

## **Decriminalised Parking Enforcement**

### **Frequently Asked Questions**

#### **What's changing in Stirling?**

Throughout the Council area there are two types of parking:

1. Off-street parking, where drivers are able to use public car parks, some of which are Pay and Display and some free.
2. On-street parking, where the road space is allocated for different uses, is restricted for safety reasons and allows no parking and or loading.

From the 3<sup>rd</sup> May 2017 Stirling Council will look after the enforcement of both on-street and off-street parking, through Decriminalised Parking Enforcement.

#### **What is Decriminalised Parking Enforcement?**

Decriminalised Parking Enforcement (DPE) transfers the enforcement of all parking, waiting loading restrictions powers from the Police to the relevant local authority (in this case, Stirling Council). As a result illegal parking becomes a civil rather than a criminal matter.

#### **Why is it being introduced in Stirling?**

As a consequence of Police Scotland's decision to discontinue the role of Traffic Warden in January 2014, increased non-compliance with on street parking restrictions has been noted within the Stirling Council area, and another method of enforcing parking restrictions was required.

#### **What do these new powers cover?**

This includes enforcement of offences concerning double yellow lines, single yellow lines, clearways, spaces for blue badge holders (disabled bays), pay and display bays, loading bays, bus bays, taxi ranks, permit holder bays (i.e. residents and doctors) and school keep clear zig-zags. Once introduced the Council Enforcement Officers will be able to issue Penalty Charge Notices (PCN's) to any vehicle parked in contravention of the restriction in force.

#### **What are the benefits?**

The introduction of DPE will benefit all road users and pedestrians who may be inconvenienced by indiscriminate or illegally parked vehicles, including on footways and at crossing points, as it will provide more standardisation of parking controls, which is an effective method in controlling traffic movement, improving road safety and environmental conditions, such as less pollution / congestion for Stirling City, as drivers opt to park within the park and walk city centre car parks and / or use the two high quality Park and Ride sites.

Inconsiderate or illegal parking can cause safety concerns for citizens, workers, shoppers, visitors, businesses and blue badge holders. DPE will allow the Council to better manage both on-street and off-street parking, which in turn will lead to better availability of parking spaces for all users groups and improved access for deliveries, through reduced competition for road space, increasing safety for pedestrians and other vulnerable groups. It will also be more locally accountable and adaptable to local needs, while supporting public transport initiatives.

#### **Are new parking restrictions being put in place?**

There will be **no change** to existing parking regulations, so responsible drivers who park legally in accordance with the restrictions won't notice any difference. We have completed remedial works

across Stirling to improve the lines and signs for each area, to ensure all are fit for purpose, in accordance with the existing layout and restrictions.

### **What role will the Police have when DPE is introduced?**

Police Scotland support the introduction of DPE in Stirling, as 14 other local authorities in the country have already successfully introduced this. Police officers will no longer play a role in enforcing day to day, other than issuing penalty tickets for endorsable offences to any vehicle they deem to be causing a road safety hazard, danger or obstruction.

### **How will DPE be enforced?**

A team of Enforcement Officers has been created who will have the power to place Penalty Charge Notices (PCN's) on any vehicle contravening parking regulations. In certain circumstances where the vehicle is considered to be causing an obstruction or a road safety hazard, Stirling Council could also authorise the removal of an illegally parked vehicle.

### **How will I know when I see a Prevention and Enforcement Officer?**

The team have blue uniforms and will be clearly identifiable with Parking Attendants signage on their jackets.

### **How much can I be fined if parked incorrectly?**

From the 3<sup>rd</sup> May 2017 when the powers come into force any vehicle found to be in contravention of any parking restriction in force will be issued a Penalty Charge Notice (PCN) for £60. This PCN will be reduced by 50% if paid within 14 days of the date of issue, if ignored the PCN will increase to £90, thereafter if it continues to remain unpaid will be passed to debt recovery agents for collection.

### **How do I avoid getting a PCN?**

Motorists who do not contravene parking regulations will not receive a PCN. Please ensure you take care to read the signs and any road markings next to the parking bays or yellow lines – they will explain when you can park, for how long and if you need to pay. For further advice on typical lines and signs please follow this link for the Highway Code at <https://www.gov.uk/browse/driving/highway-code-road-safety>.

### **How do I park at a location to carry out maintenance?**

There will be a formal dispensation process which will require you to complete an application form seven days in advance for any planned works. The application form and guidance can be obtained at:- [http://www.stirling.gov.uk/\\_documents/transport/highway-development-control/dc-permits/road-occupation-form-1.pdf](http://www.stirling.gov.uk/_documents/transport/highway-development-control/dc-permits/road-occupation-form-1.pdf)

However for urgent works Permits can be issued within 24 hours from Endrick House, Kerse Road Stirling, and advice can be obtained by contacting 01786 404040.

### **How do I pay?**

All information for payment is detailed on the back of the Penalty Charge Notice (PCN).

- From the 3<sup>rd</sup> May 2017 payment can be made via the web by visiting [www.stirling.gov.uk/parking](http://www.stirling.gov.uk/parking) (please note that payment using this method will not be available until up to 24 hours after the notice was issued).
- By telephone by calling 01786 404040, using your debit or credit card quoting your penalty charge details

- By cheque payable to Stirling Council, with your address and Penalty Charge Number on the back, to Stirling Council, PO Box 1460, Northampton, NN1 9FW.

### **How do I dispute a PCN?**

Write to Stirling Council, either online at [www.stirling.gov.uk/parking](http://www.stirling.gov.uk/parking) or by post to Stirling Council, PO Box 1460, Northampton, NN1 9FW, with your reasons as to why you think you are not due to pay the Penalty Charge. If we receive a letter within 14 days, beginning with the date of issue of the PCN, progression of the charge will be put on hold pending a decision. If the PCN is not withdrawn and remains unpaid, details will be obtained from the DVLA and then a Notice to Owner will be sent to the registered owner/keeper of the vehicle. This will allow the owner/keeper to make formal representation against the issue of the PCN. Should this be accepted you will receive a notice of acceptance and the ticket will be withdrawn. Should the PCN be upheld then you will receive appeal forms along with a notice of rejection. This allows you to take your case to an independent adjudicator and have your case dealt with in person or by

### **Where does the money go?**

Revenue created through Penalty Charges will be used by Stirling Council to finance the enforcement and adjudication of the DPE scheme. Any surpluses are used firstly to improve parking facilities and secondly for general traffic management and public transport purposes.

### **When will DPE start?**

As of March 20th 2017, Stirling Council's Enforcement Officers will begin parking patrols across the Council area issuing warning tickets to any vehicles in contravention with parking or waiting restrictions, and referring those who repeatedly ignore parking restrictions to Police Scotland.

From May 3<sup>rd</sup> 2017 when the new DPE powers come into force, the Parking Attendants will be issuing a PCN to any vehicle found to be in contravention of any parking or waiting restriction in force, which incurs a £60 charge.