

Civil Parking & Bus Lane Enforcement Annual Report

2024-2025

Parking Enforcement



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1. Introduction

The Traffic Management Act 2004 places an obligation on local authorities that carry out Civil Parking Enforcement to produce an annual report. Providing a report of our activities is a major part of the accountability that we will provide to our residents and visitors. This is our report for the year ended 31 March 2025.

2. Background

Since September 2003 Swindon Borough Council has adopted Decriminalised Parking Enforcement (DPE) powers. The Council is responsible for on-street enforcement (yellow lines, resident parking areas etc.) on all adopted highways within the Borough with the exception of the A419 and motorways. The Council is also unable to issue Penalty Charge Notices for obstruction as this power continues to be reserved by the Police authority.

Since 21st July 2014 Swindon Borough Council has expanded its responsibilities to include the enforcement of Bus Lanes and Bus Gates within the Borough.

3. Why Civil Parking Enforcement?

For many years Local Authorities have been able to enforce their own car parks but until the 1990s on street enforcement was undertaken by police officers or traffic wardens employed by the police force. By the mid-1990s the government gave local authorities the right to apply for powers to enforce on-street parking restrictions. This is now known as Civil Parking Enforcement. Many Local Authorities across the country rapidly adopted this opportunity.

There are a number of reasons why Local Authorities accepted the decentralisation:

- Police forces let central government know that they would not regard parking enforcement as a priority given the many other demands on their resources.
- The majority of parking offences would be better dealt with under civil law rather than as a criminal matter. This would be more cost effective and would not clog up busy criminal courts.
- Local Authorities, as representatives of their community, felt they were best placed to design and run an enforcement regime that would meet the needs of the community.

From the inception of the scheme the Department for Transport identified the prime purposes of Civil Parking Enforcement to be:

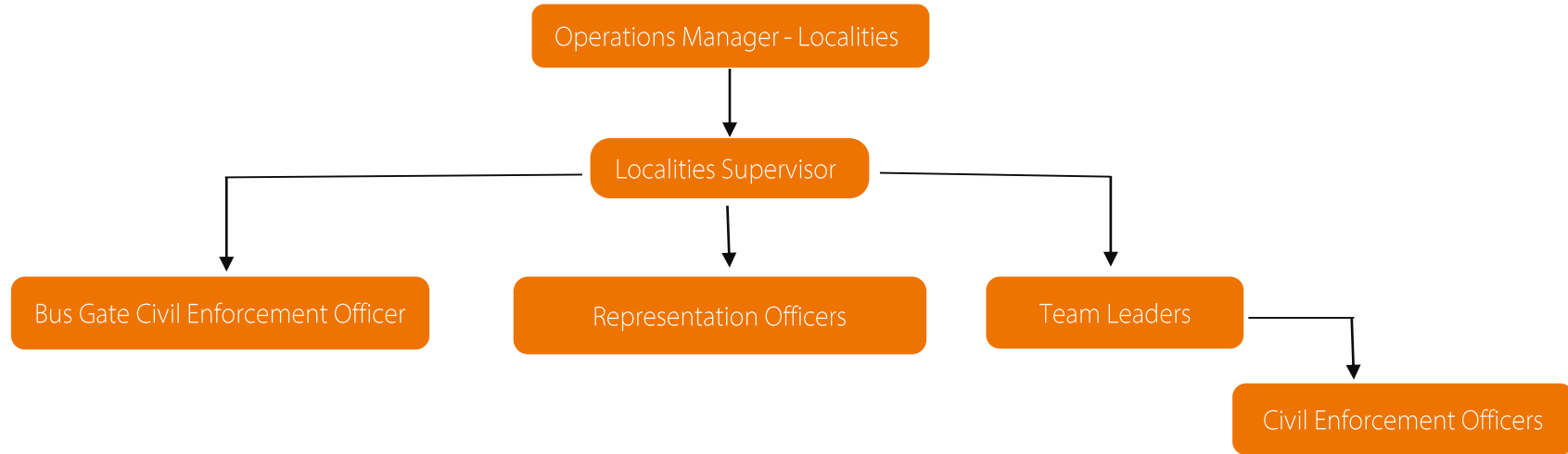
- Contribute to Authorities' transport objectives.
- Increase compliance with parking restrictions.
- To ensure the movement of traffic, including pedestrians and cyclists.
- To improve road safety.
- To improve the local environment.
- To improve the quality and accessibility of public transport.
- Meet the needs of disabled people, some of whom will be unable to use public transport systems and depend upon the use of a car.
- Managing and reconciling the competing demands for kerb space.

The guidance from Central Government is also clear that Civil Parking Enforcement should not be seen as a revenue raising exercise nor should Local Authorities set targets for revenue or the number of Penalty Charge Notices they issue.

4. Civil Parking Enforcement in Swindon

4(i) Staffing 2024/2025

The team responsible for the operation of Civil Parking Enforcement and the maintenance of our car parks and their fittings is:



4(ii) Enforcement and back office Processing

Swindon Borough Council directly employs all members of the Parking Team. Our Business Support Unit deal with the processing of permits and season tickets. They also deal with challenges against Penalty Charge Notices received before the Notice to Owner form is sent to the registered keeper of the vehicle. The Unit act in accordance with the operational and policy guidelines issued by the Parking Team.

After the issuing of the Notice to Owner Council Officers consider the formal representations and deal with appeals to the Traffic Penalty Tribunal. These staff are also responsible for the registration of any debts owed to the Council at the Traffic Enforcement Centre and any subsequent instructions to Bailiff Companies.

Although it has the powers Swindon Borough Council, does not currently clamp or remove vehicles. The sanction of removing vehicles is, however, under review, to be invoked for vehicles which persistently evade payment of penalty notices or are posing a hazard to other road users or pedestrians.

4 (iii) How to submit an informal challenge (Parking Fines Only)

Email

Send an email to **Parking@swindon.gov.uk**. This should include reasons as to why the Penalty Charge Notice should be cancelled including any evidence.

Online

Via the Swindon Borough Council Website using the link below and clicking on the informal challenge button. You will then be taken through the form to complete. Again you can upload any evidence. **<https://parking.swindon.gov.uk/pcns/pages/OnlineChallengeEntry.aspx>**

4 (iv). How to submit a formal Representation –Parking (Notice to Owner) and Bus Lane/Gate (Penalty Charge Notice)

Email

Send an email to **Parking@swindon.gov.uk**. This should include reasons as to why the Penalty Charge Notice should be cancelled including any evidence.

Online

Via the Swindon Borough Council Website using the link below and clicking on the Representation button. You will then be taken through the form to complete. Again you can upload any evidence. **<https://parking.swindon.gov.uk/pcns/pages/OnlineChallengeEntry.aspx>**

5. Penalty Charge Notices Issued

5(i) Parking

The numbers of Penalty Charge Notices issued by Swindon Borough Council for parking contraventions over the last three years are detailed below. The total Penalty Charge Notices are split between on street (contraventions that occur on the public highway) and off street (usually contraventions that happen in Council owned car parks). The corresponding figures for the previous years are provided for comparison.

Year	Total Penalty Charge Notices	On Street	Off Street	Abandoned (Parked in an electric place)
2022/2023	31520	21315	9747	458
2023/2024	33272	23814	9058	400
2024/2025	34962	27362	7600	0

Penalty Charge Notices are issued at two price bands, higher and lower rates. The rate depends on the seriousness of the contravention. For example parking on double yellow lines is deemed as a higher rate contravention while overstaying in a car park is charged at the lower rate. The relative numbers issued were:

Year	Higher Level £70	Lower Level £50
2022/2023	18400	13120
2023/2024	21524	11748
2024/2025	24410	10552

5. (ii) Top 15 locations where Parking Penalty Charge Notices were issued during 2024/2025

Location	Number Issued
Granville Street Car Park	2220
Commercial Road	1289
Princes Street Car Park	1216
Britannia Place Car Park	1087
Wood Street	929
Prospect Place Car Park	882
Wyvern Car Park	650
Alfred Street	628
Quarry Road	566
Broad Street	512
Davis Place	471
Regent Circus	459
Salisbury Street	454
Stanley Street	443
William Street	443

5. Penalty Charge Notices Issued

5(iii) Bus Lane and Camera Car

Swindon Borough Council issued the first Penalty Charge Notices during July 2014. Notices are issued at a charge of £70. The Notices issued since commencement in each financial year since then are:

Year	Total Issued
2022/2023	26447
2023/2024	23225
2024/2025	18416

5(iv) Bus Lane/Gate Locations and Penalty Charge Notices issued

Location	Number Issued
Penzance Drive 1	11071
Penzance Drive 2	2524
Ferndale Road	1618
Princes Street	905
Cricklade Road	803
Ermin Street	390
Bristol Street	364
East Wichel Way	172
Upham Road	287

5(v) Camera Car – Restricted (Schools/Bus Stops)

Location	Number Issued
Durham Street	12
Welcombe Avenue	5
Queens Drive	4
Plymouth Street	2
Windsor Road	2
The Brow	1
Durham Street	12

6. Enforcement After Issue

6(i) Parking

Penalty Charge Notices are issued at £50 or £70. However a 50% discount applies to notices paid within 14 days of issue or where an informal representation is received by us within 14 days of issue. The numbers, of the total issued, paid at this discounted rate are:

Year	Penalty Charge Notices paid at discounted rate
2022/2023	19283
2023/2024	21191
2024/2025	21386

Following the initial 14 days the Penalty Charge Notice reverts to the full value and if not paid the outstanding amount increases by stages. This increase reflects the additional cost incurred by the Issuing Authority and to act as an incentive to promptly pay or challenge the charge.

Year	Penalty Charge Notices paid at full or surcharged rate
2022/2023	2809
2023/2024	2912
2024/2025	3082

It is clear from these figures that the majority of motorists receiving a Penalty Charge Notice accept their liability and make prompt payment to avoid the penalty rising.

6(ii) Bus Lane/Gate

Penalty Charge Notices are issued at £60 (prior to 31/05/2022) or £70 (post 31/05/2022). However, a 50% discount applies to notices paid within 14 days of issue or where we receive a formal representation within 14 days of the date of service. The numbers of the total issued and paid at the discounted rate are listed below:

Year	Penalty Charge Notices paid at discounted rate
2022/2023	19405
2023/2024	17459
2024/2025	13800

Following the initial 14 or 21 days the Penalty Charge Notice reverts to the full value and if not paid the outstanding amount increases by stages. This increase reflects the additional cost incurred by the Issuing Authority and to act as an incentive to promptly pay or submit a representation. See figures below:

Year	Penalty Charge Notices paid at full or surcharged rate
2022/2023	2041
2023/2024	1423
2024/2025	1115

As with Parking Notices, it is clear that the majority of motorists receiving a Penalty Charge Notice accept their liability and make prompt payment to avoid the penalty rising.

7. Challenges, Representations and Appeals

7(i). Challenges Received

All motorists who receive a Parking Penalty Charge Notice are entitled to make an informal representation, usually called a Challenge, against its issue. The Traffic Management Act 2004, s82; The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022. The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022 sets out a number of statutory grounds (shown at Appendix C), sets out a number of statutory grounds (shown at Appendix C), which if established means that the Council must cancel the Notice. However, in addition to these the Council must fully consider any mitigation put forward.

The system for Bus Lane Penalty Charge Notices is slightly different given that the Notice is served by post after the event. On these, the first Representation is at the 'formal' stage. Therefore, figures for Bus Gates start at the Representation stage. Due to this the number of Penalty Charge Notices issued in the table below are for Parking contraventions only while the subsequent tables include these and Bus Gate ones.

Over the last few years, the following challenges have been received. The end column shows the number of those challenges accepted and cancelled.

Where the challenge is accepted the Notice is cancelled. If it is not accepted, and if it was received within 14 days of the issue of the Penalty Charge Notice, a further period of 14 days at the discounted rate is offered and the Penalty Charge Notice can be settled at that amount. Alternatively, the motorist can await the issue of the Notice to Owner to the registered keeper who can then make a formal Representation.

Year	Total Notices Issued	Challenges Received	Accepted and Cancelled
2022/2023	31520	5391	2165 *
2023/2024	33272	5613	2022*
2024/2025	34962	5121	1539*

*Records of the results of challenges are not separately maintained so figures shown are approximate.

7(ii) Representations Received

The issue of the Notice to Owner is the beginning of the more 'formal' part of the process.

During the last three years, the following Representations have been received. The end column shows the number of those Representations accepted.

Where the Council decides not to cancel the Penalty Charge Notice at the formal Representation stage then the keeper can make an appeal to the Traffic Penalty Tribunal. This is a free service to the driver and will allow an independent adjudicator (who will be a barrister or senior solicitor) to review the issue and enforcement of the Notice. The decision is binding on both parties. The Council as part of the letter of rejection sends full details to the registered keeper.

Year	Total Notices Issued	Representations Received	Representations Accepted and Cancelled
2022/2023	57967	3334	569 *
2023/2024	56952	2906	461 *
2024/2025	53378	2409	406 *

*Records of the results of Representations are not separately maintained so figures shown are approximate.

7(iii). Appeals

The Traffic Penalty Tribunal provides an important safeguard to the interests of the motorist. It also provides findings, information and advice, which can enable the Local Authority to improve their enforcement and back office work, by providing instruction and guidance. The Tribunal also publishes an Annual Report that gives examples of illustrative individual adjudications. We continue to look to use this to improve our service and practices.

Each year the Traffic Penalty Tribunal provides a report detailing the numbers and outcomes of the appeals they have received. Full details can be found on their website www.trafficpenaltytribunal.gov.uk

Figures of appeals for Penalty Charge Notices issued by Swindon Borough Council are shown on the right. Corresponding national figures can be found on the Traffic Penalty Tribunal website.

Year	Appeals Made	Rate of Appeal per Penalty Charge Notice	Not Contested by Council	Allowed i.e. cancelled	Refused i.e. found in favour of the Council	Not Decided & Other
2022/2023	38	0.06	3	21	11	3
2023/2024	32	0.05	0	3	29	0
2024/2025	35	0.06	4	6	25	0

7(iv). Notices Written off/Cancelled

A number of Penalty Charge Notices have to be cancelled or written off each year because the Registered Keeper cannot be traced. This can be due to inadequate or out of date records at DVLA or because the address details given are incorrect.

Year	Notices Written Off/Cancelled
2022/2023	1819
2023/2024	1868
2024/2025	1895

8. Debt Registration and Bailiff Action

If a Penalty Charge Notice has not been paid or successfully challenged and remains outstanding the notice may be registered as a debt in the County Court. If it is still not paid, the Authority will apply for a warrant to issue to our bailiffs for enforcement.

During last three financial years the numbers of Notices, which were registered as debts, were:

Year	Debts Registered	Warrants Obtained	Amount Remitted by Bailiffs
2022/2023	5966	5062	£178,123
2023/2024	5213	4369	£147,897
2024/2025	5195	4340	£121,735.13

8(i) Enforcement Agent Recovery Statistics

Parking

Year	Parking Income	Issued	% of cases collected	% cases sent to Enforcement Agents
2022/2023	£998,000	31,520	34%	8%
2023/2024	£1,107,000	33,272	33%	7%
2024/2025	£1,043,000	34,962	26%	8%

Bus Gate

Year	Parking Income	Issued	% of cases collected	% cases sent to Enforcement Agents
2022/2023	£932,000	26,447	39%	9%
2023/2024	£838,000	23,225	34%	8%
2024/2025	£675,000	18,416	28%	8%

9. Financial Aspects of Civil Parking Enforcement in Swindon

Swindon Borough Council Car Park Account (Excludes Departmental Overheads & Central Support)				
	Bus Lanes			Bus Lanes
<u>2023/2024</u>	<u>2023/2024</u>		<u>2024/2025</u>	<u>2024/2025</u>
<u>Actual</u>	<u>Actual</u>		<u>Actual</u>	<u>Actual</u>
£'000	£'000			
		Pay & Display Income		
£0	£0	Off Street Pay & Display Income	£0	£0
-£3,252	£0	On Street Pay & Display Income	-£3,273	0
-£775	£0	Season Tickets	-£614	£0
-£1,007	-£838	PCN Fee Paying	-£1,043	-£675
-£64	£0	Miscellaneous Income	-£3	£0
-£5,098	-£838	Total Income	-£4933	-£675
		Summary Of Payroll		
£0	£85	Staffing, Maintenance & Management Costs	£861	£86
		Direct Costs		
£274	£0	Electricity	£242	£0
£1	£0	Water	£1	£0
£1,183	£0	NNDR/Void Rate	£1,299	£0
£116	£0	Structural Review/Maintenance	£103	£0
£64	£36	Car Park Equipment/Materials/Cleaning	£55	£75
£169	£0	Ticket Machine Maintenance/Airtime	£19	£0
£235	£0	Cash Collection & Security	£314	£0
£2,042	£36		£2,033	£75
		Other variable costs		
£45	£0	DVLA Processing & Court Costs	£55	0
£50	£7	NPAS Agency Fees	£48	£7
£6	£0	Ticket Supplies All	£8	£0
£101	£7		£111	£7

9. Financial Aspects of Civil Parking Enforcement in Swindon (cont)

		Other costs		
	Bus Lanes			Bus Lanes
2023/2024 Actual	2023/2024 Actual		2024/2025 Actual	2024/2025 Actual
£0	£0	Clothing/Uniforms	£0	£0
£14	£0	Telephones/Mobiles	£21	£0
£3	£3	Printing & Stationary	£4	£2
£0	£0	Credit Card Service Charge	£0	£0
£1	£1	Postages	£2	£1
£0	£0	Computer Hardware/Software	£11	£0
£2	£0	Promotions Advertising	£2	£0
£0	£0	Misc	£2	£0
£0	£0	General Maintenance	£2	£48
£13	£0	Fleet Management Recharge	£13	£0
£1	£0	Subscriptions	£3	£0
£0	£0	Public Notices	£0	£0
£34	£4		£60	£51
£2,177	£132	Total Costs (Including Pay)	£3,065	£219
-£2,921	-£706	(Profit)/Loss	-£1,868	-£456
£0	£0	Transfer To Car Park Reserve	£0	£0
-£2,921	-£706	Surplus (Profit)	-£1,868	-£456

The surplus has been fully spent during the year on public passenger transport services, highway improvement, maintenance & other environmental improvements. The contribution derived from Parking continues to bring improvements throughout the town.

10. Digital Permits

On Monday 8th August 2022 we introduced digital parking permits for residents in Swindon which included visitor permits. Most residents have embraced the change with a majority of the resident and visitor permits now being purchased through the MiPermit portal.

By making these changes, we believe the process to be smoother and simpler, and saves plenty of paper too.

In line with the terms and conditions of use of the resident permits. We have reintroduced the spot check process now that the new system has been in place for a year and emails have been sent to 10% of purchased permits in a month. Residents are randomly selected with residents being asked to provide proof of residency, vehicle ownership, disabled badge (if applicable), age (if applicable) along with proof of size of vehicle.

Residents have an initial 21 days to provide the requested documents with a reminder then being sent out providing a further 7 days to supply proof. If no proof is provided permits will be cancelled.

We are aware that some residents have limited access to the internet, although parking permits have always been available to purchase online. For those who need additional help purchasing or managing a permit, they can call MiPermit on **0345 520 7007** for support.

Resident permit terms and conditions - https://www.swindon.gov.uk/downloads/file/4558/resident_parking_permit_terms_and_conditions

MiPermit - <https://secure.mipermit.com/swindon/Application/ModuleLander.aspx>

If residents still continue to have any questions they can email parking@swindon.gov.uk

Digital Permits (cont)

Spot check – cancelled permits

Spot checks have been carried out since September 2023 in respect of the new digital permit system and a number of permits have been cancelled as a result. Please see the number of permits cancelled below in the last financial year.

Permit Type	Resident	Over 60's Visitor permit	Visitor	Blue Badge	Oversized Vehicle
Apr	38	14	2	1	2
May	8	17	3	1	0
Jun	6	9	4	0	2
Jul	6	12	3	2	2
Aug	7	10	0	1	0
Sept	4	10	1	0	0
Oct	13	10	1	2	0
Nov	5	8	1	2	2
Dec	7	7	1	1	2
Jan	6	7	0	2	4
Feb	6	9	3	0	1
Mar	9	8	2	0	1

These figures are subject to change. If documents are provided at a later date after a permit has been cancelled the permit will be reinstated.

11. School Safety Environment Zone Scheme

In the past four years the School Safety Environment Zone Scheme has been underway. We have been working closely with schools across Swindon to improve road safety and congestion issues around each school.

Keep clear markings, single and double yellow lines, flashing amber school signs have been making an appearance and our Civil Enforcement Officers were on hand to assist when these were put in place. They continue to visit these locations and issue Penalty Charge Notices when they witness a vehicle being parked in contravention of the regulations in place.

In the coming year we will see Swindon Borough Council working with more schools to identify the most effective measures that can be introduced to make the road around each school safer.

You can find out more about the scheme by following the link below:

https://www.swindon.gov.uk/info/20135/traffic_management/1147/school_safe_environment_zones_ssez

List of schools below that have been included this year

- Abbey Farm
- Abbey Park Academy
- Goddard Park Primary School
- Haydon Wick Primary School
- Haydonleigh Primary School
- Highworth Warneford School
- Holy Cross Primary School (St Joseph's)
- Lydiard Park Academy
- Millbrook Primary School
- Oaktree Nursery & Primary School
- Red Oaks Primary School
- Southfield Junior School
- The Deanery CE Academy
- University Technical College

13. Useful links on the Swindon Borough Council Website

Swindon Borough Council website - <https://www.swindon.gov.uk>

Parking - https://www.swindon.gov.uk/info/20031/roads_parking_and_transport

Pay a parking fine - https://www.swindon.gov.uk/info/20034/parking_tickets_and_bus_lane_fines/334/pay_a_parking_fine

List of car parks - https://www.swindon.gov.uk/directory/16/car_parks

Various permits can be applied for via the SBC website following the links below:

Resident, Visitors or business permit

https://www.swindon.gov.uk/info/20031/roads_parking_and_transport/322/parking_permits/2

Renew a resident permit

https://www.swindon.gov.uk/info/20031/roads_parking_and_transport/322/parking_permits/3

Season Tickets

All week - <https://parking.swindon.gov.uk/permits/pages/OnlinePermitDetailsForm.aspx?ID=33>

Coate Water - <https://parking.swindon.gov.uk/permits/pages/OnlinePermitDetailsForm.aspx?ID=55>

Lydiard & Coate - <https://parking.swindon.gov.uk/permits/pages/OnlinePermitDetailsForm.aspx?ID=56>

Lydiard Park - <https://parking.swindon.gov.uk/permits/pages/OnlinePermitDetailsForm.aspx?ID=54>

Mon-Fri - <https://parking.swindon.gov.uk/permits/pages/OnlinePermitDetailsForm.aspx?ID=3>

Mon-Sat - <https://parking.swindon.gov.uk/permits/pages/OnlinePermitDetailsForm.aspx?ID=4>

Traffic Regulation Orders -

https://www.swindon.gov.uk/info/20135/traffic_management/657/find_out_about_traffic_regulation_orders_tros

13. Appendix A – Parking Penalty Charge Notices issued against contravention

Summary to show the principle contravention groups where 100+ Parking Penalty Charge Notices were issued.

On Street

Code and contravention	Charge Band	Number issued
01 – Parked in a restricted street during prescribed hours	Higher	10967
12 – Parked in a residents' parking place without clearly displaying a permit for that place	Higher	7000
02 – Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	Higher	2518
30 – Parked for longer than permitted	Lower	1845
06 – Parked without clear display	Lower	1214
25 – Parked in a loading place during restricted hours without loading	Higher	789
45 – Taxi Rank	Higher	607
40 – Parked in a designated disabled persons parking space without displaying the relevant badge	Higher	554
05 – Parked after payment expired	Lower	426
99 – Pedestrian Crossing	Higher	424
14 – Parked in an electric place	Higher	380
47 – Restricted bus stop or stand	Higher	160
01 – Parked in a restricted street during prescribed hours	Higher	10967

Off Street

Code and contravention	Charge Band	Number issued
83 – Parked in a car park without clearly displaying a valid pay and display ticket	Lower	5472
82 – Parked after expiry of paid for time	Lower	1186
86 – Parked beyond bay markings	Lower	252
87 – Parked in a disabled persons parking space without displaying a valid badge	Higher	246
81 – Parked in a restricted area	Higher	188
85 – Parked in a permit bay	Higher	121

13. Appendix B – Statutory Grounds for Cancellation of Penalty Charge Notices

1. The alleged contravention did not occur
2. I was never the owner of the vehicle OR I had ceased to be the owner before the date on which the contravention occurred OR I became the owner after the date on which the contravention occurred
3. The vehicle had been driven by a person without the consent of the owner
4. We are a vehicle-hire firm and the vehicle was on hire under a hiring agreement and the hirer has signed a statement acknowledging liability for any Penalty Charge Notice issued during the hire period
5. The Penalty Charge exceeded the amount applicable in the circumstances of the case
6. There has been a procedural impropriety by the enforcement authority
7. The order which is alleged to have been contravened is invalid
8. The Penalty Charge Notice has been paid either in full or at the discounted rate