

OUTCOME OF CONSULTATION ON RE-BANDING OF PARKING PENALTY CHARGE NOTICES

Cabinet Member(s)	Cllr Eddie Lavery
Cabinet Portfolio(s)	Residents' Services
Officer Contact(s)	Beth Rutherford, Place Directorate
Papers with report	Appendix A: Re-banding of parking penalty charge notice consultation response

HEADLINES

Summary	In April 2023, the Council launched a consultation on plans which aim to tackle an increase in parking non-compliance in the Borough. Within London, there are currently two Band levels for charging for parking fines (Bands A & B). This report will consider the outcome of the consultation and decide whether to recommend a move for Hillingdon to Band A, which is used by most London boroughs, in order to improve compliance with parking restrictions, reduce congestion and keep traffic flowing.
Putting our Residents First Delivering on the Council Strategy 2022-2026	This report supports our ambition for residents / the Council of: Be / feel safe from harm This report supports our commitments to residents of: Safe and Strong Communities
Financial Cost	There are no external costs associated with the submission of an application for the re-banding of parking fines. Should the re-banding be approved and subsequently implemented, the impact on PCN income resulting from any changes in compliance levels and the higher Band A value will be tracked through the budget monitoring cycle and MTF process
Select Committee	Residents' Services Select Committee
Relevant Ward(s)	All

RECOMMENDATIONS

That the Cabinet:

1. **Considers the consultation responses received;**
2. **Authorises the Corporate Director of Place to submit an application to London Councils, the Mayor of London and the Secretary of State for Transport, to change the parking Penalty Charge Notice (PCN) tariff from Band B to Band A;**
3. **Delegates authority to the Corporate Director of Place, in consultation with the Cabinet Member for Residents' Services, to make any further necessary decisions to implement the change in PCN Banding if the consent of the Secretary of State is granted.**

Reasons for recommendation

These recommendations have been made as the level of compliance with parking regulations appears to be falling and it is felt that the deterrent effect of PCNs needs to be increased to assist in ensuring these regulations are adhered to.

To work effectively, the Borough's transport network needs motorists to adhere to the parking restrictions that have been introduced to safely manage the network and minimise congestion. This ensures that public transport services can maintain normal service levels and meet published schedules. Additionally, it also ensures that vulnerable groups are not unduly hindered when using the transport network and are able to undertake their daily activities without being affected by vehicles parked in an obstructive position.

Alternative options considered / risk management

Not to apply to change the PCN banding.

Democratic compliance / previous authority

Cabinet may authorise the submission of the application to London Councils and provide the necessary delegated authority, should consent be granted by the Secretary of State for Transport.

Select Committee comments

None at this stage.

SUPPORTING INFORMATION

Background

1. Currently, there are two levels of charging operating within London for parking Penalty Charge Notices (PCN), which are more commonly known as parking tickets. The two-levels are Band A (the higher level of charge) and Band B (the lower level of charge).
2. The London Borough of Hillingdon is a Band B borough for parking contraventions meaning that the lower set of charges apply, as detailed in Table 1 below.
3. Within each band, there is a further higher/lower split for contraventions that are perceived to be more or less serious. In general terms, less serious contraventions tend to be instances such as overstaying in a Pay & Display Bay or in a car park, whilst more serious contraventions would include parking on a double yellow line or in a Disabled Bay. For all contraventions, a 14-day 50% discount rule applies for early payments.
4. The higher and lower charges for both bands are shown in Table 1 below alongside the discounted charges:

Table 1: Comparison of Band A and Band B PCN charges

PCN Band Level	Higher Charge	Higher Discount Charge	Lower Charge	Discount Lower Charge
B (Current)	£110	£55	£60	£30
A (Proposed)	£130	£65	£80	£40

5. The PCN charging bands were last reviewed in 2011 and have not changed since then. The bands apply only to Parking contraventions, as all Bus Lane and Traffic contraventions are already at the Band A level across all London Boroughs.
6. In real terms, this means that a PCN issued for overstaying in an on-street Pay & Display Bay could be settled at £30 or for parking in a Disabled Bay for £55 within a Band B borough.
7. The map below shows the split of Band A and B parking penalty charge bands in London:

Existing on-street penalty charge bands



8. The London Borough of Hillingdon has experienced considerable growth in the number of Penalty Charge Notices (PCNs) issued each year for the past few years, with a rise of 29% observed between 2018/19 and 2021/22 (see Table 2 below). Across other London boroughs experiencing a rise in PCNs issued over the same period, the average increase was 21%.

Table 2: Total number of PCNs issued in the past four financial years

2018/19	2019/20	2020/21	2021/22	Percentage Increase
55,025	68,298	52,251	70,753	29%

9. Whilst part of this increase may be due to improved detection by the enforcement team, it is likely that a large element is attributable to the decreased deterrent effect of the value of the PCN which has not increased since 2011.
10. Officers believe that an increase in the parking penalty charge amount (in practice, moving from the current Band B to the higher value Band A) is likely to

restore the deterrent effect of the PCN, resulting in higher levels of compliance and an overall reduction in the number of PCNs issued.

11. The objective of any well-functioning parking operation should be to gain and maintain compliance with the restrictions. Compliance is achieved via a combination of clear, well-maintained and appropriate restrictions supported by a robust and fair enforcement regime. As time passes and compliance increases, the number of parking tickets issued should reduce, as the majority of motorists follow the regulations.
12. Officers are, therefore, recommending applying to the relevant authorities to re-band the borough of Hillingdon from Band B to Band A for parking contraventions.

Consultation on proposal to re-band Hillingdon parking PCNs

13. A consultation on the proposal to re-band Hillingdon's PCNs from Band B to Band A was held between 14 April and 5 June 2023. This consultation was advertised on the Council's website and social media channels. It was also promoted in Hillingdon People which is delivered to all households. There were 656 respondents to the consultation.
14. As the Council issues, on average, 3.75m pay & display tickets per annum, the number of respondents is considered to be low.
15. Overall, the feedback received indicated that there was a lack of majority support for the three primary questions in the consultation:

<i>Q1. To what extent do you agree or disagree that further action from the Council is required to discourage illegal parking offences?</i>	Result
Agree or Strongly Agree	251 (39%)
Disagree or Strongly Disagree	343 (52%)
Neither Agree or Disagree	57 (9%)

<i>Q2. To what extent do you agree or disagree that increasing the amount of the Penalty Charge Notices (parking ticket) is an effective way of discouraging parking offences?</i>	Result
Agree or Strongly Agree	152 (24%)
Disagree or Strongly Disagree	454 (69%)
Neither Agree or Disagree	47 (7%)

<i>Q3. To what extent do you support the proposal to change Hillingdon's band for parking offences from Band B to Band A?</i>	Result
Agree or Strongly Agree	148 (23%)
Disagree or Strongly Disagree	469 (72%)
Neither Agree or Disagree	34 (5%)

16. The consultation included an option to comment on the proposals and 419 comments were submitted, which included comments on other issues such as ULEZ and parking permits.
17. Whilst the results of the public consultation indicate a majority against these proposals, the proposal is still considered to have merit. Particularly in supporting the ability of vulnerable road users, such as disabled users and pedestrians, to navigate the network. It is, therefore, recommended by officers to progress with the PCN Band A application to assist with reducing the increasing number of contraventions that have been occurring, by restoring the deterrent effect of receiving a PCN.
18. Some of the common themes in the comments were as follows:
- The proposals were a money grab/cash cow by the council;
 - More enforcement officers are needed to enforce the parking restrictions;
 - The higher PCN fee would not deter people from parking illegally;
 - The proposals should take into account the current cost of living crisis and how it would affect people;
 - The number of parking spaces and car parks should be increased;
 - More use of CCTV to enforce against people parking illegally;
 - Signage was not clear and should be reviewed;
 - The proposed extension of the ULEZ would also cost more.
19. The full comments received are detailed in the background papers and summarised in Appendix A.
20. A total of 625 of the consultation respondents were local residents or on behalf of a local resident.
21. The postcode with the highest number of respondents was HA4 with a total of 142 respondents.
22. Responses were received from four local businesses, community groups or organisations that were happy to be identified. The four groups were as follows:
- Agate Glass Limited
 - London Adult Education
 - Transport for London Youth Panel
 - Hayes working men's club/football supporters.
- Three of the groups above strongly disagreed with the proposals and one strongly agreed.
23. The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions states that "*The purpose of penalty charges is to dissuade motorists from breaking parking restrictions.*"

24. During the past financial year, 15,522 (26%) of all parking PCNs were issued to vehicles causing an obstruction by parking illegally in disabled bays, on pedestrian footways and across dropped kerbs.

Process to change PCN banding

25. The Council does not have the power to independently set the parking Penalty Charge Notice amounts or to make the change from Band B to Band A. Within London, a change of bands requires approval by the following:

- a) London Councils' Transport and Environment Committee
- b) Mayor of London's Office
- c) Secretary of State's Office

26. London Councils' Transport & Environment Committee (TEC) receives the initial application from the borough. The TEC meets quarterly with the next meeting scheduled for 12 October 2023.

27. Subject to the TEC approving the Council's application to re-band, London Councils will then make a further application on Hillingdon's behalf to the Mayor of London's office and, from there, to the Secretary of State for Transport for approval.

28. In London, where borough boundary roads are shared with a neighbouring London Local Authority, i.e., where Hillingdon enforces one side and the other borough enforces the other, and the other borough is Band B, TEC insist that those streets, or at least the shared portion, remain at the lower band. Any application to TEC will need to include a schedule of boundary roads and suggested treatment.

Other consultations

29. It should be noted that at its meeting on 8 June 2023, the London Council's TEC agreed to undertake a consultation on a range of parking charges across London, which includes the current level of all PCN charge rates and vehicle removal and storage fees, on behalf of all 32 London Boroughs and the City of London.

30. In the TEC report, it was noted that, due to continued identified issues with non-compliance of parking regulations, an increasing number of outer London authorities with higher density parking and significant Controlled Parking Zones have successfully applied to become band A areas, and, as a result of this it was agreed that consultation would also consider whether a single PCN charge band should apply across the whole of London, rather than the current Band B and Band A regime.

31. The consultation is due to be undertaken between July and October 2023, with the results of the consultation and recommendations being presented to the TEC meeting in December 2023 for approval. Subject to approval, the TEC will seek the approval of the Mayor of London and Secretary of State for Transport before any changes are implemented.

32. London Councils' officers have indicated that the TEC consultation should not delay consideration of a request to change Hillingdon's PCN banding (if the Council submits a formal application).

Financial Implications

The progression of an application to re-band Hillingdon's parking Penalty Charge Notice (PCN) tariff from B to A is proposed in order to improve the level of compliance with parking restrictions by increasing the value, and therefore deterrent effect, of those PCNs.

Should the re-banding application be approved by the relevant authorities as set out in this report, the volume of parking contraventions post implementation will be tracked closely, to help understand the impact of the change on compliance, in the short and longer term. Alongside this, the effect on income levels of settlement of fines levied at the higher Band A value will be reviewed and reported as part of the monthly monitoring cycle. Increases in parking income are currently factored into the Council's budget strategy, with any requirement for realignment of PCN income budgets to be addressed via the next refresh of the Council's MTFP planning process.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities?

Compliance with parking restrictions is essential to ensure that borough's transport network works effectively, safely and to minimise congestion. If the PCN banding change is implemented then it will assist public transport services to maintain schedules and service levels, and that ensure that vulnerable groups, such as disabled users and pedestrians are not unduly hindered in their daily activities as a consequence of obstructive parking.

Consultation carried out or required

A public consultation on the proposal to re-band Hillingdon's PCNs from Band B to Band A was held between 14 April and 5 June 2023. This consultation was advertised on the council's website and social media channels. It was also promoted in Hillingdon People which is delivered to all households. A copy of the consultation results is in Appendix A, with full individual responses as background papers.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance have reviewed this report and concur with the Financial Implications set out above, noting that should the re-banding for the Penalty Charge Notice (PCN) tariff from Band B to Band A be approved, the financial implications will be monitored, with updates to be fed into the Council's budget strategy.

Legal

The setting of penalty charges is governed by Schedule 9 to the Traffic Management Act 2004. The process is managed on behalf of London boroughs by London Councils and is subject to supervision by the Mayor of London and the Secretary of State.

The Secretary of State's Statutory Guidance states that: "the purpose of penalty charges is to dissuade motorists from breaking parking restrictions".

The responses received to the Council's Consultation are set out in Appendix A in summary and background papers in full. In the background papers, a small number of these comments have been redacted to remove foul or racist language or information that could result in someone being identified. In deciding whether to submit the application to London Councils, Cabinet should consider these consultation responses in deciding whether an increase in penalty charges is likely to "dissuade motorists from breaking parking restrictions".

BACKGROUND PAPERS

[Full individual responses to the consultation based on summary in Appendix A](#)

APPENDIX A:

Consultation on Penalty Charge Notice (PCN) Re-Banding in Hillingdon

1. To what extent do you agree or disagree that further action from the Council is required to discourage illegal parking offences?

[More Details](#)

[Insights](#)

Strongly agree	155
Agree	96
Neither agree or disagree	57
Disagree	106
Strongly disagree	237



2. To what extent do you agree or disagree that increasing the amount of the Penalty Charge Notice (parking ticket) is an effective way of discouraging parking offences?

[More Details](#)

[Insights](#)

Strongly agree	82
Agree	70
Neither agree or disagree	47
Disagree	126
Strongly disagree	328



3. To what extent do you support the proposal to change Hillingdon's band for parking offences from Band B to Band A?

[More Details](#)

[Insights](#)

Strongly agree	91
Agree	57
Neither agree or disagree	34
Disagree	91
Strongly disagree	378



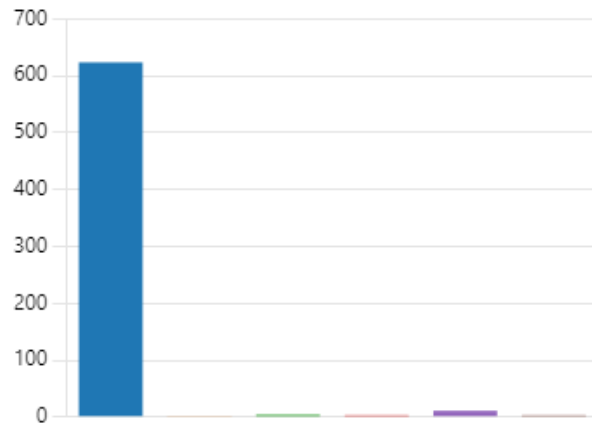
4. Are there any other comments you would like to make about the proposed increase to the cost of a Penalty Charge Notice in Hillingdon?

[\(please refer to the background papers for the individual comments\)](#)

5. In what capacity are you responding to this survey?

[More Details](#)

As a local resident	623
On behalf of a local resident	2
As or on behalf of a local busine...	4
As or on behalf of a community ...	3
As someone who works or studi...	11
Other	3



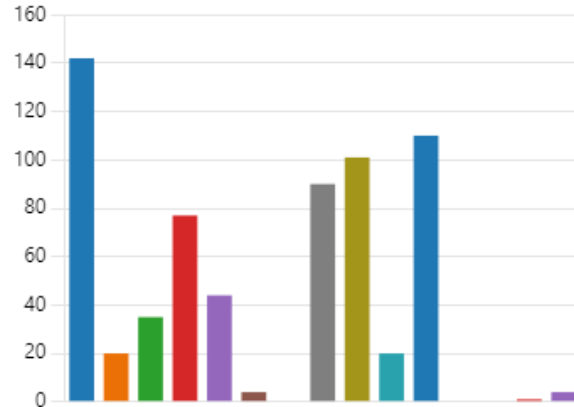
6. If you are responding to this survey on behalf of a local business, community group or organisation and would like to be identified, please share the full name below.

AGATE GLASS LIMITED
London Adult Education College
Transport for London Youth Panel
Hayes working men's club , football supporters

7. Please let us know what your postcode is - this helps us to see how residents, visitors and businesses will be affected by the proposals.

[More Details](#)

● HA4	142
● HA5	20
● HA6	35
● UB3	77
● UB4	44
● UB5	4
● UB6	0
● UB7	90
● UB8	101
● UB9	20
● UB10	110
● TW6	0
● TW19	0
● WD3	1
● Other	4



8. Are you:

[More Details](#)

 Insights

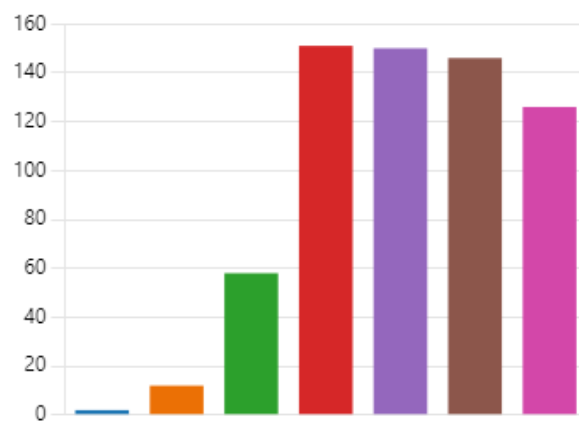
● Female	275
● Male	308
● Prefer not to say	66
● Other	0



9. What age range do you belong to?


[More Details](#)

● Under 18	2
● 18-24	12
● 25-34	58
● 35-44	151
● 45-54	150
● 55-64	146
● 65+	126



10. Do you have a disability? A physical or mental illness or condition that has a substantial and long-term effect on your ability to carry out normal day to day activities.

[More Details](#)

 Insights

● Yes	86
● No	493
● Prefer not to say	69

