



WEST OXFORDSHIRE
DISTRICT COUNCIL

Customer Information Guide to Civil Parking Enforcement

In West Oxfordshire the Council is responsible for parking enforcement both on-street and in the off-street car parks.

These powers have been given to the Council through “**The Civil Enforcement of Parking Contraventions (West Oxfordshire) Designation Order 2009**” contained in Statutory Instrument (2009 No 3298).

Why the change?

Dangerous and illegal parking causes problems for pedestrians, residents, traders and other road users and the Council uses civil parking enforcement through the Traffic Management Act 2004 (TMA 2004), to undertake parking enforcement. The council’s Civil Enforcement Officers known as Community Wardens are there to work across the district serving the residents and motorists alike.

What is Civil Parking Enforcement?

Decriminalised parking enforcement under the Road Traffic Act 1991 was originally introduced into the 32 London boroughs in July 1994 and was then taken up by over 250 local authorities across the country. Under the 1991 legislation, Parking Attendants working for or on behalf of the local authority issued Penalty Charge Notices and to emphasise the decriminalisation of the parking enforcement system, parking ‘offences’ became parking ‘contraventions’ and appeals were resolved by an independent Parking Adjudicator from the National Parking Adjudication Service. On 31 March 2008 the Road Traffic Act 1991 was replaced by the Traffic Management Act 2004 and the council uses the Traffic Management Act 2004 to implement civil parking enforcement.

OK, so CPE replaces DPE, but what else has changed?

Civil parking enforcement introduced a two-tier level of penalty charge to give a sense of proportionality so that the level of the penalty charge reflects the seriousness of the parking contravention.

Civil parking enforcement enables the Council to issue penalty charge notices by post when a Civil Enforcement Officer is prevented from serving notices by threats of, or actual violence. Penalty charge notices can also be issued to those motorists who contravene the rules, but drive away before the Civil Enforcement Officer can complete the penalty charge notice.

Where does this come into force?

Civil parking enforcement will apply across the whole of West Oxfordshire which becomes a Civil Enforcement Area.

How will Civil Parking Enforcement affect me?

The motorists who park in accordance with the regulations will not notice any real change to on-street parking apart from regularly sighting the Community Wardens (Civil Enforcement Officers).

The Traffic Management Act 2004 aims to make the parking regulations more legitimate to the public and to bring greater transparency and fairness for all and not just the motorist. It is about the safe management of the streets in West Oxfordshire.

What is meant by “legitimacy, transparency and fairness” in civil parking enforcement?

Legitimacy is shown by undertaking parking enforcement in order to provide improved street management by way of reduced traffic or parking congestion; reducing the potential risks of road casualties; or providing improved and fairer use of the available kerb space to meet competing demands.

Transparency is demonstrated by the Council being required by the TMA 2004 to publish an annual report showing:

- (a) Its parking policy;
- (b) The method of parking enforcement being used;
- (c) Statistics to show the number of penalty charge notices issued and the number subsequently cancelled;
- (d) How much income was received; and
- (e) If there was an operating surplus, how this was used to benefit the local community.

Fairness to the motorist is shown by the introduction of differential parking penalties under which the penalty charge better reflects the seriousness of the parking contravention. This will help provide fairer parking management.

How does Civil Parking Enforcement help me?

At some time or another most of us fall victim to inconsiderate parking and experience the danger and the frustration it causes. Through their patrols the Community Wardens (Civil Enforcement Officers) will help to:

- Eliminate dangerous and inconsiderate parking on yellow lines around junctions;
- Keep main roads clear of illegally parked vehicles, relieving congestion and contributing to better traffic management;
- Keep the roads clear for emergency services vehicles;
- Keep unauthorised vehicles out of bus stops, taxi ranks and disabled parking spaces;
- Keep vehicles out of the pedestrianised areas; and
- Provide a regular turnover of limited wait parking spaces to give other users the opportunity to park.