



Annual parking and enforcement report 2018



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Glossary

This glossary explains common acronyms and definitions of technical terms used through the document.

Annual Report	This is the abbreviated name for this document, the <i>Annual Parking and Enforcement Report</i> .
CC	Charge certificate.
CEO	Civil Enforcement Officer. Following the enactment of Part 6 of the <i>Traffic Management Act 2004</i> on 31 March 2008 with respect to civil parking enforcement, 'Parking Attendants' are now referred to as CEOs.
CPZ	Controlled Parking Zone. All public highways in the Royal Borough of Kensington and Chelsea are covered by a CPZ.
Contravention	This refers to a breach of parking regulations. This was formerly referred to as an 'offence' when regulations were enforced by the police.
Enforcement	In this document 'enforcement' activity by the Council covers that of parking controls.
KPI	Key performance indicator.
London Councils	This body represents the interests of the 33 London Local Authorities in London. London Councils' Transport and Environment Committee, which is made up of nominated representatives from each London local authority, carries out statutory functions, such as setting the level of Penalty Charge Level for parking contraventions in London. It is responsible for the parking adjudication service and administration of the London Lorry Control Scheme.
London Tribunals	The parking and traffic appeals service (formerly PATAS)
NTO	Notice to owner.
PCN	Penalty charge notice.
Recovery rate	The percentage of PCNs issued that have been paid. Non-payment of PCNs may be due to those receiving the PCN or as a consequence of the Council not being able to obtain the keeper details from the DVLA (Driver and Vehicle Licensing Agency).
TEC	London Councils' Transport and Environment Committee
TfL	Transport for London, one of the bodies the GLA and the Mayor of London is responsible for.
TMA	Traffic Management Act 2004
TMO	Traffic Management Order. TMO is used as a generic term in this report to cover any traffic management or traffic regulation orders that are used to designate parking and traffic controls.

Introduction and context

Overview

The legislative framework for local authorities to carry out parking enforcement changed on 31 March 2008 when Part Six of the Traffic Management Act 2004 (TMA), replaced parts of the Road Traffic Act 1991. The Department for Transport (DfT) introduced the TMA to improve public perceptions of parking enforcement by providing greater consistency of nationwide parking regulations and providing a fairer and more transparent system.

The TMA required a number of changes to parking enforcement practice, which covered the terminology and documentation used, and the processing of Penalty Charge Notices (PCNs). It also placed additional responsibilities on authorities to publish information regarding parking enforcement, including an annual report.

This is the Royal Borough of Kensington and Chelsea's Annual Parking and Enforcement Report 2018. Four broad areas are covered in the report:

Introduction and context

What's new since our last Annual Report

In the future

Reviews and monitoring

More information on parking in the Royal Borough is available on our website at:

<https://www.rbkc.gov.uk/parking>

The purpose of parking regulations and why they are enforced

This annual report sets out the important facts and figures of the Royal Borough's parking and enforcement activity but it is important also to bear in mind why the Council needs to manage parking in the first place.

Parking controls play an important part in the Council's transport strategy by regulating the amount of traffic within the Royal Borough and encouraging the use of public transport.

We believe that parking issues affect everyone who uses our streets, not only car users.

Demand for parking in Kensington and Chelsea far outweighs the supply of kerb space available and we seek to maintain a balance between the different demands – from residents, businesses and visitors, whilst ensuring there is good access for pedestrians, cyclists, buses and other vehicles. Our general policy is to provide the maximum number of car parking spaces while allowing the satisfactory and safe movement of traffic and the maintenance of a good quality residential environment.

We constantly monitor and review our parking policies to ensure that they meet the needs of the local community and reflect our transport policy objectives.

The purpose of this document

This document focuses on parking and enforcement issues and the new schemes and processes that we believe will offer a better service to our customers.

The Council is committed to being open and transparent about its parking operation. We publish our parking and enforcement report each year to keep the local community and other interested parties abreast of any changes the we have made and any we are considering for the future.

Parking in the Royal Borough of Kensington and Chelsea

All roads controlled by the Royal Borough of Kensington and Chelsea are part of a Controlled Parking Zone (with a few exceptions of private roads) and all kerbside space is therefore dedicated as a parking space or has a yellow line waiting restriction.

On-street parking bays are reserved for use by certain users. We have the following types and numbers of bays in the Borough:

Antique Dealer Bays (Saturdays only) - 103
Blue Badge Disabled Bays - 190
Car Club Bays - 212
Diplomatic Bays - 131
Doctor's Parking Bays - 17
Electric Vehicle Charging Bay – 41
Accessible Permit Holder Bays - 20
Loading Bays - 16
Pay and Display Bays – 4,711
Residents' Permit Bays - approximately 29,400
Residents' Motorcycle Permit Bays - 96
Personalised Disabled Bays - 165
Police Bays - 6
Visitor Solo Motorcycle Bays - 216
Spaces for Taxis - 140
Housing estate Resident Permit Bays - 184
Housing estate Visitor Permit Bays - 29
Housing estate Disabled Permit Bays - 15

Off-street

Housing estate Resident Permit Bays -382
Housing estate Visitor Permit Bays - 66
Housing estate Disabled Permit Bays - 55
Kensington Leisure Centre - 7 Disabled Bays

In addition, we also have one off-street car park in Holland Park that has 57 regular spaces, six spaces reserved for the Belvedere restaurant, three disabled bays and a motorcycle bay.

You can find information concerning parking and examples of road markings and signage in the *Highway Code* and in the Department for Transport's *Know Your Traffic Signs* booklet and in the *Traffic Signs Regulations and General Directions 2016*. These publications and other useful information related to parking can be found on the Department for Transport's website www.dft.gov.uk.

Residents' parking

There has been pressure on parking in Kensington and Chelsea for many years. The CPZ covers the entire Borough and, with approximately 29,400 permit holders' parking bays and around 35,000 parking permits issued, demand for parking space is high. Our Borough-wide residents parking zone allows residents to use their permits to park in any residents' parking bay across the Borough.

In the past few years, the number of residents' parking permits has been gradually falling. This can be attributed, in part, to policies to promote car clubs and greener travel.

We want to ensure that only genuine Royal Borough residents have parking permits so we take fraudulent permit applications very seriously. In the past year, our investigation team has:

- received 1,015 referrals concerning possible permit misuse
- withdrawn and cancelled 479 permits to which people were no longer entitled
- retrieved or retained 367 permits that were either no longer valid or through fraudulent claims

Disabled Parking

Due to the severe pressure on parking space, the National Disabled Persons' Parking Badge Scheme (Blue Badge Scheme) does not apply in the Royal Borough of Kensington and Chelsea, the City of London, the City of Westminster, and part of the London Borough of Camden. When the scheme was introduced in 1971, these areas were exempted from the legislation. Although this means that the on-street parking concessions available under the Blue Badge scheme do not apply in the Royal Borough, we provide 190 Blue Badge bays as well as offering limited concessions for non-resident Blue Badge holders.

We administer our own Purple Badge Scheme for people with disabilities who live, work or study in the Borough. These badges allow the holders to park without payment or time limit in any residents' or pay and display parking bay throughout the Borough. There are currently 2,343 purple badge holders.

We take fraudulent use of disabled badges very seriously and employ officers specifically to investigate and prosecute offenders. Between 1 April 2017 and 31 March 2018, we successfully identified and prosecuted 65 offenders who were misusing disabled badges to avoid parking fees as well as taking up spaces provided for disabled drivers. Fines amounting to £15,556 were imposed, and defendants ordered to pay the Council a total of £24,384 in costs and victim surcharges.

Motorcycle parking

In the Royal Borough there are:

- 96 resident motorcycle permit bays, providing a total of around 685 motorcycle spaces
- 216 visitor motorcycle bays, providing a total of around 1,695 motorcycle spaces

We offer resident motorcyclists three choices when parking on-street: a paid-for permit that allows them to park in any residents' bay alongside other vehicles, including residents' motorcycle bays; a free permit for the residents' motorcycle bays; or they can park for free in the visitors' motorcycle bays.

We want to encourage resident motorcyclists to park in motorcycle bays rather than between cars in residents' bays where they are vulnerable to being damaged and do not always make best use of kerbside space. We have located residents' motorcycle permit bays so that most residents are only a few minutes' walk from their nearest bay and most of the bays are fitted with locking anchors so they can secure their motorcycles.

We will continue to monitor the usage of the resident motorcycle bays and convert them to visitor motorcycle bays if necessary.

Car clubs

We are enthusiastic supporters of car clubs, and believe that they offer great potential to reduce both traffic congestion and on-street parking stress. Car clubs are an alternative to car ownership that gives members of the club access to vehicles when needed. They have been described as a pay-as-you-go form of car ownership, whereby you pay only when you are using the car.

We currently have 212 on-street car club locations, managed by three operators.

We do not allow car club operators to use diesel vehicles (with the exception of a few small vans) and petrol vehicles must not have carbon dioxide emissions higher than 130g/km. We reviewed the permit fee structure for 2018/19 to further incentivise operators to switch to more environmentally friendly vehicles, including the introduction of an electric vehicle permit.

Cycle parking

The provision of secure cycle parking is important in encouraging greater cycle use. We have an established programme of providing cycle parking at main attractions, shopping areas and in response to individual requests. We have around 5,550 publicly available cycle parking spaces in the borough and over 1,200 in private residential areas.

This year, we continued our programme of cycle parking installation in the Borough, installing 104 new cycle parking spaces via 'Sheffield' or 'toast-rack' stands as well as 123 secure new spaces in residential areas. In total, we introduced 227 new cycle parking spaces in 2017/18.

We always welcome suggestions for new locations, please email us at cycling@rbkc.gov.uk

Cycling journeys have increased substantially over the last few years and are forecast to grow even further. To manage demand for the future, we insist that all new residential developments must have safe and secure cycle parking in line with the requirements of the London Plan 2016 and the Councils Core Strategy Policy CT1 and the Transport and Streets SPD. At least one cycle parking space is required for each smaller residential unit of one bedroom. Large dwellings of two or more bedrooms require a minimum of two spaces each.

Parking enforcement

The Royal Borough decriminalised parking enforcement in July 1994. Since then, we have contracted our own parking attendants, now known as Civil Enforcement Officers (CEOs), to enforce all parking restrictions including yellow line restrictions.

We expect CEOs to act in a consistent and professional manner and to treat all motorists equally, without showing favour, bias or prejudice.

When finding a vehicle is parked in contravention of a parking restriction, it is the duty of a CEO to issue a PCN to that vehicle and they have no powers to subsequently cancel or withdraw those notices.

In addition to parking enforcement, CEOs provide advice and guidance to the public, inform the police of suspected criminal activity and report suspected abandoned vehicles, faults with parking equipment and missing/faded road markings and missing/damaged signs. They act as the our 'eyes and ears' on the street and their high profile, uniformed patrols help to deter antisocial behaviour.

Suspensions

We appreciate that suspending parking bays can be inconvenient to residents, particularly in areas where parking demand is high, but we have to suspend bays for a variety of reasons including building works, furniture removals, utility and highways works and special events. We operate a fee structure that charges a higher daily rate for longer suspensions than shorter ones and this has encouraged those requesting longer term suspensions to give greater thought to the amount of time and space they need.

To ensure residents have advance warning we require ten days' notice to suspend residents' parking bays. We provide an online facility to check for parking suspensions in any road in the Borough
<https://www.rbkc.gov.uk/Parking/suspensionsearch.asp> Residents can also subscribe to a notification service to receive notice of any suspensions in their road.

The appeals process

When a PCN is issued the owner of the vehicle is legally obliged to pay the penalty charge. Vehicle owners may dispute the issuing of a PCN at three stages:

- they can make an informal 'challenge' or 'representation' before the Council issues a Notice to Owner (NtO).
- once an NtO has been served, they can make a formal representation against the NtO (this can still be done if an informal challenge has previously been made and rejected). The legislation sets out specific grounds for formal representations against the NtO. However, whether or not those grounds apply, representations may also be made on the basis that, in the particular circumstances of the case, there are mitigating reasons for the cancellation of the PCN.
- we will issue a Notice of Rejection if the formal representation is rejected. The owner then has the right to appeal within 28 days to an adjudicator of the London Tribunals. The adjudicators have a judicial status: they are appointed with the agreement of the Lord Chancellor and they are wholly independent. Their decisions are final and they have the power to award costs against either party.

After this, no further challenges can be made, other than on a point of law through an application to the High Court for Judicial Review.

Full details of the adjudication service and of the appeals process can be found on their website www.londontribunals.gov.uk

What's new since our last Annual Parking Report

Minor changes to parking arrangements

In a busy area like Kensington and Chelsea, parking demands and priorities are constantly changing. To cope with these, we carry out numerous small-scale adjustments to parking arrangements each year.

During 2017/2018, we have:

- introduced four additional mandatory school keep clear markings
- created nine extra residents parking spaces
- created one new residents' permit motorcycle bay
- converted ten pay and display bays to other uses
- created three additional blue badge disabled bays
- converted 1,387 metres of single yellow line to double yellow line
- introduced 5 accessible permit bays for the Grenfell Assistance Centre
- introduced cycle hangers on-street for the first time

Parking permit charges

The Council operates a graduated pricing structure for residents' parking permits. There are seven bands based on CO₂ emissions and two bands for vehicles registered before March 2001 (for which information on CO₂ emissions is not known). Permit prices are based on the principle that vehicles with high CO₂ emissions pay higher permit fees than those with low emissions. We also apply a surcharge for diesel-fuelled vehicles that do not meet the Euro 6 emissions standard and a supplementary charge for second and subsequent permits in a household.

We review the cost of residents' permits each year.

In April 2018, we introduced new permits for electric motorcycles.

Parking appeals

The 2017/18 statistics from the London Tribunals show that the Council won 48 per cent of appeals. This independent score is a key indicator for the Parking Service and we will look to improve our performance.

Permit appeals procedure

In 2014, we introduced an appeal process for residents whose applications for parking permits had been refused, as we wanted to ensure that we consider each case individually.

The Council sets the eligibility criteria for parking permits to ensure that only bona fide residents obtain permits. We will refuse a parking permit application if the applicant does not meet the criteria of the residents' permit scheme or is unable to provide the required documents or supporting evidence. When residents feel that they have mitigating or exceptional circumstances, they may appeal the decision not to issue a permit.

In the first stage of the appeal, the Permit Appeals Panel considers the applicants case and decide if an exception should be made and a permit issued. If the Panel decides not to issue a permit and the applicant disagrees with its decision they may take the appeal to stage two where it will be considered by the Head of Parking Services.

Between 1 October and 30 September 2018 we considered 44 appeals. In 21 of these cases permits were issued, in 10 cases they were refused and 13 cases were not pursued.

Pay-by-Phone

We started rolling out the pay-by-phone system to the whole borough in December 2016. We completed the roll out in March 2017.

Currently around 86 per cent of transactions are made using pay-by-phone. From November 2018 the pay-by-phone app allows payment through GooglePay and ApplePay providing a wider service to customers.

Electric vehicles

At the end of 2018 we installed 18 new Source London charging points at nine sites across the borough and these will be operational at the beginning of February. This will be followed by a further eight charging points at four more sites in March /April this year. This will bring the total number of locations to 28, and the number of charging points to 41.

Each of the new sites will have two charging points – one 7kw and one 22kw – offering residents a choice of charging speeds.

During 2017/18 we extended the lamp column charging scheme and now have 62 lamp columns fitted with chargers.

Full details of electric vehicle charging in the Borough can be found at www.rbkc.gov.uk/electric_vehicles.

Parking operations

We procured the Parking Enforcement Agent (Bailiff) Contract in January 2017, which was awarded to Marston Group Ltd as a primary supplier. Equita were awarded the secondary contract, who will work on the warrants that are returned from Marston.

We are looking at the feasibility of relocating our car pound from Lots Road to Park Royal in 2019 or 2020. From early 2019, one of our contractor (NSL) bases will be moving from Fulham Road into the newly refurbished Chelsea Old Town Hall. Both moves should prove to be more cost effective for the Council.

In the future

Blue Badge scheme

In July 2018 DfT announced that the Blue Badge scheme will be extended to people with 'hidden' disabilities in 2019. This is the biggest overhaul to the system in 40 years, offering accessible parking for people who find travel difficult and is part of the government's drive to build a society that works for all.

People with hidden disabilities, including autism and mental health conditions will soon have access to Blue Badges, removing the barriers many face to travel. The Blue Badge scheme already means those with physical disabilities can park closer to their destination than other drivers, as they are less able to take public transport or walk longer distances.

We are constantly reviewing the distribution and allocation of blue badge disabled bays and act on requests from visitors with blue badges for additional bays. We tend to site these bays near places of interest like shopping centres and museums or near medical centres like hospitals and doctors' surgeries.

Pay and display machines

Owing to the popularity of the pay-by-phone system, we are considering the feasibility of removing the pay-and-display machines and making more effective use of the new technology that supports paid for parking services for visitors.

Parking policy

We will review the residents' permit pricing structure to simplify the scheme and encourage the uptake of cleaner, greener vehicles.

Electric vehicles

We intend to procure around 200 lamp column sockets using the Go Ultra Low Cities Scheme funding, to be installed this Spring.

We will install the next phase of lamp column chargers using advanced technology that does not need a metered cable. This means that residents will not need to purchase a smart cable but be able to use their normal cable provided with their car.

We will investigate the possibility of installing fast chargers on-street to help residents and local taxi drivers.

Cycle hangars

We converted nine metres of residents' parking bays to install three secure cycle hangar units on a trial basis; one in All Saint's Road and two in Colville Terrace, providing 18 secure cycle parking spaces for residents of Colville Ward. The cycle hangars are 2.5 metres long x 1.4 metres high x 2 metres wide. Currently the units are at 89 per cent occupancy. Consultation on a further two units, one each in Kensington Park Road and Blenheim Crescent, is currently taking place to be installed in 2019 if approved.

Statistics, financial information, reviews and monitoring

Financial statistics

Within the Council's budgeting processes and procedures the parking account is a 'memorandum account', which is set up and collated from the Council's accounts. It is necessary to set up the parking account in this way since any surplus generated can be spent only on certain allowable transport, parking, and highways related activities, as specified by law, and accounted for separately in the Council's accounts to show transparency.

Parking income and expenditure

Income from the on-street operation in 2017/18 totalled £46.3 million, and the expenditure to provide the on-street service was £12.1 million. We transferred the surplus of £34.2 million to the Council's Car Parking Reserve which we use to fund off-street parking, public transport and other transport and highways-related improvements. The highest proportion of income is from visitor parking reflecting the demand for these facilities.

Although the Council sets the level of permit and pay and display charges, the level of penalty charge notices, clamping, and removal fees are set by London Councils' Transport and Environment Committee.

Application of surplus

The Council has discretion on how to spend any surplus that may arise, within the allowable uses set by Section 55 of the Road Traffic Regulation Act 1984. Under current legislation, the application of any surplus is limited to meeting the cost of providing and maintaining parking facilities, highways improvement schemes, highway maintenance, public passenger transport services and certain other service categories.

On-street Account			
	£'000	£'000	£'000
Income	2017/18	2016/17	2015/16
Pay And Display	21,396	18,628	18,734
Residents Permits	6,100	5,990	5,971
Parking Suspension Income	7,969	8,216	8,016
PCN Income	10,704	10,942	11,752
Clamping and Removals Income	475	539	1,339
Other Income	-	-	-
Total Income	46,372	44,315	45,812
Expenditure	2017/18	2016/17	2015/16
In House Staff	2,531	2,296	2,298
Premises Related Costs	37	43	235
Transport Related Costs	51	26	28
Pay and Display and Carriageway Markings	953	874	498
Adjudication and Court Registration	100	176	140
Parking Enforcement Contracted Services	4,896	5,077	5,619
Central and Departmental Support	2,556	2,730	2,661
Other Costs	997	882	522
Total Expenditure	12,121	12,104	12,001
Surplus	34,251	32,211	33,811

Clamping and removal sub account			
	£'000	£'000	£'000
	2017/18	2016/17	2015/16
ON-STREET			
<i>Income</i>			
Clamping Income	0	0	0
Removals Income*	475	539	1,339
Total Income	475	539	1,339
<i>Expenditure</i>			
In House Staff	124	106	107
Premises Related Costs	1	5	200
Transport Related Costs	3	1	1
Adjudication and Court Registration	40	76	19
Parking Enforcement Contracted Services	580	732	1,263
Central and Departmental Support	53	43	43
Other Costs	2	10	10
Total Expenditure	803	973	1,644
Deficit	328	434	305

Application of parking surplus			
	£'000	£'000	£'000
	2017/18	2016/17	2015/16
Surplus (Deficit)	-34,250	-32,211	-33,811
Brought forward	21,221	22,846	-22,676
Concessionary fares	9,463	9,537	9,464
Taxicard	187	497	202
Welfare transport	831	724	660
School permits, special needs and youth transport	1,533	1,317	1,523
Off-street parking costs	261	248	240
Highways and Street Lighting	10,074	10,171	10,287
Parks, open spaces and street cleansing	11,495	11,343	11,264
Carried forward	-21,627	-21,221	-22,846

Penalty charges

The amount a council may charge for a PCN is set by London Councils TEC, agreed by the Mayor of London and ratified by the Secretary of State and this is reviewed every four years.

As the demand for road space and parking is more intense towards the centre of London, PCN charges are generally higher in Central and Inner London. The whole of Kensington and Chelsea is in the highest parking charge band, Band A.

On 15 April 2011 the Band A penalty charges were set at:

- Higher rate - £130 reduced to £65 if paid within 14 days
- Lower rate - £80 reduced to £40 if paid within 14 days

These charges have not increased since then.

Payment of PCNs

If a vehicle owner pays a PCN within 14 days of the date of issue, a 50 per cent discount applies. Representations that we receive within the initial 14-day period can result in us cancelling a PCN, but if we decide not to cancel the PCN, we allow a further 14 days from the decision date for payment to be made at the reduced rate.

PCN recovery rate

Recovery rate is calculated as the number of PCNs paid (in part or in full) as a percentage of PCNs issued. The Royal Borough's recovery rates were: 80 per cent in 2015/16, 77 per cent in 2016/17 and 78% in 2017/18.

PCNs issued			
	2017/18	2016/17	2015/16
No. Higher level issued	122,310	127,039	123,424
No. Lower level issued	74,097	77,783	78,783
Total number of PCNs paid	150,755	156,872	175,242
No. of PCNs paid at discount	121,997	120,586	117,556
No. of PCNs paid at face value	22,798	25,131	36,165
No. of PCNs paid at Charge Certificate	3,615	3,237	2,975
No. of PCNs where a representation was made	46,281	46,537	41,523
No. of PCNs cancelled as a result of representation (mitigation)	13,964	14,324	13,509
No. of PCNs cancelled for other reasons	2,885	3,423	6,664
No. of representations that are rejected	29,587	28,790	21,350
No. of vehicles clamped	0	0	0
No. of vehicles removed	2,298	2,680	6,443

Appeals and Adjudication

Appeals and Adjudication			
	2017/18	2016/17	2015/16
No. of appeals received	723	682	941
Ratio of appeals to PCNs issued	0.37	0.38%	0.47%
Appeals not contested	139	148	170
Appeals allowed by Adjudicator	350	392	284
Appeals refused by Adjudicator	323		522

Note: figures reflect activity throughout the year

Key Performance Indicators

Key Performance Indicators			
	2017/18	2016/17	2015/16
KPI : Staff retention	99.03%	99.28%	98.78%
KPI : CEO errors percentage	0.55%	0.45%	0.41%
KPI : Complaint handling	100%	100%	100%
KPI : Crime awareness incidents	26	20	30
KPI : PCNs issued with photos	99%	99%	99%

Annual statistics on civil enforcement officers' safety

Unfortunately, CEOs are subject to high levels of abuse and assault, both verbal and physical, whilst carrying out their duties. In order to provide support to CEOs our contractor has implemented an alarm system that can be sent by personal radio to their control room.

- Code Yellow is sent by a CEO when he or she is being subjected to an intense verbal assault that could become physical. CEOs are encouraged to distance themselves from the person who is abusing them at this point
- Code Red is sent when a CEO has been subjected to a physical assault or feels that it is imminent. If a Code Red is broadcast all CEOs and mobile units in the area will move to provide support to the threatened CEO

	2017/18	2016/17	2015/16
Code red	24	19	24
Code yellow	2	1	6