

Annual Parking Report - 1<sup>st</sup> April 2016 to 31<sup>st</sup> March 2017

# Appendix 4

## Glossary of Terms



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### Glossary of Terms

This glossary explains some terms and phrases in the Annual Parking Report that may be unfamiliar to you.

#### Body Worn Video (BWV)

This is a term used to describe small badge-mounted video devices used by Civil Enforcement Officers (CEOs) to capture video/audio evidence which helps to resolve disputes.

#### Cancelled Cases

A PCN is cancelled when we consider that it has been issued in error and close the case without accepting payment.

#### Challenge

A challenge is an objection made against a Penalty Charge Notice (PCN) **before** the issue of a Notice to Owner/Enforcement Notice.

#### Charge Certificate

A Charge Certificate is a statutory document served by the authority to the person they believe is the owner of a vehicle issued with a Penalty Charge Notice. Charge Certificates are served for **parking and bus lane contraventions** where:

- a Penalty Charge Notice, Notice to Owner, or Enforcement Notice has been served and neither a representation nor payment has been made,
- a representation has been rejected and neither an appeal nor payment has been made,
- an appeal has been refused by the adjudicator and payment has not been made.

The Charge Certificate informs the owner that the charge has increased by 50% and if unpaid within 14 days, action will be taken to recover the amount due through the County Court.

#### Civil Enforcement Area (CEA)

This is an area where parking restrictions are enforced by the local authority rather than the police service. CEAs were formerly known as Special Parking Areas (SPAs) under the Road Traffic Act 1991 with the name change following the introduction of the Traffic Management Act 2004. If an authority opts to introduce civil parking enforcement in all or part of its area, the authority must apply to the Secretary of State for the appropriate designation order(s). If the application is satisfactory, the Secretary of State will make the relevant order(s) to allow enforcement of the restrictions by the local authority.

### **Civil Enforcement Officer (CEO)**

This is a designated name given by the Traffic Management Act 2004 to those officers engaged by councils to issue Penalty Charge Notices (PCNs). CEOs (formerly known as Parking Attendants or Traffic Wardens) may be employed directly by the Council or through a specialist contractor.

### **Controlled Parking Zone (CPZ)**

This is an area where parking is restricted during certain times of the day. The main aim of a CPZ is to ensure that parking spaces within the zone are managed to balance the needs of residents and other motorists. In a CPZ the restrictions are shown by signs placed on all vehicular entry points to the zone. Signs are only required within the zone where the restrictions are different from those on the entry signs. There will not usually be a sign for a yellow line where the restrictions are the same as on the entry signs.

### **Data Protection Act**

The Data Protection Act 1998 regulates the way in which an authority may collect, hold, process, disclose and dispose of personal information.

### **Decriminalised Parking Enforcement**

Decriminalised Parking Enforcement (DPE) defines a local traffic authority that has assumed responsibility for enforcing parking contraventions in place of the police. Such contraventions are subsequently no longer illegal with non-compliance being treated as a civil offence rather than a criminal offence. Eventually unpaid Penalty Charge Notices are pursued by debt collection agencies, rather than through the criminal courts. In October 1993, parking enforcement was decriminalised across the London Borough of Bromley. Enforcement of most of the on-street parking regulations is now the sole responsibility of the London Borough of Bromley.

### **Differential Parking Penalties**

This is the name given to the changes in the levels of charging for penalties. The Government implemented differential parking penalties on 1<sup>st</sup> July 2007 to make the system fairer. Higher level charges apply to contraventions that are considered more serious and lower levels to those that are considered less serious.

### **Dispensation**

A parking dispensation is an arrangement which allows a commercial vehicle to park on a waiting restriction (yellow line) during restricted hours in circumstances where the vehicle needs to be close to a specific location. For example, for carrying out works that require the driver to park close to a building or site where continuous access is required to load or unload goods or materials.

## **Enforcement Agent (EA)**

An enforcement agent, formerly known as a bailiff, is someone who is responsible for the enforcement of court orders against goods (warrants of control) including those associated with parking Penalty Charge Notices issued by local authorities.

## **Enforcement Notice**

An Enforcement Notice is a statutory notice served by the authority to the person they believe is the owner of a vehicle issued with a Penalty Charge Notice. This notice is only served for **bus lane contraventions** if the penalty remains unpaid after 28 days. Within 28 days of the Enforcement Notice, the owner is required to either:

- make payment of the full penalty charge; or
- make representations against liability for the charge.

## **Environment Policy Development and Scrutiny (PDS) Committee**

The Environment PDS is the committee that examines executive decisions and reviews policy on transport (highways development, traffic, road safety and parking), street services, waste and recycling and parks and open spaces.

## **Environment and Traffic Appeals Service (ETA)**

This service, formerly known as the Parking and Traffic Appeals Service (PATAS), administers the independent tribunals established to hear appeals against Penalty Charge Notices issued by the London Local Authorities and Transport for London.

## **Freedom of Information Act 2000**

This legislation gives everyone the right to request all the information held on a subject of their choice by a public body.

## **Freedom of Information (FOI) request**

Under the Freedom of Information Act, everyone has the right to make a request for information. FOI legislation gives members of the public the right to ask any public body for all the information they have on a subject they choose.

## **Geographical Positioning System (GPS)**

GPS is an accurate worldwide navigational and surveying facility based on the reception of signals from orbiting satellites. In parking, it is used as a tool to track the positioning of CEOs for security purposes and to improve enforcement strategies.

## **Mobile CCTV Enforcement Units**

These are vehicles fitted with recording equipment which are used to enforce parking restrictions.

## **Multi-storey Car Park (MSCP)**

A multi-storey car park is a building that has a number of floors or levels designed specifically for vehicle parking.

## **Notice to Owner (NTO)**

A Notice to Owner is a statutory notice served by the authority to the person they believe is the owner of a vehicle issued with a Penalty Charge Notice. This notice is served for **parking contraventions** where a penalty issued by a CEO remains unpaid after 28 days. Within 28 days of the Notice to Owner, the owner is required to either:

- make payment of the full penalty charge; or
- make representations against liability for the charge.

## **Off-street Parking**

Off-street parking facilities are those within car parks.

## **On-street Parking**

On-street parking facilities are those by the kerbside.

## **Open Cases**

Open cases are PCNs yet to be resolved.

## **Order for Recovery of Unpaid Penalty Charge**

This is an order which has been registered with the Traffic Enforcement Centre (TEC). TEC is currently situated at the County Court in Northampton and is the centre where unpaid penalty charges are registered as debts at the County Court. This is an automated process, not requiring, or allowing an appearance by any party and once registration has taken place, the debt can be passed to a bailiff for collection of the outstanding monies.

## **Parking and Traffic Appeals Services (PATAS)**

This service, now known as Environment and Traffic Adjudicators (ETA), formerly administered the independent tribunals established to hear appeals against Penalty Charge Notices issued by the London Local Authorities and Transport for London.

## **Parking Attendant (PA)**

This is a designated name given by the Road Traffic Act 1991 to those officers engaged by councils to issue Penalty Charge Notices. PAs, now known as Civil Enforcement Officers (CEOs), may be employed directly by the council or through a specialist contractor. When parking enforcement was the responsibility of the Police, these officers were known as Traffic Wardens.

## **Parking Contravention**

A parking contravention is failure by a motorist to comply with parking regulations.

## **Park Mark®**

This is an award presented to car parks that have been vetted by the Police and found to have measures in place to create a safer environment for users and their vehicles.

## **Pay and Display**

Pay and display is a method of payment for parking on or off-street in a facility where payment is required. A ticket is purchased at the time of parking and must be displayed correctly within the vehicle so that the expiry details are visible from outside.

## **Pay by Phone**

Pay by phone (cashless parking) is a method of payment for parking on or off-street in a facility where payment is required. After registering to use the service, a parking session can be arranged and paid for using a mobile phone device.

## **Pay on Foot**

Pay on foot is a method of payment for parking in a car park facility where payment is required. On arrival, a ticket is taken at the barrier and the car is then parked. On leaving, the ticket is inserted into a pay station and the parking charge is paid. The vehicle is then driven to the exit where the barrier will lift when the ticket is inserted.

## **Penalty Charge Notice (PCN)**

This is a notice issued because a vehicle has contravened a parking or bus lane regulation. A Penalty Charge Notice must contain certain information, including a description of the contravention alleged to have occurred.

## **Registered Keeper**

This is the person or organisation recorded at the Driver and Vehicle Licensing Agency (DVLA) as being the keeper of a vehicle. Under the concept of owner liability, the registered keeper is presumed to be the owner of the vehicle for the purposes of enforcement, appeal and debt recovery action.

## **Representation**

A representation is a challenge against a Penalty Charge Notice **after** a Notice to Owner/Enforcement Notice has been issued.

## **Restricted Parking Zone (RPZ)**

Waiting and loading restrictions are uniform throughout an RPZ. The restrictions are indicated by zone entry signs and there may also be additional time plates within the zone, but there will be no yellow lines or yellow kerb marks. Provision may be made for parking and loading within a zone and such bays will have individual signs and will be delineated either by white road markings, or physical features, e.g. block paving.

## **Shared Service**

The amalgamation of specified services from one or more organisation to form a shared service. This report refers to a shared parking service between the London Boroughs of Bromley and Bexley.

## **Suspension**

A parking suspension can be arranged to allow a motorist to park for a specific purpose in a pay and display bay during restricted hours. For example, for carrying out major road works, utility works or larger construction projects that require the driver to park close to a building or site where continuous access is required to load or unload goods or materials.

## **Traffic Enforcement Centre (TEC)**

This is the registration point for Local Authorities to register unpaid penalty charges with the County Court for enforcement. It is based at **Northampton County Court**. When a penalty charge is registered with TEC, the Local Authority sends out an Order for Recovery giving the recipient 21 days to either make full payment or appeal against the Court Registration by filing a Witness Statement with TEC.

## **Waived Cases**

A PCN was previously waived when we accepted mitigating circumstances and closed the case without accepting payment. The way of reporting changed during the period of this report and waived cases are now included in the written off category.

## **Written Off Cases**

A PCN is written off when we close the case without accepting payment. This may be due to mitigating circumstances, or when the DVLA has no information about the registered keeper, or even after our bailiff companies have attempted to collect the debt without success.