



Westmorland  
& Furness  
Council

[westmorlandandfurness.gov.uk](http://westmorlandandfurness.gov.uk)

# Parking Services

## Parking Enforcement Policy



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## 1.0 Introduction

- 1.1** Westmorland and Furness Council is responsible for the enforcement of on-street parking across the county and selected off-street parking places. Enforcement is carried out by the Council's in-house Parking Services team to ensure that the finite number of parking spaces are shared fairly between residents, businesses and visitors. The Council is also responsible for issuing a variety of parking restriction exemption permits or certificates in certain areas of the county. The Service fulfills an essential role in supporting and delivering Moving Cumbria Forward: Cumbria Transport Plan Strategy 2011-2026.
- 1.2** In common with other areas of the United Kingdom Cumbria has experienced an increase in the number of vehicles using the county's highways network. Certain areas of Cumbria suffer from congestion and there are seasonal increases in visitors in some localities due to the county's tourist based economy along with a limited number of parking spaces for all road users. The management of parking is therefore an important function for Westmorland and Furness Council.

## 2.0 Areas of Legislation

- 2.1** The following legislation is applicable to the Council's parking enforcement activities:
- The Road Traffic Regulation Act 1984, and Regulations and various Traffic Regulation Orders made under it, accessible [here](#).
  - The Traffic Management Act 2004 and Regulations made under it.

## 3.0 Aims and Objectives

- 3.1** The aims of Westmorland and Furness Council's Parking Services team are to:
- Manage parking to improve road safety and traffic movement.
  - Manage the available parking for the benefit of the local economy and community.
  - Cover the costs of enforcement, including parking restriction signs and lines, from Penalty Charge Notice income.
  - Provide a better understood Parking Service and improved public facing role for Civil Enforcement Officers who will act as ambassadors on behalf of the Council.

- 3.2** The management of parking contributes to achieving the aims of the Cumbria Local Transport Plan and specifically supports the delivery of the Council Plan 2018-22 priorities. The Council's vision is to be **“a Council that works with residents, businesses, communities and other organisations to deliver the best services possible within the available resources”**.
- 3.3** The outcomes describe what the Council wants to achieve for the people of Cumbria. These provide a clear focus for everything the Council does:
- People in Cumbria are healthy and safe.
  - Places in Cumbria are well-connected and thriving.
  - The economy in Cumbria is growing and benefits everyone.
- 3.4** In delivering its aims and objectives the Parking Services team supports the Council's new ways of working and **“putting customers at the heart of everything we do”**.
- 3.5** The new ways of working will entail:
- Working with partner organisations and communities to achieve shared aspirations.
  - Exploring new ways to deliver services and maximise our resources.
  - Acting early to achieve better outcomes.
  - Giving our customers choice and easy access to online services.
- 3.6** The Council's core principles when delivering the above are:
- Focusing on the most vulnerable.
  - Managing demand.
  - Supporting communities to thrive.
- 3.7** In delivering these aims and objectives the Service works with Cumbria's 6 district councils, the Lake District National Park Authority and other partners who manage the majority of off-street parking facilities around the county. The above organisations also work with Westmorland and Furness Council in their capacities as planning authorities to consider new developments and associated parking provisions and travel options.

The Council's parking policies are available at [www.westmorlandandfurness.gov.uk/parking-streets-and-transport/parking](http://www.westmorlandandfurness.gov.uk/parking-streets-and-transport/parking)

## 4.0 Summary of Enforcement Policy

- 4.1** Westmorland and Furness Council enforces parking regulations in a fair, consistent, lawful and proportionate manner. Civil Enforcement Officers (CEOs) work every day of the year, including public holidays, with the exception of Christmas Day, Boxing Day and New Year's Day. The Council does not clamp or remove vehicles and where parking causes an obstruction on the highway officers will work in partnership with Cumbria Police who are responsible for enforcing obstruction issues.
- 4.2** Guidance produced under the Traffic Management Act 2004 encourages a transparent approach to parking enforcement with authorities recommended to publish their policies and procedures. The Parking Service adheres to the Department for Transport publication.

*The Secretary of State's Statutory Guidance to Local Authorities on Civil Enforcement of Parking Contraventions.* In addition Westmorland and Furness Council has developed a policy outlining the circumstances when a PCN may be cancelled. This document, *Countywide guidance policies for the enforcement and cancellation of Penalty Charge Notices*, can be accessed on the Council's web-site at [www.westmorlandandfurness.gov.uk/parking-streets-and-transport/parking](http://www.westmorlandandfurness.gov.uk/parking-streets-and-transport/parking)

- 4.3** Motorists contravening parking restrictions are issued with a PCN by one of the Council's authorised CEOs. The PCN is usually fixed to the vehicle or handed to the driver. In some cases the CEO may not be able to serve the notice in this manner, such as if the recipient has been abusive or driven away, and in these circumstances the PCN is issued via the post. Recipients are given 14 days to pay at the 50% discounted rate or challenge the PCN. The Council will investigate every challenge on its own merits and mitigating circumstances will be taken into account. Challenges can be made in writing to the Council's Parking Services offices or via the on-line portal [here](#)
- 4.4** If a challenge to a PCN is received and the Council elects not to waive the charge the 50% discounted rate is held for a further 14 days from the date of rejection. Motorists electing to pay the PCN can do so via cheque or postal order by post to the Parking Services offices, on-line [here](#) or via the 24 hour automated payment line **0300 1117766**. No cash payments are to be accepted at council offices.
- 4.5** In cases where no payment is received within 28 days after the issue of the PCN, regardless of whether the recipient has previously challenged the charge, the Council will obtain details of the registered owner or keeper of the vehicle from the Driver and Vehicle Licensing Agency. It is the registered owner or keeper of the vehicle who is responsible for payment of the PCN. On receipt of these details from the Driver and Vehicle Licensing Agency the Council will send a "Notice to Owner" to the named individual or entity. At this stage the registered owner or keeper may submit a formal representation to the Council which will be investigated by Parking Services. The Council's CEOs take several photographs of the vehicle and location at the time the PCN is issued which will assist the recipient in understanding the reason the PCN was served.
- 4.6** If the Council elects not to accept the formal representations a formal "Notice of Rejection" is sent to the appellant including details of the appeals process with the independent adjudicator at the Traffic Penalty Tribunal. The Tribunal comprises individually appointed, independent adjudicators and a small team of administrative staff who work on their behalf. Adjudicators consider appeals against Penalty Charge Notices issued by the majority of councils in England and Wales. In cases where an appeal is submitted to the Tribunal the Council must place the case on-hold pending the decision of the adjudicator. The appeals service is free of charge and appeals can be made via post, on-line or in person and the Council can elect to participate in the process. In Cumbria face-to-face hearing are offered at a venue in Penrith however appellants can nominate any of the locations used by the Tribunal throughout the country. The Tribunal has the power to award costs, either to the appellant or the council, if either party has behaved in a vexatious or frivolous manner. The adjudicator's decision is final however in certain limited circumstances the decision can be reviewed in the High Court. Further details of the process can be found at [trafficpenaltytribunal.gov.uk](http://trafficpenaltytribunal.gov.uk) or [patrol-uk.info](http://patrol-uk.info)
- 4.7** In cases where the recipient of a PCN does not make a payment or appeal to the Traffic Penalty Tribunal the Council will send a "Charge Certificate" to the registered owner or keeper which increases the original charge by 50%. If no payment is made within 14 days the Council will register the debt with the Traffic Enforcement Centre at Northampton County Court which increases the charge by a further £8 to cover the court fee. The registered owner or keeper will be informed of this debt registration and Enforcement Agents may be instructed to recover the debt on behalf of the Council.

## 5.0 Performance Management

- 5.1** It is imperative that the Parking Service deals with parking contraventions in a fair and consistent manner. CEOs are ambassadors for Westmorland and Furness Council who not only enforce parking restrictions but also act as a visible presence in Cumbria's urban and rural areas. During a typical shift officers will provide directions to local services and places of interest, report crimes and assist other agencies including the emergency services. The Council has developed a suite of internal policies and procedures which will assist in providing a uniform and transparent approach to service delivery while at the same time having regard to the individual needs of Cumbria's diverse communities.
- 5.2** All Parking Service staff are trained to the same standards via in-house training and external courses. The Council recognises that training is fundamental to delivering a consistent service and as such both CEOs and office based staff receive personal development opportunities.
- 5.3** The Council receives feedback from residents, businesses, visitors, partners and stakeholders which can be used to enhance service delivery. Complaints are investigated in accordance with the Council's procedures as outlined in section 6 below and any learning outcomes are discussed with relevant team members and integrated into operational activities as appropriate.

## 6.0 Customer Service Standards

- 6.1** Westmorland and Furness Council is committed to providing a high quality service for all customers and feedback is essential to this. The Council welcomes all compliments, comments and complaints which help to review and improve services to provide the best possible product for all users.
- 6.2** Compliments are an important way for the Council to celebrate and publicise its successes. On occasions the Parking Service receives positive feedback regarding the conduct of team members and in such cases comments are relayed to the team member concerned and brought to the attention of the appropriate manager. In addition the Parking Manager will make contact with the correspondent to acknowledge their comments.
- 6.3** Not all customers who have useful feedback wish to make a complaint. Upon receipt comments will be acknowledged and referred to the appropriate team member for action or for information. Comments and suggestions from service users and stakeholders may be used to reshape service standards and delivery.

## 7.0 Annual Review

- 7.1** The Council will monitor the performance of the Parking Services team in applying this Parking Enforcement Policy. This will enable the Parking Service to assess the effectiveness and impact of the Parking Enforcement Policy and ensure it remains current and valid to deliver the Council's aims and objectives. Feedback from customers, partners, stakeholders and Council Members will be utilised to review, revise and refresh the Parking Enforcement Policy on an annual basis in addition to considering any emerging trends. Cumbria's diversity dictates that individual communities will have their own parking related requirements and concerns and as such the Council will engage on a regular basis with all parties having an interest in the Service.

## 8.0 Contact Details

t: **0300 303 2992** *Please note - cost of calls may vary depending on mobile provider*  
e: **parking@cumbria.gov.uk**  
w: **cumbria.gov.uk/parking**

**Westmorland & Furness Council**

**Parking Services**

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