

Annual Parking Report

2021 – 2022



Introduction

Foreword by Councillor Ruth de Mierre, Cabinet Member for Leisure and Parking

Welcome to Mid Sussex District Council's Annual Parking report, as we look back over the 2021 – 2022 financial year.

The Parking Service here at the Council is one of six enforcement authorities who work in a contract agreement with West Sussex County Council. It forms an important part of making sure that our roads in the District are kept clear, allowing those that need to use the kerbside space to do so without hindrance.

Alongside enforcing the highways, the service also manages thirty-four off street car parks. We renewed our commitment to providing safe and accessible parking by achieving the Park Mark Award for safer parking in twenty-two of our car parks, together with the Disabled Parking Accreditation in nineteen.



This year saw on-going disruption and changes to services as the Covid 19 Pandemic continued to cause changes nationally. We were pleased to be able to support the wider community during this difficult time by providing testing sites and vaccinations facilities via our car parks, and we continued to support the NHS workers National Parking Pass. As we began to move out of the more restrictive lockdowns, we took the opportunity to review our Season Ticket Offer by providing more accessible services through digital platforms, and flexible offers to reflect the changing landscape of worker's needs.

There is still much that can be achieved to develop our service, and we face an exciting journey ahead.

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1. Mid Sussex – The Key Facts

Population c147,000

13,362 PCNs issued

501 Season Tickets issued

1 Controlled Parking Zone

24 villages

3 Towns

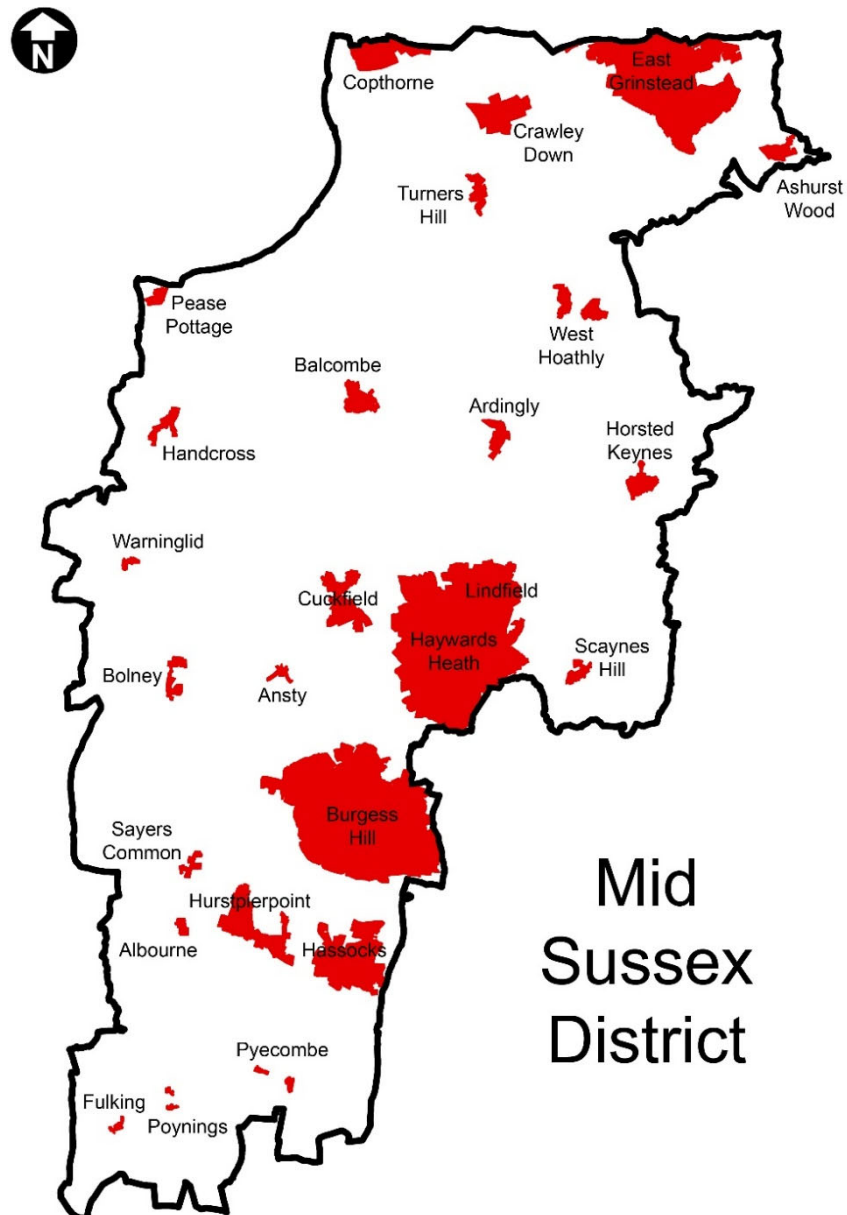
632 On Street Permits issued

2. The place

The Mid Sussex district is exactly as it is described; it falls to the centre of the two Counties of Sussex, whilst its administrative centre is situated entirely in West Sussex. Its southern point extends down to the iconic South Downs, whilst the northernmost point enters into the High Weald Area of Outstanding Natural Beauty.

Whilst most Districts or Boroughs contain one central town, Mid Sussex is unusual in that it contains three, falling from the north to the south:

- **East Grinstead**
- **Haywards Heath**
- **Burgess Hill**



Reproduced from Ordnance Survey mapping. Mid Sussex District Council. 100021794. 2018

Nearly half of the district is designated as an area of outstanding natural beauty, reflected in its villages and their surrounding countryside. In spite of this, it remains only an hour's journey from London and twenty minutes from the coastal city of Brighton and Hove. In addition, the district centre is only ten miles from Gatwick Airport.

Its location has proved attractive to residents who wish for a more rural location whilst still being able to access larger, metropolitan, areas for work or leisure. All three towns in the district are served by a mainline to London, which makes it an attractive area for commuters, whilst still drawing people into the district to work.

Burgess Hill

The fourth largest town, in terms of population, in West Sussex. Several large developments, in both housing and business, have taken place over recent decades. Burgess Hill has several roads which do not have any form of restriction on them. This gives greater scope for vehicles to be parked in areas where they can cause issues in traffic flow, commuter parking and problems for residents. In 2018, works commenced on the ambitious Northern Arc project, which will see 5,000 new homes installed as part of the town's regeneration programme.

East Grinstead

Some of the town centre dates from the 14th Century and is close to several tourist attractions. An older town than its southern relations, East Grinstead suffers from a lack of residential parking in its centre which resulted in a Controlled Parking Zone being introduced in 2000. In 2013, a line extension linked East Grinstead railway station to the popular Bluebell Railway. A fine balance needs to be maintained between visitors, residents, workers, commuters, and shoppers, which is becoming more of a challenge as new building developments take place.

Haywards Heath

In 2016, Haywards Heath celebrated 175 years of the railway coming into the area, which contributed to its current makeup. Aside from being a commuter town, several large businesses are located within the town. This leads to a high demand for all day parking, which is not easily met. Alongside this demand, the car parks and roads also need to support both residents and visitors.



3. Where does parking fit into this?

Amidst all of this, residents, visitors, and workers, are travelling daily within the district – quite often by car – and are making their way to or from a destination where they will wish to park conveniently and safely.

Parking is not just about a vehicle sitting stationary on the road. There are many different types of road user who could be parking during a day. For example:

- Residents naturally want to park near their home and would like their visitors to be able to do the same.
- Businesses require convenient access for customers and servicing such as deliveries.
- Shoppers will wish to park in places with the most convenience.
- Those who hold a disabled blue badge will need to park as near to their destination as possible.
- Public transport needs to park in areas which enable them to pick up and drop off passengers.
- Commuters who are coming into the area to work need somewhere to park.
- Commuters who are heading out of the area need to park to access other travel facilities.

Between the District and County Council, these needs are managed by the restrictions and charges on the road, and in the car parks. These different areas are commonly referred to as “on street” and “off street”.

What Parking Enforcement is not

“a money-making scheme”

“Civil Enforcement Officers are on commission”

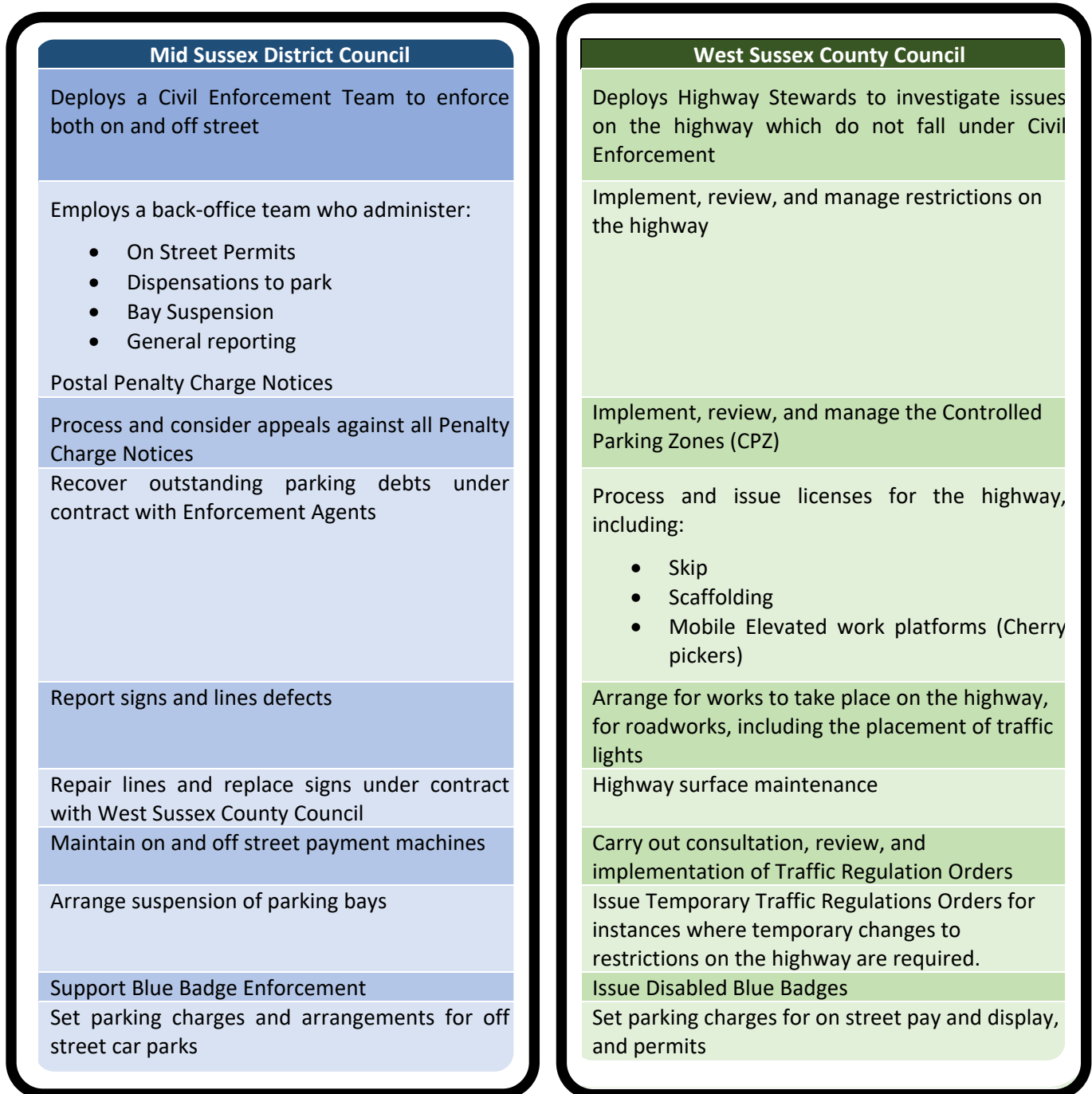
“There to make people’s lives difficult”

Parking Enforcement exists, quite simply, to make sure that everyone is parked where they should be parked, and in turn this means everyone has the opportunity to carry out the activities they need to at the kerb side. The revenue from Penalty Charge Notices cannot be used as a means to increase a Council’s finances. The monies recovered can only go back into the service, with the excess being used for highway improvements.

Since 2006, Mid Sussex District Council have been in an Agency Agreement with West Sussex County Council, which has allowed the two authorities to operate Civil Parking Enforcement.

Civil Parking Enforcement is exactly what it means. Under the Traffic Management Act 2004, the enforcement of restrictions on the highways stopped being enforced by Police Traffic Wardens and ceased to be a criminal matter. Rather than fines being issued, and cases appealed by a magistrate, Civil Enforcement means Penalty Charges are issued, and can be appealed directly to the Council or, later along the Charge’s life to a Parking Adjudicator (see page 16).

Because the two Authorities are working together, they operate as what is called a “two-tiered authority” which means there are two levels of responsibility. An overview of what each Council is responsible for – and how they tie together is shown below:



4. Partnership Working

Parking Services at Mid Sussex District Council cannot operate on its own to deliver a service. There are several agencies it works alongside in varying ways.



The County Council is the highway authority for Mid Sussex and its neighbouring Districts and Boroughs. Mid Sussex District Council works under contract with the County Council to deliver the Civil Parking Enforcement for its roads.

The logo for Chipside, featuring the word "CHIPSIDE" in black capital letters above a stylized blue swoosh graphic.

CHIPSIDE

Chipside provide the technology for the Civil Enforcement Officers to carry out their work and the back office system which manages the appeals and recovery element of a Penalty Charge Notice.

The logo for MiPermit, featuring the word "MIPERMIT" in a bold, sans-serif font, with the "MI" in green and "PERMIT" in black.

MIPERMIT

MiPermit manages the “pay by phone/app/online” element of the District Council’s off street parking. It is also the Digital Platform for Season Ticket holders to purchase and manage their permits.

The logo for Flowbird, featuring the word "FLOWBIRD" in black capital letters above the text "Urban Intelligence" in blue, with a blue dot-matrix graphic to the left.

FLOWBIRD
Urban
Intelligence

Flowbird is the Council’s operator for the pay and display machines both on and off street. They are responsible for the communications between the customer, the machine and the Council.

The logo for Operation Crackdown, featuring a red stylized "A" shape to the left of the text "Operation Crackdown" in red.

**Operation
Crackdown**

Operation Crackdown is a joint initiative between The Sussex Safer Roads Partnership and the Sussex Police Authority to provide the public the opportunity to report anti social driving and parking. Mid Sussex District Council works with Operation Crackdown in terms of reporting vehicles.



**Brighton & Hove
City Council**

Operation Bluebird is the initiative run by Brighton and Hove City Council and other partners to tackle blue badge misuses. Under agreement with the Councils based in Mid Sussex, Investigator regularly visit the district to carry out action days.



**HM Courts &
Tribunals Service**

The Traffic Enforcement Centre at Northampton County Court forms part of HM Courts and Tribunal Service. It acts as a bulk processing centre for all unpaid Penalty Charge Notices, Dart Charge, Merseyflow, and Clean Air Zone Penalties. They also process Witness Statements submitted by the debtor against a Court Order.



Equita are one of the District Council's appointed enforcement agents and assist in recovering unpaid PCNs.

JACOBS

Jacobs are one of the District Council's appointed enforcement agents and assist in recovering unpaid PCNs.



Euro Parking Collections specialise in identification, notification and collection of unpaid traffic and public transport related fees, charges and penalties issued to foreign registered vehicles (FRV) or persons across Europe.



The British Parking Association is a non-profit organisation who works with its members and other entities to help improve standards and professionalism in the sector. Mid Sussex District Council is a member of the BPA and actively takes part in discussion with other stakeholders to share information and encourage best practice. The BPA also manage the Safer Parking Scheme, which the District Council is affiliated to.

5. A Year in Review

2021 – 2022 still presented challenges due to the ongoing Covid 19 pandemic, the Council had already responded the previous year when the first national lockdown had taken place. At the beginning of the year, the country was in its third national lockdown and, although not as restrictive as the first, its impact was still felt within the service.

Covid 19

As with many other Councils across the country, Mid Sussex District Council was able to play a part in assisting with the Government response to the pandemic.

Queens Walk Vaccination Centre, East Grinstead

In East Grinstead, an NHS vaccination site was launched at Queens walk. To enable the staff to carry out their duties without hindrance, the Council support them by offering them unrestricted parking in the neighbouring Queensway Car Park. During that time, the team had collectively administered 68,692 vaccinations first and second doses, and the booster.

Mobile Testing Sites

Mobile Testing sites were introduced to two car parks based in Mid Sussex - Heath Road Car Park (Haywards Heath) and Chequer Mead Car Park (East Grinstead.) This offer continued well into the year until the testing sites closed in March 2022.

Other Projects

In spite of the continuous uncertainty of how the pandemic would affect Council services, Mid Sussex District Council Parking Services were involved in many projects, nationally and locally, as indicated below.

Breathing Space

The Debt Respite Scheme (otherwise known as breathing space) was introduced in England and Wales on the 4th May 2022.

Customers in financial difficulties may apply for a 60 day debt respite which prevents any legal or creditor action in that time. This allows the customer to have the time to find a solution to deal with their debts.

Penalty Charge Notices are classed as a debt, regardless of whether or not the debt has been through the Courts. Alongside amending its processing system to account for a 60 day hold, Parking Services has also worked alongside its colleagues in Revenues to make sure that all debts with the Council are covered. The District Council also had support from its Enforcement Agents – Equita and Jacobs, who will also receive notification of breathing space. The important element is to make sure that all the debts are covered and that no applicant suffers enforcement action when they are legally protected

If a customer believes they may need financial help via breathing space, they will need to approach a debt adviser, who will be responsible for the application.

Fibre Project Digital Exchange

Mid Sussex District Council was extraordinarily proud to commence a project which would see the installation of its own ultrafast fibre network. The network is funded by the Department for Culture, Media and Sport and will see the delivery of gigabit speed broadband to more than 6,400 homes in Mid Sussex.

Due to the ongoing regeneration of the Burgess Hill Town Centre, Station Road car park was selected to house a digital fibre exchange on a temporary bases so that the works could proceed on such a vital project.

School Safety

One of the most common requests or complaints regarding parking concerns areas around schools at drop off and pick up times. Sadly, there are a high number of schools in Mid Sussex and it simply is not possible to visit each school on a daily basis. However, the Council will carry out targeted operations, as it did at St Peters School in Ardingly. The Civil Enforcement Officers joined the Neighbourhood Policing Team to assist at the school pick up time. They were ably assisted by the school's dog – Flapjack.



Abandoned Vehicles

In its partnership working with Sussex Police, Mid Sussex District Council has carried out the enforcement of abandoned vehicles within the district. In July of 2021, Parking Services adopted the duty of working on Operation Crackdown.

Turning Tides Mobile Hub

Turning Tides is the biggest provider of services for single homeless people in West Sussex, having grown out of a smaller operation which started in Worthing. The Housing Needs Team at Mid Sussex has worked with Turning Tides for several years to provide outreach support for rough sleepers in the Mid Sussex area. Recently Turning Tides acquired a converted double decker bus, which can travel out to the lesser covered areas in Mid Sussex and offer outreach to homeless individuals. The bus commenced its visits on the 23rd March 2022, and currently visits each location on a weekly basis. The service is being run as a trial and will be reviewed after six months.

The Turning Tides bus currently visits three locations:

- Chequer Mead Car Park, East Grinstead
- Franklynn Road Car Park, Haywards Heath
- Orion Car Park, Hassocks.

Further information on the Mobile Hub can be found at <https://www.turning-tides.org.uk/bus/>

New Parking Charges

Following the pandemic, and the introduction of the Parking Strategy in 2020, the District Council had to make some difficult decisions as to how it might recover from the financial losses it had suffered over the last two years. Mid Sussex District Council had not raised its charges since 2009, and this was taken into consideration when the decision was made to increase the charges, not only to assist with the financial losses in the 2020/2021 year, but also to mitigate the rising costs of management and maintenance.

The new charges were introduced on the 28th March 2022.

Flexible Season Ticket Offer

Alongside the pay and display charges, the decision was also taken to increase the charges of the Season Tickets offered in the Council’s long stay car parks. However, it was also acknowledged that parking behaviour had significantly changed over the last few years and that a flat rate for Season Tickets was not enough in itself. After a review, the Council agreed to introduce a more flexible offer, which would allow customers to either park Monday to Friday or Monday to Saturdays, and a new of Season Ticket which would allow 12 days parking during the month.

These new Season Tickets continue to be managed by the Council’s digital parking provider – MiPermit and allows customers to change, update, and activate their flexible stays at the touch of a button.

Electric Vehicles

The Parking Services Team operate four vehicles within their fleet in order to carry out enforcement across the district. As part of the Council's larger Sustainable Economy Strategy, which looks at ways to protect the environment, tackle climate change and cut greenhouse gas emissions to zero by 2050, the Parking Enforcement leased three electric vehicles to replace the current models.

Converting to electric cars will help improve local air quality in Mid Sussex and will save more than nine tonnes of carbon each year. The intent will be to replace further vehicles once current leases expire. This will achieve long term financial savings and reduced running and maintenance costs.





Ouse Valley Viaduct, Balcombe

6. Enforcement

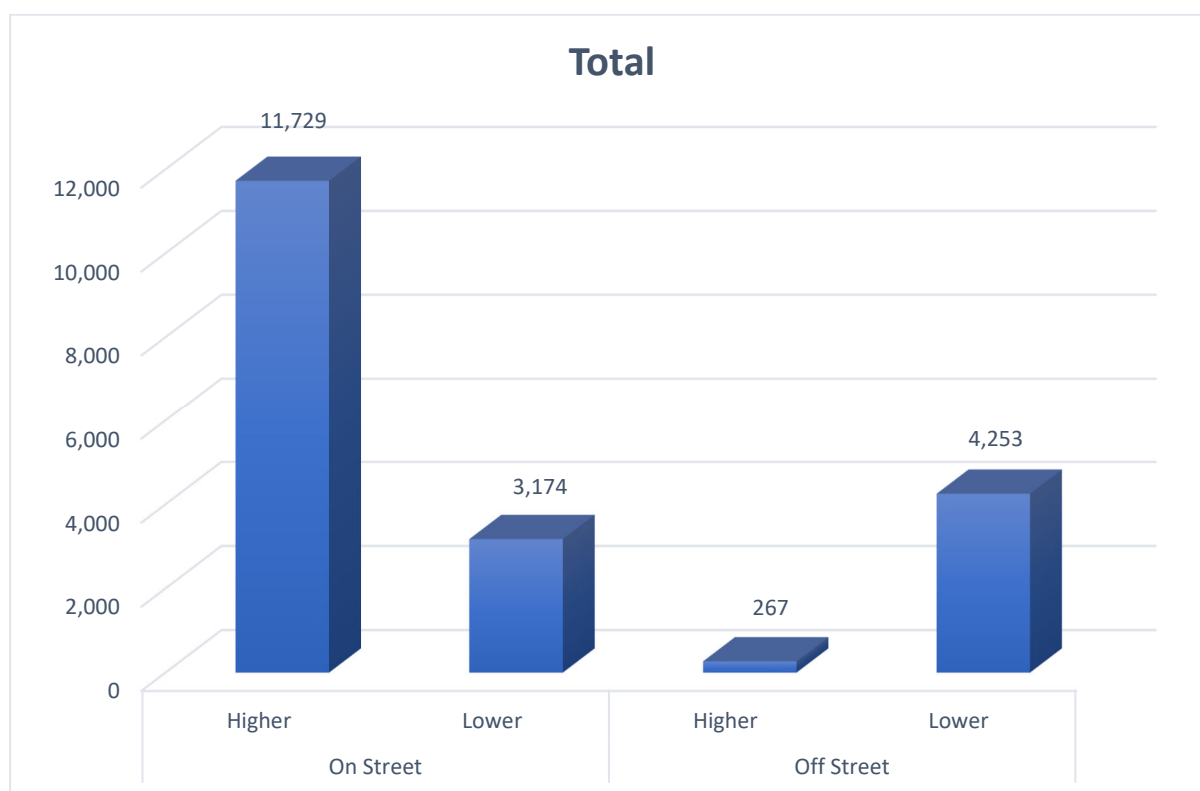
Enforcement (Penalty Charge Notices)

Penalty Charge Notices (PCNs) are issued in Mid Sussex when the Civil Enforcement Officer observes a contravention is taking place. The penalty will either be a higher or lower charge, depending on the contravention itself. Councils may not make up their own charges but must strictly adhere to the charges laid down in the Secretary of State's Regulations.

Higher charges are generally applied on the basis that the act of parking affected health and safety or prevented the correct user from using a much-needed bay, such as a disabled badge holder or a bus requiring the stop. The lower codes tend to indicate a severe type of contravention, such as not displaying a ticket or permit, or staying longer than the time indicated. A full list of contravention codes the Council uses can be found in Appendix C.

In Mid Sussex, there is a far higher level of higher level PCNs issued on street, than there are in its car parks, which reflects the nature of the contraventions.

An overview of the number of higher and lower level PCNs issued on and off street in 2021 – 2022 is shown in the graph below.



In terms of the agreement the District Council has with West Sussex County Council, enforcement is prioritised for contraventions which take place on street, with a particular focus on health and safety. The graph before highlights that the Council is indeed focussing on this element.

Top 5 On Street Contraventions

Following on from this, the table below indicates the most PCNs issued according to contravention over the 2021 – 2022 period:

Charge Level	Contravention Code	Contravention Description	Issued
Higher	01	Parked in a restricted street during prescribed hours	2,383
Lower	30	Parked for longer than permitted	1,933
Higher	23	Parked in a parking place or area not designated for that class of vehicle	930
Lower	06	Parked without clearly displaying a valid pay & display ticket or voucher	807
Higher	40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	616

In line with the agreement with West Sussex County Council, the main type of PCN issued is for a vehicle parking on a single or double yellow line. Again, this highlights the Council's focus on enforcement with relation to health and safety.

PCNs issued by street

The Council's priority in terms of enforcement on street will always be the main thoroughfares of each town. East Grinstead's high streets show higher issue rates as they are within a Controlled Parking Zone and there is more of a focus as part of the Council's contract to manage the Zone.

Road	PCNs issued
London Road, East Grinstead	277
High Street, East Grinstead	273
South Road, Haywards Heath	181
Church Road, Burgess Hill	175
The Broadway, Haywards Heath	118
High Street, Hurstpierpoint	116
Cantelupe Road, East Grinstead	86
Little King Street, East Grinstead	75
St James Road, East Grinstead	66
Ashenground Road, Haywards Heath	65



Top 5 Off Street Contraventions

The main reason vehicles will incur a Penalty Charge Notice Off Street is because there is no valid pay and display period purchased or displayed.

Charge Level	Contravention Code	Contravention Description	Issued
Lower	83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	3,453
	82	Parked after the expiry of paid for time	491
	86	Not parked correctly within the markings of a bay or space	157
	80	Parked for longer than permitted	152
Higher	87	Parked in a disabled person's parking place without clearly displaying a valid disabled person's badge	117

Challenges, Representations and Appeals

Q. Aren't they all appeals?

A. Technically, yes, but there are different stages in the appeals process and the names are used in the Statutory Guidance that the Secretary of State uses to differentiate between them.

Challenges refer to any type of appeal made after the Penalty Charge Notice has been issued, but before the Notice to Owner has been issued. These are generally sent to the Council when the charge is still at the discount, but they can be at full charge.

Representations refer to an appeal made after the Notice to Owner has been issued to the Owner or Keeper of the vehicle. The charge will be the full amount, or what is left of the full amount that was not paid in time. The Council does not legally have to respond to any representation sent after the 28 days allowed once the Notice to Owner has been served, but it can still choose to respond if it thinks it is appropriate.

Notice to Owner

This Notice to Owner has been issued to you by Mid Sussex District Council because the Penalty Charge Notice detailed below has not been paid in full and you were the registered owner on the date in which the PCN was issued to the vehicle.

Payment Slip

You must complete this slip in block capitals and return it with your payment to the address below.

Mid Sussex District Council
Oaklands Road
Haywards Heath
West Sussex
RH16 1SD

Appeals can only happen if a Council has rejected a formal Representation. The rejection provides details of how to apply to the Traffic Penalty Tribunal if the Appellant wishes to continue to appeal.

Cancellation Overview

To date, Mid Sussex District Council have accepted 948 appeals at varying stages in relation to PCNs issued. It is important to remember that a Notice is only issued by a Civil Enforcement Officer in the belief that a contravention has taken place. There may be activities or circumstances taking place which either legally exempt the vehicle or give the Council cause to believe it is right to cancel the Notice.

The reasons for cancellation, dependant if the PCN was issued on the street or in a car park are indicated below.

On Street

Cancellation Reason	Total
Mitigating Circumstances	80
Reasons for not displaying a valid pay and display ticket accepted	42
Valid Blue Badge Provided	40
Reason for Not Displaying a Valid Resident Permit Accepted	39
Representation Accepted	27
Issue with Pay and Display Machine	14
Vehicle breakdown	12
Loading and Unloading Activity Established	10
Issue with signs and lines	9
Reason for Not Displaying a Valid Resident Visitor Permit Accepted	6
Lack of supporting evidence to enforce theN (Penalty Charge Notice)	5
Total	284

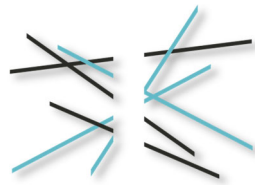
Off Street

Cancellation Reason	Total
Reasons for not displaying a valid pay and display ticket accepted	375
Reasons for not displaying discs accepted	120
Mitigating Circumstances	85
Valid Blue Badge Provided	30
Representation Accepted	24
Issue with Pay and Display Machine	19
Issue with Parking POD	7
Valid Season Ticket Produced	2
Lack of supporting evidence to enforce PCN Penalty Charge Notice	1
Stolen Vehicle	1
Total	664

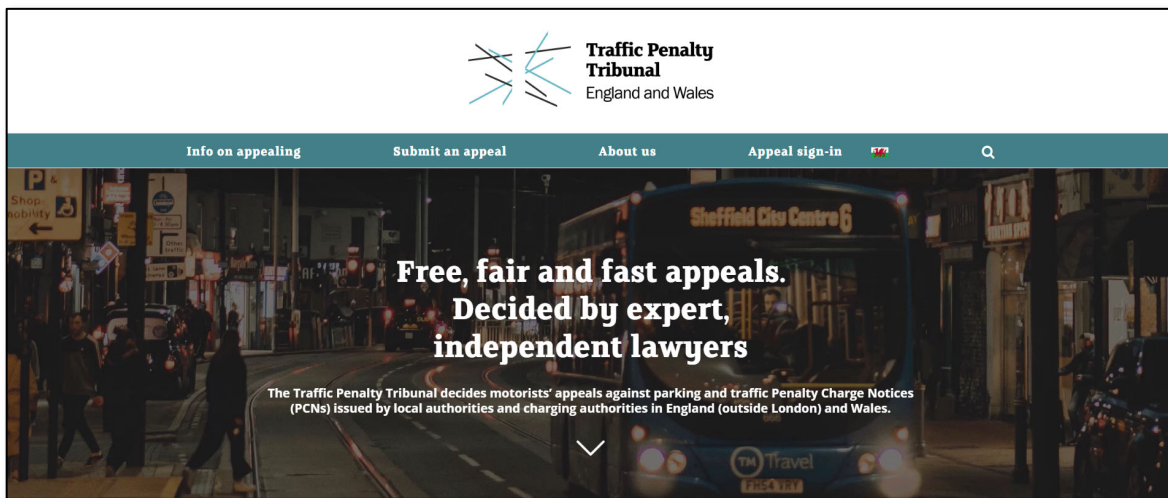
Traffic Penalty Tribunal (TPT)

The TPT is an independent body which reviews Appeals, and ultimately has the final decision on whether a Penalty Charge Notice should be upheld or cancelled. The Appeals process is free to use by the Appellant, and they may

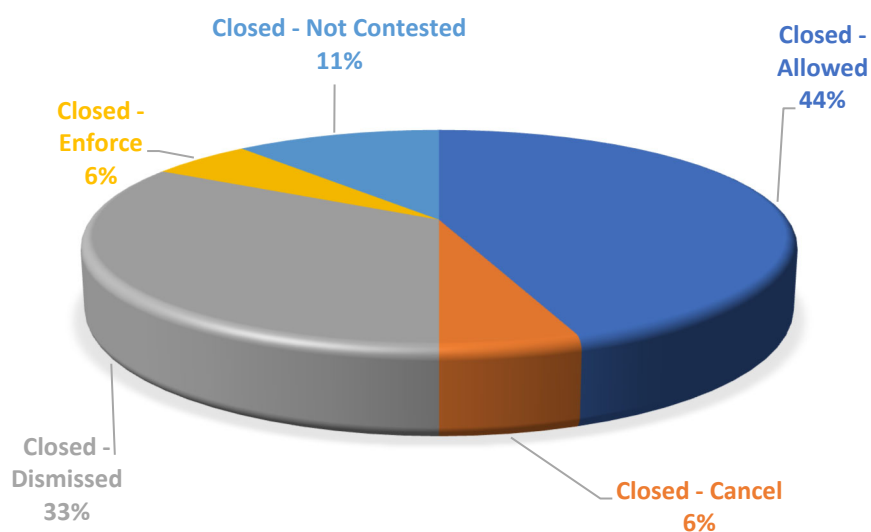
choose whether to have a hearing or rely on a written decision. The Adjudicator may award costs in exceptionally rare circumstances if the feel either party has been “vexatious, frivolous, or wholly unreasonable”. Mid Sussex District Council has never been required to pay costs to a party.



Traffic Penalty Tribunal
England and Wales



The below graph indicates the outcomes of Appeals made to the Adjudicator between 2021 – 2022. In total, only eighteen Appeals were made to the Adjudicator, which is 0.13% of all PCNs issued in the same period.



Closed – Allowed – The Appellant has won the case and the Council must cancel the Penalty Charge Notice. Any payments made must also be refunded.

Closed – Dismissed – The Council has won the case and the Appellant has twenty-eight days from the decision to pay the outstanding full charge.

Closed – Cancel – The Appeal has been referred as the result of a Court Witness Statement, and the Adjudicator has made the decision that the Appeal should not be registered and instruct the Council not to proceed but cancel the PCN instead.

Closed - Enforce - The Appeal has been referred as the result of a Court Witness Statement, and the Adjudicator has made the decision that the Appeal should not be registered and instructs the Council to continue with Enforcement.

Closed – Not contested. The Appeal has been lodged with the Adjudicator, but the Council has decided not to pursue the matter. This can be for a variety of reasons, such as new evidence being produced, etc.

Can we learn anything?

When a decision is made which upholds or the Council decides to not contest a PCN, it is good practice to consider the reasons for this and whether the case should have gone to Appeal in the first place. Naturally, there will be times when the Council has correctly followed process and believes the Penalty Charge Notice should not be cancelled, but the Adjudicator take a different view. However, each decision is reviewed to consider whether any processes need to be changed.

PCN Details

PCN	NoR Date	Location	Contravention Code	Contravention Date	Contravention Description	Penalty
XS10493638	18/05/2022	Little King Street, East Grinstead	6	11/04/2022 16:00	Parked without clearly displaying a valid pay & display ticket or voucher	£50.00

Debt Recovery and Enforcement

Another element of enforcement, which happens much later in the life of a PCN, comes when the Council has reached the point when it will need to recover the unpaid charge. At this point, all Appeal routes have been exhausted and it is simply a matter that the charge should be paid.

Debts

It is at this time the Council will apply to the Traffic Enforcement Centre, which is part of the Northampton County Court Bulk centre. All unpaid road traffic related debts issued by Councils are processed by the TEC, together with other outstanding charges such as the Congestion Charge or Dart Charge. Debts registered at the Traffic Enforcement Centre are different from the more commonly known debts. They are not County Court Judgements, or similar, and the debtors credit rating is not affected.

As soon as the unpaid charge is registered at the Court, it ceases being referred to as a Charge and instead becomes a debt.

The Court charges the District Council £9.00 per PCN to be registered. This charge is added to the outstanding debt and will be paid by the debtor.

Form TE9
Witness statement – unpaid penalty charge

Please complete this form in black ink using BLOCK CAPITALS

Traffic Enforcement Centre County Court Business Centre St Katharine's House 21 – 27 St Katharine Street Northampton, NN1 2LH	Penalty Charge No. Vehicle Registration No. Applicant: Mid Sussex District Council Location of Contravention Date of Contravention
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You must ensure that all details above are correctly entered from the form TE3 - Order for Recovery of unpaid penalty charge.

Title Mr Mrs Miss Ms Other

Full name (Respondent) _____

Address _____
Postcode _____

Company name (if vehicle owned and registered by a company) _____

The above named witness, declares that: Tick all boxes that apply to you.
Note: If your penalty charge relates to a London Borough Parking Contravention tick only ONE box:

<input type="checkbox"/> I did not receive the Notice to Owner / Penalty Charge Notice (Parking contravention).	<input type="checkbox"/> I appealed against the local authority's decision to reject my representation, within 28 days of service of the rejection notice, but have had no response to my appeal. The penalty charge has been paid in full.
<input type="checkbox"/> I made representations about the penalty charge to the enforcing authority concerned within 28 days of the service of the Notice to Owner, but did not receive a rejection notice.	<input type="checkbox"/> I appealed against the local authority's decision to reject my representation, within 28 days of service of the rejection notice, but have had no response to my appeal. The penalty charge has been paid in full.

Date it was paid _____
How was it paid Cash/Cheque/Debit/Credit card _____
To whom was it paid _____

Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in an application verified by a statement of truth without an honest belief in its truth.

Statement of truth
(I believe) (The witness believes) that the facts stated in this application are true.

Signed _____ Date _____
(witness) (person signing on behalf of the witness)

Print full name _____

If you are signing on behalf of the witness, are you

<input type="checkbox"/> An officer of the company	<input type="checkbox"/> A Partner of the firm	<input type="checkbox"/> A Litigation friend acting on behalf of a protected party within the meaning of the Mental Capacity Act 2005
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TE9 Witness statement (05/22) © Crown Copyright 2022

Form TE3
Order for recovery of unpaid penalty charge

To the respondent	Penalty Charge No. Vehicle Registration No. Applicant: Mid Sussex District Council Location of Contravention Date of Contravention Amount of charge Court registration fee Total amount to pay
-------------------	---

An order to recover a penalty charge has been made against you at the Traffic Enforcement Centre at Northampton County Court.

_____ this is the date by which you must either: pay the total amount shown above or file a statement if you believe you have grounds for not paying the charge.

Note: If you have a query regarding the original penalty charge, you should contact the Local Authority that issued the penalty charge.

Paying total amount All payments and enquiries must be directed to this address: Mid Sussex District Council Haywards Heath RH16 1SS	Filing a statement Note: there are only four limited grounds on which you can make a statement (see form TE9 for details). Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in any document verified by a statement of truth without an honest belief in its truth. If you want to file a Witness statement - unpaid penalty charge (parking – form TE9), you can do so by email or by post. • By email - download form TE9 from www.gov.uk/government/collections/traffic-enforcement-centre-forms complete form and send it to TEC@justice.gov.uk • By post - by completing the enclosed form TE9 and sending it to the Traffic Enforcement Centre at the address below. If you need any help or further information regarding payment you can call this number: 01444 477212
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If you need any help or further information regarding payment you can call this number: 01444 477212

If you need any help or further information on completing the form then visit www.gov.uk/government/collections/traffic-enforcement-centre-forms

If you do nothing your possessions may be removed and sold to pay this charge.
If you need more time to file a statement, you may apply using form TE7. For details on how to make an application or to discuss further please contact the Traffic Enforcement Centre on 0300 123 1059

Drawn on the authority of: Traffic Enforcement Centre, Northampton County Court Bulk Centre, St Katharine's House, 21 – 27 St Katharine's Street, Northampton NN1 2LH or www.gov.uk

TE3 Order for recovery of unpaid penalty charge (05/22) © Crown Copyright 2022

The registration of the debt at Court results in an Order for Recovery of Unpaid Charge being issued to the Registered Owner/Keeper of the vehicle. The debtor has very limited options, but there are a few limited grounds to file a Witness Statement to the Courts:

- The debtor did not receive the PCN/Notice to Owner
- The debtor made a Representation to the Council but did not receive a response.
- The debtor Appealed to the Traffic Penalty Tribunal but did not receive a response.
- The PCN has been paid in full

The debtor must be truthful in their statement to the Court. The Council does have the right to issue Contempt of Court proceedings if the Statement is concluded to be false.

Enforcement – the Warrant is assigned to an individual Enforcement Agent who is certified by the Courts to enforce the debt. The Enforcement Agent will visit the property and attempt to engage with the debtor. Regardless of whether the Enforcement Agent simply visits or immobilises the vehicle, the Enforcement Fee remains identical. This is the interests of fairness to the debtor.

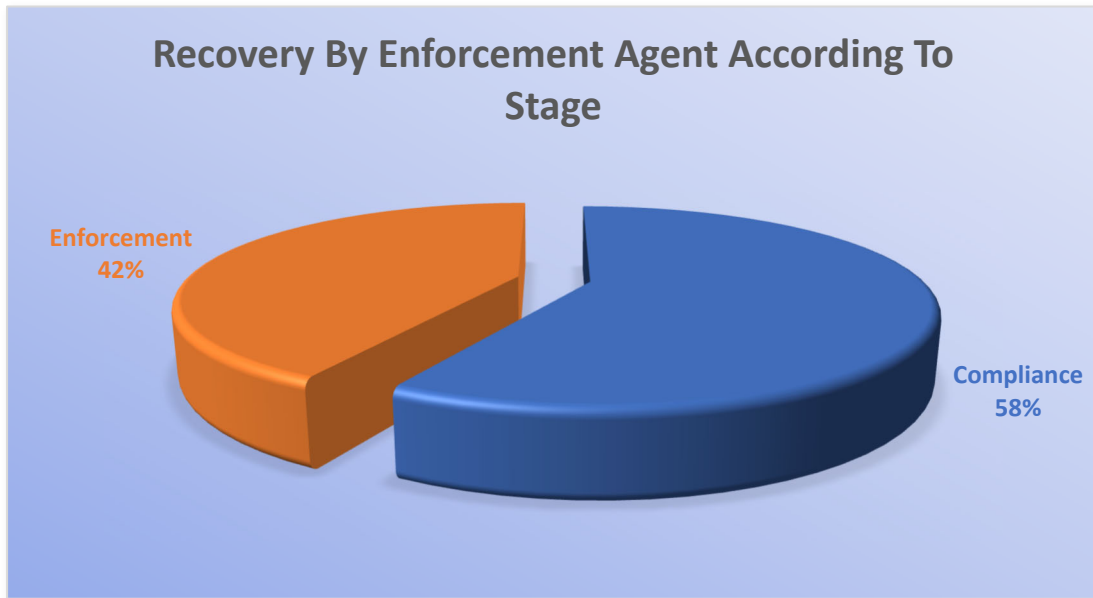
Removal – on very rare occasions, the Enforcement Agent will make arrangements and have the vehicle removed or stored. The debtor may pay to the Warrant and fees to have the vehicle returned or, alternatively, the vehicle will be sold to cover the debt, with any remaining fees returned to the debtor.

Stage	Charges
Compliance	Original PCN + £75.00 compliance fee
Enforcement	Original PCN + £75.00 compliance fee + Enforcement fee £235.00
Removal	Original PCN + £75.00 compliance fee + Enforcement fee £235.00 + Removal Fee of £110.00

Over the 2021 – 2022 Financial Year, Mid Sussex District Council sent 1,142 unpaid Penalty Charge Notices to the Courts for Registration. In line with its ratio of issuing Penalty Charges, 72% of unpaid debts relate to on street parking.

On / Off Street	Total Warrants Registered
Off	319
On	823
Grand Total	1,142

A Warrant of Control last 366 days, which can sometimes be extended if the debtor goes into an arrangement. This means that several of the Warrants are still being worked on by the Enforcement Agent. At the time of writing this report, the combined recovery rate for both Enforcement Agents averaged 38%.



Enforcement Requests Portal

During 2021 – 2022, the Council has received 365 Enforcement Requests via a variety of communications.

The main avenues for enforcement requests are:

- An online request form
- Telephone to the Parking Services Team
- Email
- Third party websites, such as FixMyStreet

It is important to note that some of the requests cannot be resolved as it could be a type of nuisance parking such as pavement parking, or where there is no Legal Parking Order in place to enforce.

The Council has its own Enforcement Request form at:

<https://www.midsussex.gov.uk/parking-travel/report-a-parking-problem/>

	April	May	June	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Total
Enforcement Requests	39	41	43	34	20	38	31	25	18	30	33	13	365
PCNs issued	2	9	2	6	3	1	6	3	2	3	8	0	45



Clayton Windmills, South Downs

7. Abandoned Vehicles

In August 2021, Parking Services commenced additional work in enforcing and/or removing Abandoned Vehicles located in the District. An abandoned vehicle is classed as such when it is found to have no tax, MOT and/or insurance. The enforcement of Abandoned Vehicles is a joint initiative with the Local Police Authority and uses a shared resource – Operation Crackdown



Number of Abandoned Vehicles Reports August 2021 – March 2022

From the time Parking Services commenced Abandon Vehicle enforcement, the public have submitted 456 reports of Abandoned Vehicles. However, it is important to note that not all were eventually classed as abandoned. Many vehicles will be found to be legally on the public highway and the case is not pursued.

	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Grand Total
Sum of Qty	37	44	65	61	62	72	56	59	456

Number of Abandoned Vehicles Removed

During this same time period, 33 Abandoned Vehicles were removed from the public highway or other locations.

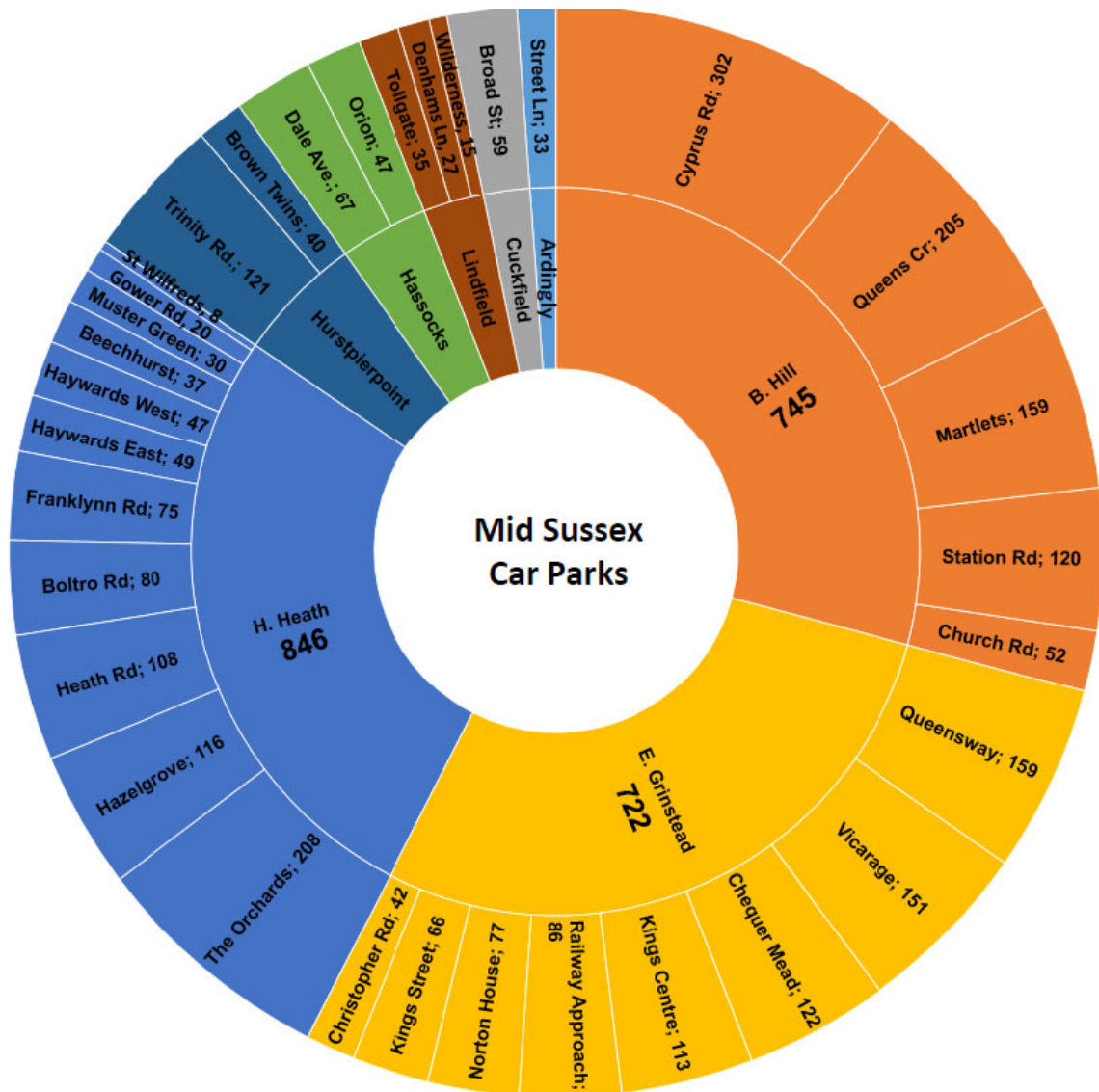
	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Grand Total
Sum of Qty	5	11	5	1	3	6	2		33



Abandoned Vehicles being removed from Vicarage Car Park, East Grinstead

8. Off Street Car Parks

The Council currently operates 34 public car parks in the district, including 22 pay and display, and 12 with limited waiting times. There are additional leisure car parks and recreation ground car parks which are operated by other departments within the Council but are enforced by Parking Services.



As part of its ongoing commitment to providing a high standard of management Council once again submitted several car parks for the Park Mark Safer Parking Award. The main aim is to prevent criminal behaviour and reduce the fear of crime within each individual car park. The car parks are inspected by the Police and in order to reach the standard required by the Award, they must meet the standards for:

- Appropriate lighting
- Effective surveillance
- Cleanliness
- Clear signage



Twenty-two car parks received the Award this year. In addition to its current portfolio of twenty-one, Haywards East Car Park was submitted for the first time, and successfully achieved the Award.

Pay and Display Activity

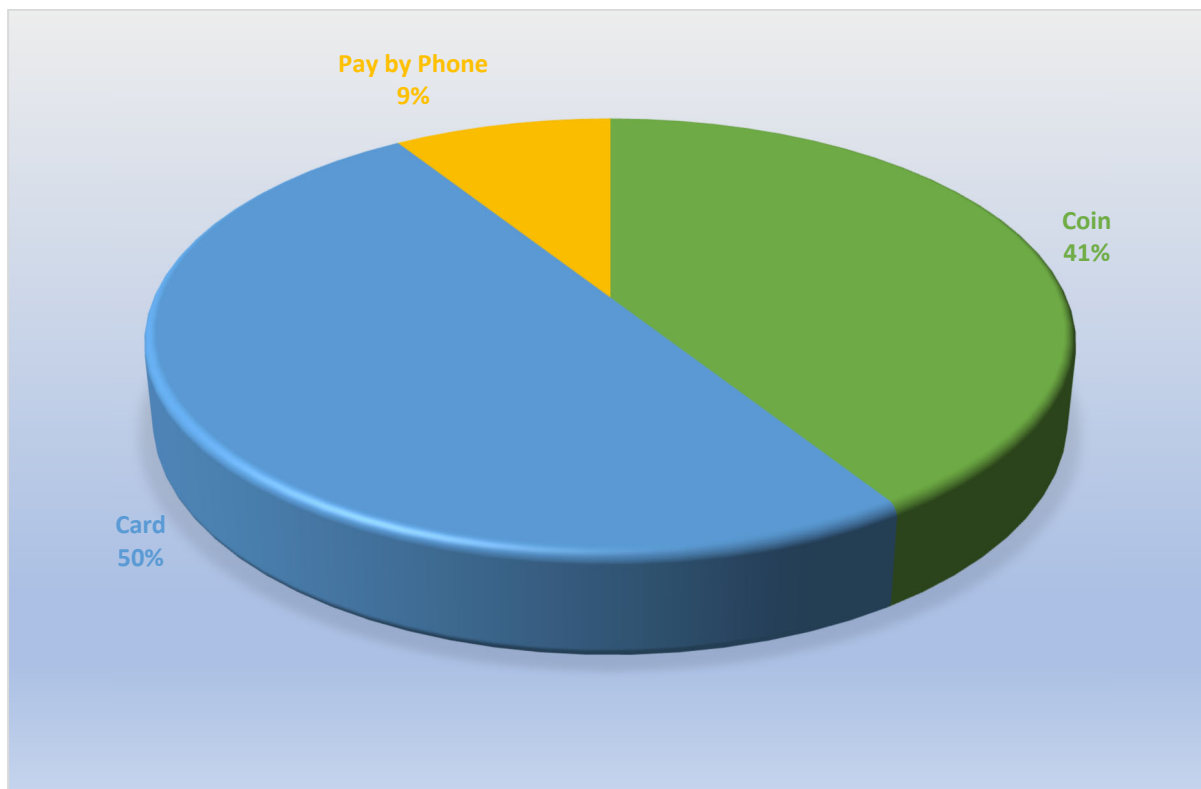
Reflected below is a breakdown of the income taken by pay and display activity in each of the Council car parks. Queensway Car Park in East Grinstead, and the Orchards Car Park in Haywards Heath have been consistently popular car parks for many years, owing to their placement in the town centres.

Car Park	Total
Chequer Mead Car Park	£60,708.30
Christopher Road Car Park	£66,996.30
Church Road Car Park	£82,446.30
Cyprus Road Car Park	£140,589.25
Franklynn Road Car Park	£66,062.65
Gower Road Car Park	£45,631.40
Haywards Road East Car Park	£53,185.45
Haywards Road West Car Park	£76,847.75
Hazelgrove Car Park	£164,059.75
Heath Road Car Park	£58,392.15
King Street Car Park	£159,271.40
Martlets Multi-Storey Car Park	£18,596.10
Muster Green Car Park	£2,678.40
Norton House Car Park	£32,480.85
Queens Crescent Car Park	£40,859.05
Queensway Car Park	£251,222.30
Railway Approach Car Park	£50,993.80
Station Road Car Park	£27,279.85
The Orchards Car Park	£248,277.90
Vicarage Car Park	£125,108.35
Grand Total	£1,771,687.30

Breakdown of Transaction types

In its ongoing commitment to provide a wide range of payment methods to its customers, the District Council has a variety of methods to pay for a stay. All machines in the car park accept cards, whilst remaining to offer the option to pay by coin. The pay by phone option includes and App where the customer may purchase a stay at the time or even in advance of the stay

As can be seen from the below graph, paying by a credit or debit card at the machine is the most popular choice.



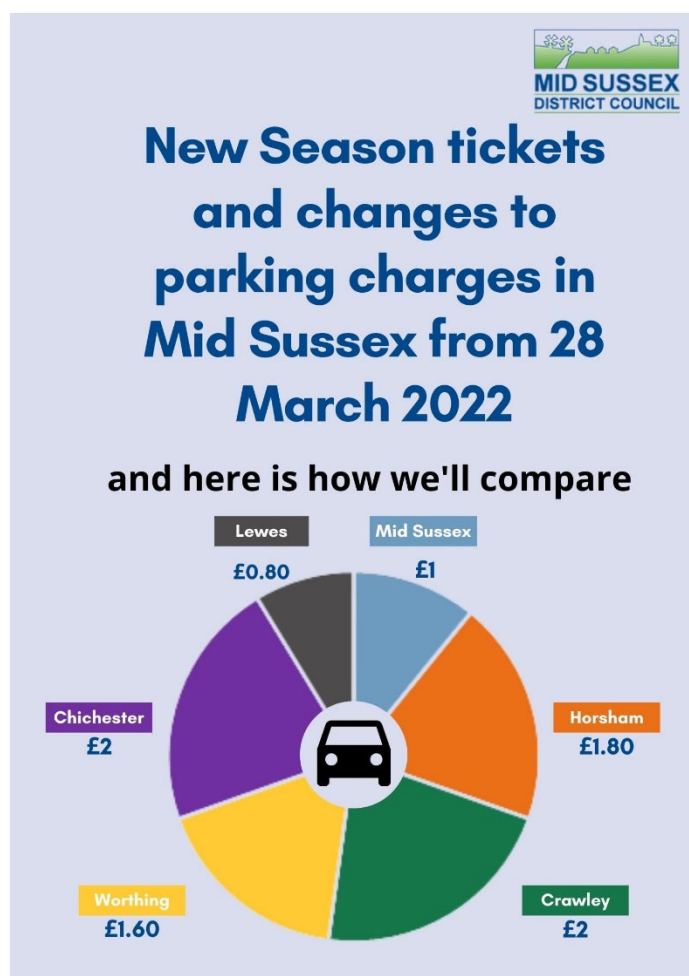
Season Tickets

Since August 2020, Mid Sussex District Council manages its Season Tickets via a virtual platform, run by MiPermit. The advantage of using a virtual system is that the customer is in complete control of their records. They can renew their permit and pay online, alter the type of permit or the registration record at any time, and retain receipts of payments.

It also allows the Council to send communications via MiPermit to advise Season Ticket Holders of any potential changes to their car park without any delay.

The end of year take-up for virtual Season Tickets is shown in the table below:

Type	Flexible	13 Weeks	4 Weeks	52 Weeks	Grand Total
Boltro Road	1			20	21
Cyprus Road		6		5	11
Franklynn Road		5		2	7
Muster Green		4		19	23
Norton House		4		2	6
Queens Crescent		3	2	8	13
Railway Approach	1			9	10
St Wilfrids		4		3	7
Station Road	1	1	3		5
Vicarage	1	8	2	25	36
Grand Total	4	35	7	93	139



Permits

The Council currently operates one Controlled (Residents’) Parking Zone in East Grinstead. This is managed under a Contract Agreement with West Sussex County Council, which Mid Sussex District took on in 2005.

There are two Zones within East Grinstead, the inner zone (Zone A) and the outer zone (Zone B). From its base in Haywards Heath, the Council will administer the applications and management of all permits within the controlled parking zone. This can be a challenging operation; the Council’s base is over ten miles from the Controlled Parking Zone. The Parking Office Team must continually monitor the capacity within the area and be mindful of managing the needs of all users, whilst protecting the residents.

Current Capacity

	Residents Only Bay	Residents/Free Limited Waiting Bay	Charged Pay and Display	Free Limited Waiting Bay	Disabled Bays
Zone A (Inner Zone)	346	9	70	0	5
Zone B (Outer Zone)	297	0	0	30	0



The first thing noted is the sharp increase in the issue of resident permits over the year. It is important to note, this is not the total number of permits active over the year, but how many were issued, some of which will have only been for six months. Due to the change in working arrangements, it became apparent that many more residents, who had had not required their vehicle to park during the week, were now working from home. In addition to this, the housing market had started to recover following the three lockdowns, and it was evident that house sales and rentals in the town were increasing once the last of the lockdowns was complete.

Resident permit uptake Zone A

While a resident permit allows the resident to park in a permit bay anywhere within the allotted Zone, the Council can monitor where the applicants reside in each Zone. This can provide a helpful insight as to where the pressures may appear within each Zone. Whilst the Council cannot oppose any applications (up to two per household at this time), it can determine and understand what the pressures may be.

Road	No. of Permits
Brooklands Way	13
Cantelupe Road	38
Chequer Road	21
Christopher Road	4
Church Lane	1
College Lane	2
Copyhold Road	6
Dallaway Gardens	12
De La Warr Road	40
Fairfield Road	17
Gardenwood Road	5
High Street	19
Hurst Farm Road	16
Institute Walk	8
Lewes Road	2
Little King Street	6
London Road	27
Middle Row	2
Old Road	2
Orchard Way	30
Pannell Close	10
Pavilion Way	2
Portland Road	13
Queens Road	88
Queens Walk	6
Railway Approach	4
Ship Street	3
The Dakins	1
West Hill	26
West Street	28
Grand Total	452

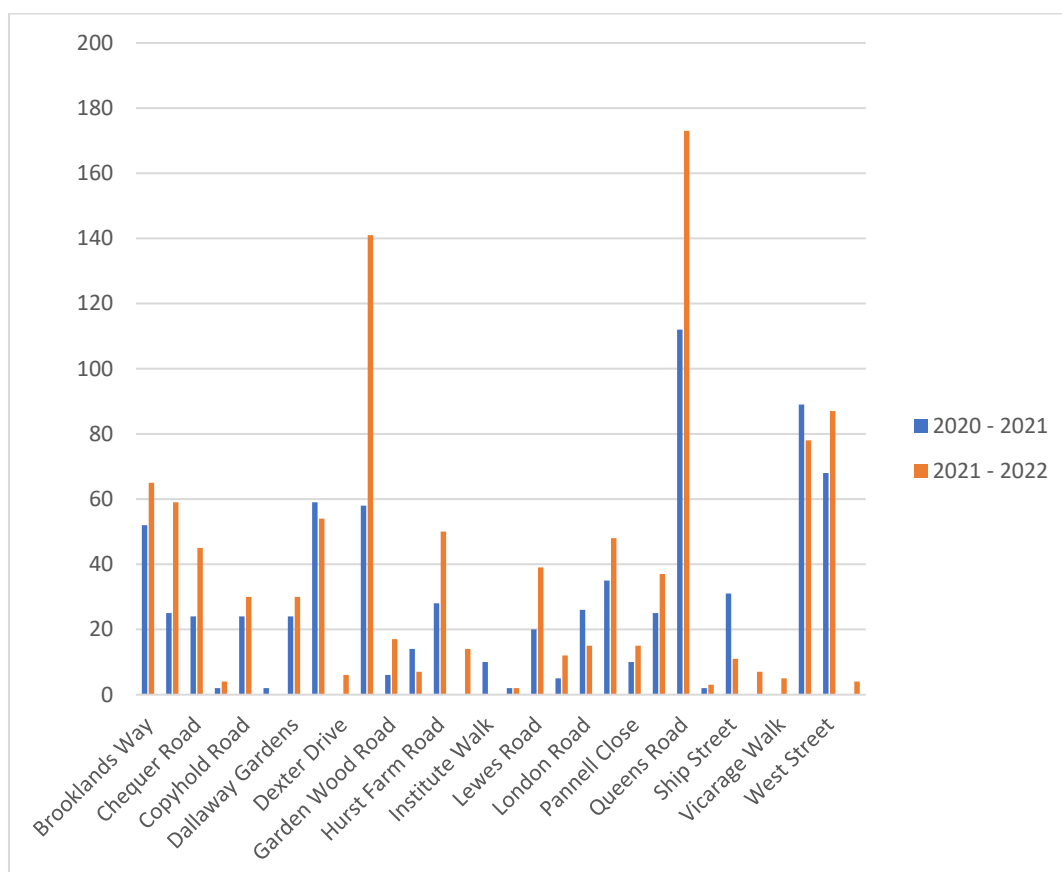
In relation to Zone A, the highest uptake in a road is currently Queens Road. Queens Road is comprised of properties which date back to the nineteenth century and, as such, do not have off street parking. In addition to this, the majority of houses have now been converted to flats which has increased the demand for parking in this street. A similar issue exists in De La Warr Road and Cantelupe Road, although not to the same extent.

Resident Permit uptake Zone B

Road	No. of Permits
Crescent Road	32
Garland Road	7
Green Hedges Avenue	18
Grosvenor Road	36
London Road	4
Mason Close	5
Maypole Road	21
Moat Road	2
Park Road	2
St Agnes Road	16
St James Road	28
St Johns Road	21
Station Road	18
Wood Street	4
Grand Total	214

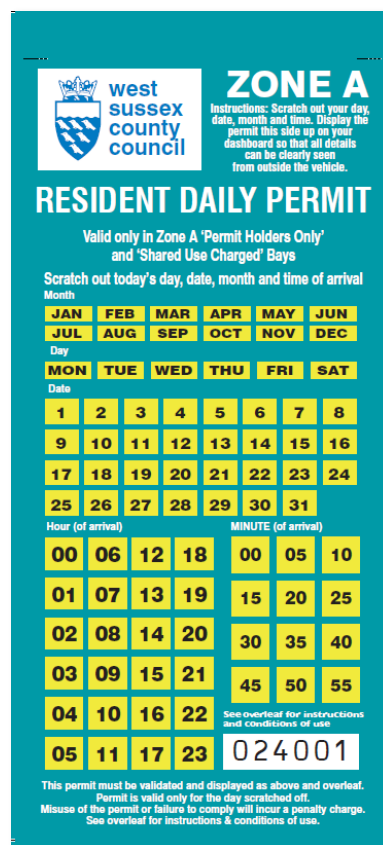
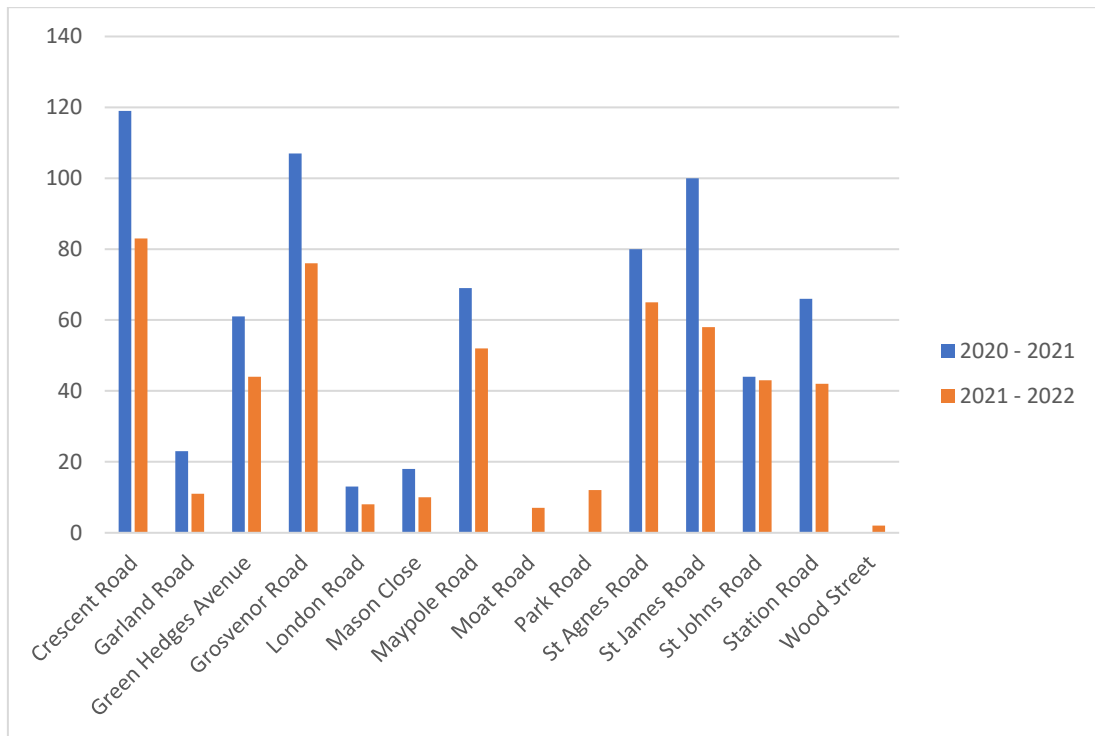
Resident Visitor Permit uptake in Zone A

In addition to Resident Permits, there is also an allowance for residents to purchase 12 days' worth of visitor permits in a calendar month. There is a significant spike in Visitor Permits purchased in both Queens Road and Fairfield Road in the 2021 – 2022 financial year. There is no conclusive evidence as to this increase, although it should be recognised the Covid lockdowns were coming to an end which may have led to an increase of visitors to the area. Fairfield Road in particular has several homes for elderly residents which may necessitate visitors, and Queens Road lacks off street parking to accommodate any visitors.



Resident Visitor Permit uptake in Zone B

As opposed to Zone A, Zone B showed a reduction in the uptake of Visitor Permits during 2022 – 2023. Zone B consists of a parking restriction between 10am and 11am, and 2pm to 3pm. As a visitor permit is valid for two hours, it is often the case that vehicles used these permits for all day parking, which may have reduced due to changes in lifestyle.



9. Communications

Freedom of Information Requests

The table below shows the number of Freedom of Information Act requests responded to by Parking Services over the past year.

Year	Month	Number Received
2021	April	1
	May	2
	June	1
	July	1
	August	2
	September	1
	October	1
	November	4
	December	1
	2022	January
February		1
March		1
Total		20

Complaints

Whilst the Council will try to ensure that a good level of service is maintained, it will inevitably receive complaints during the year. The below graph indicates all complaints received in the 2021-2022. It is of note that no complaints went to the Ombudsman, and indeed none were upheld

Nature of Complaint	Complaint upheld	Transferred to Ombudsman
Complaint regarding outstanding Penalty Charge Notices and how they were handled.	No	No
Parking and behaviour of customers and Uber drivers McDonald Car Park, Burgess Hill	No	No
Dissatisfied with Parking appeal procedures	No	No
Process of issuing the PCN	No	No
Dissatisfied with Civil Enforcement Officer behaviour when issuing a Penalty Charge Notice	No	No
Complaint about Civil Enforcement Officer's attitude whilst parked in a loading bay unloading	No	No
Complaint about attitude of CEO (Civil Enforcement Officer) and the issue of the PCN	No	No.

Press Releases

For communications which require a high level of circulation, the Council will publish press releases. Those issued during the 2021-2022 year can be found below.

<https://www.midsussex.gov.uk/about-us/press-releases-and-publications/district-council-s-parking-team-introduces-new-electric-vehicles/>

<https://www.midsussex.gov.uk/about-us/press-releases-and-publications/introduction-of-flexible-season-ticket-offer-and-changes-to-parking-charges-under-consideration/>

<https://www.midsussex.gov.uk/about-us/press-releases-and-publications/council-confirms-introduction-of-flexible-season-tickets-and-updated-parking-charges/>

<https://www.midsussex.gov.uk/about-us/press-releases-and-publications/introduction-of-flexible-season-ticket-offer-and-changes-to-parking-charges-to-come-into-effect/>

Appendix

Parking Charges for On and Off Street Areas in Mid Sussex

Parking Tariffs	2020-2021	2021-2022
Permits		
Resident Permits		
Inner Zone (A) 1 st Permit	£46.00	£46.00
Inner Zone (A) 2 nd Permit	£92.00	£92.00
Inner Zone (A) 1 st Permit (6 months)	£25.00	£25.00
Inner Zone (A) 2 nd Permit (6 months)	£50.00	£50.00
Outer Zone (B) 1 st Permit	£29.00	£29.00
Outer Zone (B) 2 nd Permit	£58.00	£58.00
Outer Zone (B) 1 st Permit (6 months)	£16.00	£16.00
Outer Zone (B) 2 nd Permit (6 months)	£32.00	£32.00
Resident Visitor Permits (hourly)	£0.45	£0.45
Resident Visitor Permits (Daily)	£1.80	£1.80
Resident Visitor Permits (Weekly)	£10.80	£10.80
Non-Resident Permits		
Inner Zone (A)	£282.00	£282.00
Inner Zone (A) six months	£149.00	£149.00
Outer Zone (B)	£156.00	£156.00
Outer Zone (B) (six months)	£90.00	£90.00
Healthcare Permits	£26.00	£26.00
Dispensations		
Per day	£11.00	£11.00
Per week	£66.00	£66.00
Bay Suspensions		
	£25.00 (plus daily charge)	£25.00 (plus daily charge)
Season Tickets		
Monthly (6 days)	£66.00	£90.00
Quarterly (6 days)	£150.00	£195.00
Annually (6 days)	£550.00	£780.00
Monthly (5 days)	N/A	£75.00
Quarterly (5 days)	N/A	£195.00
Annually (5 days)	N/A	£650.00
Flexible Season Tickets		
	N/A	£45.00

Parking Tariffs	2020-2021	2021-2022
Permits		
Boltro Road Car Park		
Monthly	£100.00	Same charge as Season Tickets
Quarterly	£280.00	Same charge as Season Tickets
Annually	£750.00	Same charge as Season Tickets
Pay and Display Charges		
On Street		
Per 30 minutes	£0.60	£0.60
Per hour	£1.20	£1.20
Off Street		
Short Stay		
0 – 1 hours	£0.80	£1.00
1 – 2 hours	£1.20	£1.50
2 – 3 hours	£2.00	£2.50
3 – 4 hours	£4.00	£5.00
4 + hours	£6.00	£7.50
Long Stay		
0 – 1 hours	£0.80	£1.00
1 – 2 hours	£1.20	£1.50
2 – 3 hours	£2.00	£2.50
3 – 4 hours	£3.00	£3.70
4 + hours	£4.00	£5.00

Glossary of Terms

Challenge

A request made to cancel a PCN before a Notice to Owner is issued. The Traffic Management Act does not include specific requirements for the Local Authority to review cases before the Notice to Owner

Civil Enforcement Officer (CEO)

This is the name given to officers who patrol the streets and enforce vehicles parked on the restrictions. They must be employed by the Council or through a Council contractor. All of Mid Sussex District Council's CEOs re employed directly by the Council. They are paid a set wage and do not work under any form of bonus system.

Civil Parking Enforcement (CPE)

Parking used to be enforced by the police where vehicles would be served Fixed Penalty Charge Notices. When the Road Traffic Act (now known as the Traffic Management Act) was introduced, parking enforcement became "decriminalised". It is the enforcement of parking regulations by Civil Enforcement Officers.

Controlled Parking Zone (CPZ)

An area where parking is restricted during specific times. Signs are put at every entry point to the CPZ so that a driver knows they are entering them. They are put in place to control every area of road space within the zone. Most CPZs are associated with Permit parking. A notable difference is that none of the single yellow lines have signs, as the entry points show the days and times of restrictions.

On Street

Anything relating to the West Sussex County Council's highways (roads and pavements)

Off Street

Anything relating to the District Council's car parks

Penalty Charge Notice (PCN)

A legal document which is issued to a vehicle which is believed to have contravened the Traffic Regulation Order. Only a CEO may issue them, and they are either attached to the vehicle or handed to the driver.

Representation

A form of appeal made when the owner/keeper of a vehicle is sent a Notice to Owner. They have legal grounds set down in the Act under which they can appeal, together with any other grounds they believe should be considered by the Council.

Traffic Regulation Order (TROs)

This is the statutory legal document used to support the restrictions which have been placed on the highway or in the car parks. West Sussex uses a map-based TROs, which means every restriction in Mid Sussex appears on a map with a key to indicate what the restriction is.