope with the anticipated rise in appeals and this in turn could result in more ‘no contests’ from councils. Members do not think that the TSC truly understands the amount of work that goes in to preparing for appeals. The point was made that no other court process in the UK offers a discount on the fine if the appellant loses.</p>	

**A mandatory 5 minute grace period after the expiry of paid for time;**

Almost all councils already have a grace period and often this is more than five minutes. Trouble with introducing a mandatory grace period is the question as to whether the end of the ticket time or the end of the grace period is the point at which people count as over staying – ie if they know they have an additional five minutes will they then claim they were only ‘two minutes over the grace period’? Recommendation that any guidance on mandatory grace period states a ‘minimum of five minutes’ as some councils currently offer more. The question was raised as to how many councils actually publish their enforcement schedule/contraventions – Portsmouth do provide this information freely so that people can understand the basis upon which PCN’s are issued. Perhaps all councils should be encouraged to do this?

**A legal requirement on LAs to produce an annual report;**

This is fine if the content of the reports is consistent and better/more specific guidance on writing reports should be issued. Issue with reports is that not many people actually read them vs the resources required to compile them.

**A freeze on the maximum penalty charge;**

At present the difference in many places between the actual charge for parking and PCN is getting less and in some places the charge for parking is higher than the PCN meaning motorist’s figure it is worth risking non payment of parking charges. The current rates are not sufficient enough of a deterrent to be an effective measure to attain compliance

**Government should work with Europe to address foreign vehicle enforcement;**

All agreed that this should happen. Portsmouth currently use the services of EPC which is quite effective in recovering PCN’s across Europe, with exception of France. Point was made that authorities cannot currently obtain keeper details from as close to home as Scotland, Republic of Ireland and the Channel Islands, is this something that the Association could work on?

**A legal requirement to refund PCNs where adjudicators have “repeatedly” found against LAs at a particular location;**

All agreed that if councils have been repeatedly told something is wrong then yes they should expect to refund PCNs. Need clarification on what ‘repeatedly’ means, ie how many times over what period of time?

**4. Camera cars – a ‘great casino for local authorities to make more money’ or a legitimate tool for managing congestion and road safety?**

All considered that camera cars are a legitimate tool for some kinds of enforcement in particular school safety and bus stops as it enables delivery of regular/consistent and effective enforcement in these types of location to improve compliance. There should be parity of use of ANPR/cameras between the public and private sectors, currently the private sector can use the technology freely whereas local authorities can’t. Some local authorities are overlooking legitimate reasons and over using the camera cars – and for one don’t park a camera car on

	double yellow lines. Do TPT check that evidence has been supplied with an appeal involving PCN issued via camera that it was issued in accordance with regulations for camera use? Bournemouth explained that they use camera cars at night as safety for foot patrols is an issue in areas where there are many pubs/clubs and they do have legitimate enforcement that needs to be carried out during night time hours to avoid road blockages.	
4.	<b>Events in 2014 – any special requests?</b> Text	
5.	<b>AOB</b> •	
6.	<b>Date of next meeting:</b> TBC	

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