

Annual Parking and Enforcement Report 2023



THE ROYAL BOROUGH OF
KENSINGTON
AND CHELSEA

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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.
CCTV	Closed-circuit Television
CEO	Civil Enforcement Officer.
CPZ	Controlled Parking Zone. All public highways in 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
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).
TMA	Traffic Management Act 2004
VDA	Vehicle drive away

Introduction and context

Overview

The Royal Borough assumed the powers of 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.

In March 2008 Government introduced the Traffic Management Act 2004 (TMA) to improve public perceptions of parking enforcement by providing greater consistency of nationwide parking regulations and providing a fairer and more transparent system. Under section 87 of the TMA, the Secretary of State for Transport has published statutory guidance recommending that enforcement authorities produce an annual report about their parking enforcement activities. This is that report. Whilst it does not extend to our civil enforcement of moving traffic contraventions under the London Local Authorities and Transport for London Act 2003, financial data relating to this is included.

More information on parking in Kensington and Chelsea is available on our website at:

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

Due to the timing of availability of information regarding finances and PCNs, sections in this report refer to different time spans:

Finance information: April 2022 - March 2023

Penalty Charge and appeals information: April 2022 - March 2023

Parking suspensions and dispensations information: April 2022 - March 2023

What's new since our last report: 1 January 2023 - 31 December 2023

In the future: from 1 January 2024

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 that we have made and any we are considering for the future.

In relation to its Sec 149 of the Equality Act 2010, the Council considers that publishing this report has no particular impact on any groups with protected characteristics under that Act. The Council further considers that publishing this report is consistent with its obligations under the European Convention of Human Rights as it has effect under the Human Rights Act 1998.

Parking in Kensington and Chelsea

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

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 and keeping our roads safe.

All roads controlled by the Council are part of a single 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 allocated to specific groups of users. We have approximately 35,640 on-street parking spaces, with the following types and numbers of spaces¹ specified below. A space is defined as being five metres in length, as most individual parking bays are approximately five metres in length:

Ambulance parking bays – 3

Accessible permit holder spaces - 17

Antique dealer spaces (Saturdays only) - 103

Blue badge disabled spaces - 209

Car club spaces - 163

Cycle hire docking stations - 96 (71 of these are on-carriageway utilising 312 spaces and enabling the hire of 1,653 hire bicycles)

Diplomatic spaces - 130

Doctor's parking spaces - 14

Electric vehicle charging spaces - 237

Housing estate resident permit spaces - 171

Housing estate visitor permit spaces - 34

Housing estate disabled permit spaces - 21

Loading spaces - 75 in 22 loading bays

On-carriageway bicycle spaces - 49 (providing parking for a total of 412 bicycles)

On-carriageway electric scooter and dockless bicycle spaces - 10 (which will provide parking for 97 e-scooters or dockless bicycles when implemented)

On-carriageway dockless bicycle spaces - 121 (which will provide parking for 1210 dockless bicycles when fully implemented)

Pay-By-Phone visitor parking spaces - 4,640

Personalised disabled spaces - 195

Police spaces - 22 in 6 Police bays

¹ As of January 2024.² The charging units on Fenelon Place, are not yet operational.

Rapid charging electric vehicle spaces - 5 (at four locations)²
Residents' motorcycle permit bays³ - 97 (providing parking for a total of 525⁴ motorcycles)
Residents' permit spaces - approximately 28,940⁵ (there has been a net loss of around 135 residents' spaces – or half of one percent - since last year's report)
Shared use residents' motorcycle permit and bicycle parking space - 1 (providing parking for a total of 5 motorcycles or 16 bicycles)
Taxi spaces - 141 in 39 taxi ranks
Visitor solo motorcycle spaces - 220 (providing parking for a total of 1,435⁶ motorcycles in 213 bays)

Off-street⁷

Contractor spaces - 2
Housing estate resident permit spaces - 786
Housing estate visitor permit spaces - 85
Housing estate disabled permit spaces - 81
Kensington Leisure Centre - 7 Disabled spaces
Motorcycle permit spaces - 7 (providing parking for a total of 37 motorcycles)

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

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 28,940 permit holders' parking spaces and around 33,840 parking permits⁸ (including Purple Badges) issued, demand for parking space is high. Our Borough-wide residents

² The charging units on Fenelon Place, are not yet operational.

³ Motorcycle bays vary in size and a significant number are less than 5 metres in length so we have used "bays" rather than "spaces" for motorcycle bays

⁴ The estimate of motorcycles able to park is based on the number of anchor points which are within most residents' motorcycle permit bays

⁵ Residents' parking bays are not generally marked out individually. We calculate this number on the basis of 5 metres of resident's parking constituting one space.

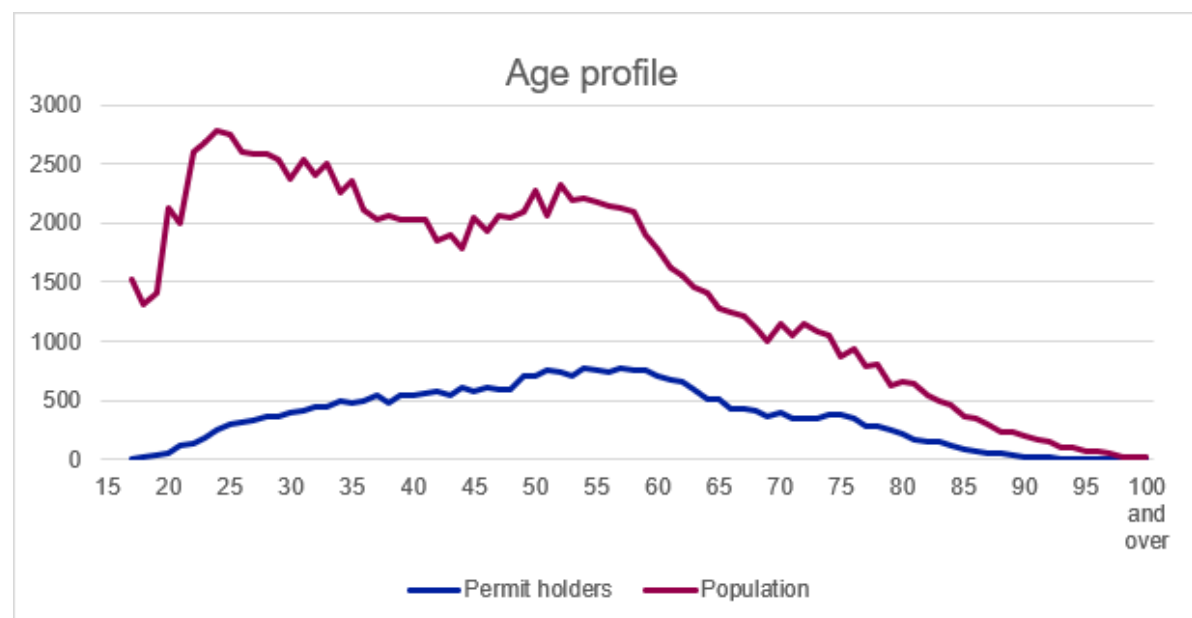
⁶ Visitor motorcycle bays do not have anchor points, so it is assumed that one motorcycle per metre can park

⁷ The number of off-street spaces include all of the off-street parking spaces within the Borough including those not included in the Council's traffic orders.

⁸ As of January 2024

parking zone allows residents to use their permits to park in any residents' parking bay across the Borough. All residents' permits are now issued virtually.

In the past few years, the number of residents' parking permits has been gradually falling⁹ (excluding the effects of the COVID pandemic). Between January 2013 and January 2024, the number of residents' permits (excluding purple badges) issued dropped by 14.5 percent, from 36,652 to 31,329. Car ownership has dropped in the Borough over the last few years, going against the trends throughout both Inner London and London as a whole. Between 2014 and 2022, car ownership in the Borough dropped 8.5 per cent, whilst car ownership decreased in central London by 5.4 per cent and an increase in 0.9 per cent across the whole of London in the time period¹⁰. This can be attributed, in part, to demographic changes. The graph below shows the age profile of residents' permit holders in November 2022, compared to the age of the population of Kensington and Chelsea. Approximately one in five 30 year-olds, one in four 40 year-olds, and one in three 50 year-olds and nearly half of 60 and 70 year-olds living in Kensington and Chelsea have a residents' parking permit.



Comparing our two most recent parking occupancy surveys, the supply of residents' parking spaces dropped by one per cent between 2018 and 2022, whilst over the same period, demand for those spaces dropped by four percentage points resulting in average occupancy falling from 74 per cent to 72 per cent¹¹.

⁹ In the 2009 Annual Parking Report, the number of residents' parking permits was approximately 39,000

¹⁰ From London Datastore – vehicles by vehicle type - <https://data.london.gov.uk/dataset/licensed-vehicles-type-0>

¹¹ Data is from the 2018 and 2022 RBKC parking occupancy surveys and taken on a weekday afternoon

Permit appeals procedure

In 2023, we considered 56 appeals against our decision not to issue a resident parking permit. In 40 of these cases, the initial decision was overturned and permits were issued; in 16 cases the decision was upheld. The number of appeals in 2023 is lower than the previous year, but the proportion of refusals has remained consistent at about a third of the appeals being refused.

Visitor Parking

During controlled hours, parking for those without permits (termed “visitors” in this report) is only permitted in designated pay-to-park bays: there are currently no shared use parking bays in the Borough.

Our visitor parking charges are set with reference to fuel type with electric vehicles attracting the lowest tariff in any given area of the borough, petrol vehicles attracting a higher tariff and diesel vehicles attracting a higher tariff still. In April 2020, when we first linked visitor parking tariffs to fuel type, electric vehicles represented one per cent of all parking sessions – by December 2023, that had grown to 7.5 per cent.

Disabled parking

Due to the severe pressure on parking space, the National Disabled Persons’ Parking Badge Scheme (Blue Badge Scheme) does not apply in 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 Borough, we do provide 209 free-to-park Blue Badge bays which typically have a four-hour maximum stay requirement. We also offer two concessions for non-resident Blue Badge holders:

- (i) subject to a minimum of five minutes of parking time having been purchased in a pay-to-park bay, extending the permitted parking session by one hour at no cost. Another free hour may be obtained with another purchase of five minutes of paid-for time when the first free hour comes to an end, up to the maximum stay of the bay; and
- (ii) making it easier to park near hospitals by allowing Blue Badge holders to stay for four hours in PayByPhone visitor parking bays within hospital zones when 20 minutes of parking is paid for. Hospital zones are marked on-street with an “H” on the parking sign for that bay.

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-to-park visitor parking bay throughout the Borough. There are currently 2,511 purple badge holders¹².

The Council continues investigating the misuse of disabled parking badges and fraudulently claimed resident's parking permits. From 1 April 2022 to 31 March 2023, we successfully intervened in 68 instances, including prosecuting 19 offenders for misusing disabled parking permits (blue badges) and administering 14 Simple Cautions (formerly police caution). Regarding the successful prosecutions, the Courts imposed fines totalling £6,260, and the defendants were ordered to pay the Council a total of £5,970 in costs and victim surcharges. Investigation activity also led to the cancellation of 25 resident parking permits where the permit had been wrongfully obtained, or the residents' circumstances had changed, and they were no longer eligible for a permit.

Resident Motorcycles

We offer resident motorcyclists three options 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 have 498 paid-for residents' motorcycle permits and 116¹³ free residents' motorcycle permits.

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.

Car clubs

We are enthusiastic supporters of car clubs and believe they offer great potential to help achieve our long-term policy objectives of reducing traffic congestion, improving air quality and reducing on-street parking pressures. Car clubs provide an alternative to private car ownership and allow members access to vehicles on a pay-as-you-go basis.

There are currently two car clubs operating within the Borough. Both companies (Enterprise and Zipcar) use the traditional "back to base" model, providing vehicles for round trip journeys from marked "car club" bays. Zipcar also operate their Flex Car Club whereby vehicles are permitted to park within any eligible on-street residents bay.

We have approximately 163 dedicated car club bays across the Borough. The number of car club bays has been falling in recent years, in response to changing

¹² As of January 2024

¹³ As of December 2022

demand. Relinquished bays are repurposed for other sustainable travel modes as well as resident and visitor parking.

In 2022/23, we issued 30 permits to Zipcar Flex, all for electric vehicles.

We do not allow car club operators to provide diesel cars and our permit fee structure incentivises operators to provide vehicles with lower carbon dioxide emissions.

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 5,938 publicly available cycle parking spaces in the borough and over 1,546 cycle parking spaces available within Council managed and private residential housing estates¹⁴.

Currently the Council has paused installation of additional cycle stands while it develops a new bespoke RBKC cycle stand that will enhance the streetscape. A prototype stand was installed in Hornton Street (junction with Phillimore Walk) in 2023 and the Council is currently working on an improved version.

Notwithstanding this pause, we always welcome suggestions for new cycle parking 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, the Council's Local Plan and the Transport and Streets Supplementary Planning Document.

Parking suspensions and dispensations

We appreciate that suspending parking bays can be inconvenient to drivers, 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 encourages 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>

¹⁴ As of January 2023

On 1 April 2023, the Council introduced an express suspension charge which requires five working days' notice rather than the standard ten.

Residents can also subscribe to a notification service to receive notice of any suspensions in their road.

We issue single yellow line dispensations for vehicles to load or unload in locations:

- where there are no suitable parking bays
- when the vehicle needs to be very close to the premises.

Tackling Idling Engines

Switching an engine off when stationary helps protect the health of those around us. Under the Road Vehicle Regulations (1986) it is an offence to leave vehicle engines running unnecessarily when they are stationary. Since 2019, enforcement officers have had some powers to enforce against drivers idling, but only if drivers do not switch off their engines when asked. In 2023, our CEOs handed 216 advisory leaflets to drivers of vehicles that were idling.

Parking appeals

When a PCN is issued the registered keeper 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). This applies to PCNs issued to stationary vehicles on-street.
- 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. In most cases the Council has not contested the appeal where compelling new evidence has come to light at the appeal stage.
- 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

The 2022/23 statistics from the London Tribunals show that the Council won 79 per cent of contested appeals considered by London Tribunals in 2022/23. This independent score is a key indicator for the Parking Service, and we will look to improve our performance in 2024.

What's new since our previous Annual Parking Report

Resident permit criteria update

In 2022, we made changes to the residents' parking permit scheme eligibility criteria and terms and conditions. These changes were implemented in April 2023. The changes make applying for permits easier for some categories of residents, such as students, residents with refugee status and overseas workers. The changes increase the maximum length and height of vehicles which are allowed to have a permit and will allow the Council to withdraw permits from vehicles which do not have a valid MOT. We will no longer accept new applications for doctors' residents' permits or doctors' bay permits or bays.

Electric vehicles

We added a further 150 lamp column electric vehicle chargers bringing the total to 697¹⁵.

Source London installed 42 new electric vehicle charging points bringing the total to 191 in 100 locations¹⁶ across the Borough.

Practically all (over 99 per cent) residential properties in the borough are within 200 metres of a public charging point and over 90 per cent of properties are within 100 metres.

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

Electric vehicles – dedicated bays for lamp column chargers

Following the successful trial of dedicated bays in 2022, we added 32 dedicated bays next to lamp column chargers in 2023, for a total of 36 dedicated bays. This allows owners of electric vehicles to access the chargers without being blocked by

¹⁵ As of December 2023

¹⁶ As of December 2023

petrol or diesel cars occupying the bays. See page 14 to read about our future plans in this area.

Rental Cycle Hangars

In 2023, we continued our programme of cycle parking installation in the Borough, installing 47 new secure cycle hangars, in the carriageway, available to residents to rent. There are now 83 units available in the borough, providing 498 secure cycle parking spaces.

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 2023¹⁷, we:

- created three new ambulance parking bays
- created 76 additional Electric Vehicle charging spaces, 32 dedicated Lamp-Column charging bays
- created four additional Blue Badge disabled spaces
- created 31 new personalised disabled bays and removed 24 personalised disabled bays that were no longer required, resulting in a net increase of 7
- converted four unwanted car club spaces to other uses
- converted three unwanted doctor's parking bays to other uses
- created 121 new dockless cycle parking bays and converted one scooter and dockless hire parking bay back to residents' parking
- created 14 additional visitor motorcycle parking spaces
- created two additional diplomatic parking spaces
- created six loading bays
- converted four visitors' motorcycle parking spaces to other uses
- converted 2,623.5 metres of single yellow line to double yellow line
- introduced 85 metres of 'at any time' loading restrictions

As a result of the changes listed above, there were 135 fewer residents' parking spaces and 10 fewer pay-to-park visitor parking bays at the end of 2023 than there were at the start

¹⁷ Changes in the January, February June and October 2023 Miscellaneous Parking Amendments are included in these totals. Some of these amendments may not have been implemented on street by the end of 2023.

- we converted five on-street RBKC-Housing resident permit parking spaces to RBKC-Housing disabled parking spaces and one RBKC-Housing disabled parking space back to RBKC-Housing resident permit parking
- we converted 10 off-street RBKC-Housing resident permit parking spaces to five RBKC-Housing visitors' parking spaces and five RBKC-Housing disabled parking spaces
- we converted two off-street RBKC-Housing visitors' permit parking spaces and one RBKC-Housing visitors' parking space to three RBKC-Housing resident parking spaces

Alfresco dining

During Summer 2023, the Council licensed 93 summertime terraces on temporary footway extensions primarily on suspended car parking bays, but also on yellow line too. Approximately 100 parking bays were suspended to enable the footway to be temporarily extended to allow alfresco dining to occur on licensed summertime terraces. The majority of the bays suspended were pay-to-park visitor parking bays.

Express suspension charge

On 1 April 2023, the Council introduced an express suspension charge which requires five working days' notice rather than the standard ten working days' notice. Applications will be approved only at the Council's discretion. This is a one-off cost per application, levied in addition to the normal suspensions charges and is priced at five times the "fewer than six chargeable days" charge.

Reducing congestion on the East-West Arterial Routes

To address concerns about congestion outside of controlled hours, especially during evenings and at weekends, some single yellow line on Fulham Road, King's Road, Kensington High Street and Kensington Road was converted to double yellow lines.

In the future

Dockless Cycle Hire bays

In September of 2023 we signed Memoranda of Understanding with each of the dockless e-bike operators currently active in London. The agreement states that the borough will provide approved parking locations and that these are the only locations at which dockless e-bikes may legitimately be parked, either by customers or by suppliers deploying their fleets to the streets. This agreement has been operating since October 2023. The parking network created in support of the MOU currently consists of 127 marked bays and 81 virtual bays which are not marked but appear in the phone apps that must be used by dockless cycle users. The introduction of approved bays has led to a noticeable reduction in bikes being left at random locations on the footway and we continue to work

with all dockless bike suppliers to improve parking compliance and tidiness around the bays provided.

Customer Assistance

We are looking at the feasibility of trialling advanced interactive software on our website, for any motorist seeking guidance on what to do if they wish to query a PCN issued to their vehicle.

We will explore a new parking suspension IT system that has a customer portal, to simplify the process for customers wishing to reserve a space on-street for domestic removals, large deliveries or to facilitate construction work .

We will look at a new IT system, which will support the Resident Parking Permit Scheme and make the process of applying for new permits, renewals or changes to existing payments, easier and introduce the ability to pay monthly.

Contracts and Supplies

We will commence a three-year Contract extension between the Council and NSL Services Ltd for parking enforcement services, vehicle removals and car pound management. We will also review the contract that exists between the Council and PayByPhone for the digital pay-to-park service that we operate. Both reviews are standard exercises and fall in line with the terms and conditions agreed at the outset.

Car club bays

Throughout 2024, both Enterprise and Zipcar will be looking to reduce their fleet of vehicles. It is anticipated that Enterprise will give up around 35 of their fixed bays in 2024, whilst Zipcar are likely to give up around 15 of their fixed bays.

Parking occupancy

The last occupancy survey of each parking bay was undertaken in November 2022. In 2024, the Council will look to resurvey all bays in the Borough in a weekday afternoon, a weekday evening, overnight on a weekday and on the afternoons of both a Saturday and a Sunday.

Shared-use motorcycle parking

The visitor motorcycle bays within the Borough have high occupancy and the Council regularly receives requests to create more such parking places. The intent will be to convert all of the residents' permit motorcycle bays into shared-use motorcycle bays, where residents, with a permit, will still be allowed to park for free in these bays, but the Council will charge visitors for using these bays. The visitors would pay for their parking using the PayByPhone app or by a phone call. Existing visitors' solo motorcycle bays will remain free of charge.

Statistics, financial information, reviews and monitoring

Financial statistics

Parking income (from both on-street charges and on and off street fines) should be used to fund the cost of administering the parking service in the first instance. If the amount of income raised exceeds the cost of administering the service in the current or previous year, this creates a “parking surplus”. Section 55 of the Road Traffic Regulation Act 1984 specifies that this surplus can be rolled forward (i.e. transferred to the Parking Reserve) to fund the cost of future parking controls, or it can be used to fund specific purposes. The Traffic Management Act 2004 extended the purposes to which surplus income may be applied to include funding local environmental improvements, which is defined in a broad sense to encompass recreational or scenic improvements. The surplus can therefore be used as follows:

-

- a. To meet costs relating to off-street parking provision
- b. Where the local authority deems there to be sufficient off-street parking already, parking income can fund:
 - Public passenger transport costs
 - Road or highway improvements
 - Environmental improvements (reduction of environmental pollution, improving or maintaining the appearance or amenity of roads and public open land, the provision of outdoor recreational facilities available to the general public without charge)
 - The costs of maintaining publicly maintainable roads (including street name plates, lighting and bridges) or the meeting the objectives of the Mayor’s Transport Strategy

Any accumulated balance on the Parking Reserve can only be applied to projects that fall within these specific statutory purposes.

The Finance department undertakes a detailed exercise each year to apply any “parking surplus” to eligible expenditure (both capital and revenue) and the application of this surplus is included in Table I – On-street Account, below. Any unapplied surplus is placed in the Parking Reserve.

Parking income and expenditure

Income from the on-street operation in 2022/23 totalled £54.25 million, and the expenditure to provide the on-street service was £15.7 million. The income from last year has returned to around pre-pandemic levels, as shown in the table below. The highest proportion of income (44 per cent) is from visitor parking reflecting the high demand for these facilities.

Although the Council sets the level of permit and visitor parking charges, the level of penalty charge notices, clamping, and removal fees are set by the Transport and Environment Committee of the London-wide body called London Councils.

Table 1: On-street Account

On-street Account			
	£'000	£'000	£'000
Income	2022/23	2021/22	2020/21
Pay-to-park visitor parking	23,729	22,765	17,711
Residents Permits	6,187	6,135	5,808
Parking Suspension Income	10,034	9,887	8,481
PCN Income *	12,984	11,521	6,811
Clamping and Removals Income	355	281	69
Other Income (including payments for services provided)	160	76	135
Total Income from Parking	54,249	50,665	39,015
PCN Income from moving traffic contraventions	800		
Expenditure	2022/23	2021/22	2020/21
In-House Staff	2,344	2,180	2,183
Premises Related Costs	49	49	87
Transport Related Costs	23	33	34
Pay and Display and Carriageway Markings	701	455	331
Adjudication and Court Registration	98	119	111
Parking Enforcement Contracted Services	4,972	4,748	5,149
Central and Departmental Support	3,403	3,302	2,910
Other Costs *	4,416	3,019	2,537
Total Expenditure	15,735	13,905	13,342
Surplus	38,513	36,760	25,673

* The PCN income and Other Costs are higher in 2019/20 than the previous years, as a result of an accounts adjustment of £2,295,500. This was credited to PCN

income and debited as Other Costs. For the 2020/21 and 2021/2 figures the PCN income includes income from Moving Traffic Conventions (MTC).

Table 2: Removal and Relocation Sub Account

Removal and Relocation Sub Account			
	£'000	£'000	£'000
	2022/23	2020/21	2019/20
ON-STREET			
Income			
Clamping Income	0	0	0
Removals Income	355	281	69
Other Income (rent from car pound)	85	77	76
Total Income	440	358	145
Expenditure			
In-House Staff	109	109	108
Premises Related Costs	0	2	0
Transport Related Costs	0	0	0
Adjudication and Court Registration	44	34	25
Parking Enforcement Contracted Services	889	852	893
Central and Departmental Support	81	79	69
Other Costs	12	3	3
Total Expenditure	1,135	1,079	1,098
Deficit	695	721	953

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 1984¹⁸. Under

¹⁸ <https://www.legislation.gov.uk/ukpga/1984/27/section/55/1993-07-05>

this 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.

Table 3: Application of parking surplus

Application of parking surplus			
	£'000	£'000	£'000
	2022/23	2021/22	2020/21
Surplus	-38,513	-36,760	-25,675
Brought forward	-19,893	-19,412	-23,522
SFC Compensation Scheme **		-447 ¹⁹	-6,741
Concessionary fares	5,377	7,401	8,644
Taxicard	99	75	9
Welfare transport	554	469	456
School permits, special needs and youth transport	2,947	2,195	1,791
Off-street parking costs	177	162	493
Highways and enforcement of environmental, street, noise & nuisance regulations	13,026	12,531	11,783
Parks, open spaces, trees, street cleansing, CCTV	12,347	12,481	13,349
On-street parking costs	398	519 ²⁰	0
Carried forward	-22,375	-19,893	-19,413

** SFC stands for Sales, Fees and Charges – this was a Government scheme run by the Ministry of Housing, Communities and Local Government (MHCLG) to compensate the Council for income lost from sales, fees and charges due to the pandemic.

¹⁹ Adjustment to revise the compensation figure reported in the prior year. The originally reported compensation to be received through the government scheme was based on an estimate; actual compensation eventually received was lower and the adjustment is shown in the following year so that the total actual amount received overall is captured

²⁰ Costs of internal recharges for parking bay suspensions incurred by Council departments (largely related to suspensions by third-parties contracted by the Council to undertake capital improvement works on Kensington and Chelsea Council owned properties) and one-off Highways feasibility study costs

We had an in-year surplus of £38,513k in 2023 and we spent £36,033k of that, so the difference (£2,480k) was added to our Parking Reserve, which rose from £19.412m to £22.375m

Parking suspensions and dispensations

We suspend bays, on request, for a wide variety of reasons if to continue allowing people to park would create unacceptable hazards, risks or issues for other highway users or for properties facing the highway. For this service we apply a suspension fee per day and per space, with fees increasing to discourage long term suspensions. In 2022/23, the fee per space was £62 for each of the first 5 days, then £93 daily from day 6 to day 42 and £124 daily from day 43 upwards.

Yellow line dispensations are charged on the same basis as suspensions, where a space is defined as being five metres (16ft).

Table 4: Number of parking suspensions and dispensations

Number of parking suspensions			
	2022/23	2021/22	2020/21
1 to 5 days	10,235	9,984	7,922
6 to 42 days	1,596	2,152	1,693
43 or more days	1,034	1,086	355
Total number of suspended bays	35,321	38,445	29,481
Total number of bay-days suspended	125,268	158,868	120,823
Number of parking dispensations			
	2022/23	2021/22	2020/21
Total number of dispensations	31	52	10
Total number of bay-days for dispensations		102	19

Penalty charges

The amount a council may charge for a PCN is set by London Councils' Transport and Environment Committee, agreed by the Mayor of London and ratified by the Secretary of State. The whole of Kensington and Chelsea is in parking charge band A.

There are two levels of penalty; higher level penalties apply to contraventions which are considered more serious, such as parking on yellow lines or where an obstruction is caused. Lower-level penalties apply generally where parking is permitted but the regulations are contravened, such as overstaying on visitor parking bay.

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 Council's recovery rates were: 76 percent in 2020/2021, 80 percent in 2021/22 and 81 percent in 2022/23.

Table 5: Number of PCNs issued

PCNs issued ²¹			
	2022/23	2021/22	2020/21
No. Higher level issued	116,390	109,038	65,902
No. Lower level issued	85,030	73,991	40,381
Total number of PCNs issued	201,421	183,029	106,283
Total number of PCNs paid	161,499	144,744	80,800
No. of PCNs paid at discount	130,196	116,235	64,720
No. of PCNs paid at face value	22,048	20,568	11,278
No. of PCNs paid at Charge Certificate	2,863	2,580	1,549

²¹ The data from Representations and cancellations relate to both parking and moving traffic offences PCNs.

No. of PCNs where a representation was made	13,730	13,006 ²²	16,635
No. of PCNs cancelled as a result of representation (mitigation)	1,528 ²³	1,492 ²⁴	9,175
No. of PCNs cancelled for other reasons	2,990	2,460	6,968
No. of representations that are rejected	7,469	10,480	7,375
No. of vehicles clamped	0	0	0
No. of vehicles removed to the pound	1,736	1360	359

Appeals and Adjudication

Table 6: Appeals and adjudication

	2022/23	2021/22	2020/21
No. of appeals received ²⁵	445	384	210
Ratio of appeals to PCNs issued	0.20%	0.20%	0.20%
Appeals not contested	117	91	72
No. of cases considered by London Tribunals	281	306	234
Appeals allowed by Adjudicator	151	139	120
Appeals refused by Adjudicator	130	167	114
Percentage of appeals considered which were refused ²⁶	79	78	70

²² the figures for 2021/22 have been corrected since the 2022 report.

²³ the disparity for 'No. of PCNs cancelled as a result of representation (mitigation)' for the current year compared to previous years, this is peculiar as mitigation cancellations are only a smaller part of the general cancellation reasons so should normally be a lower figure than 'No. of PCNs cancelled for other reasons', which should incorporate all other cancellation reasons.

²⁴ the figures for 2021/22 have been corrected since the 2022 report.

²⁵ The number of appeals received do not necessarily match the number of appeals considered, due to the time delay between when the case is heard and when the appeal is registered.

²⁶ Percentage of appeals considered which were won = [Appeals Refused / (No. cases considered - Appeals not contested)] x100%

Key Performance Indicators

Our parking contractor, NSL, works to five Key Performance Indicators:

- Staff retention is the level of CEO absenteeism and CEO staff turnover
- CEO errors percentage is the number of PCNs cancelled as a direct result of an error of the service provided
- Complaint Handling is the level of complaints that have been received
- Crime awareness Incidents are the formulation and adherence to the Police protocol for assistance to CEOs (these are the code red and code yellow below)
- PCNs issued with photos relate to the quality of the digital photo that was taken by the service provider

Table 7: Number of Transactions and Income from Visitor Parking:

Visitor Parking²⁷			
	2022/23	2021/22	2020/21 ²⁸
Transaction Volumes:			
Diesels	1,733,756	1,809,535	1,181,524
All Vehicles	4,061,432	4,074,053	3,236,928
% Diesels	43%	44%	37%
Net parking Income:			
Diesels	£12,573,825.50	£12,464,029.04	£8,171,884.26
All Vehicles	£23,629,291.00	£22,831,215.42	£17,623,865.85
% Diesels	53%	55%	46%

Table 8: Key Performance Indicators

Key Performance Indicators			
	2022/23	2021/22	2020/21
KPI : Staff retention	99%	99%	99%
KPI : CEO errors percentage	0.40%	0.46%	0.46%

²⁷ The figures for 2020/21 and 2021/22 have been modified slightly from the figures in the previous report

²⁸ The significant lower volumes in 2020/21 would have been due to the COVID pandemic

KPI : Complaint handling	100%	100%	100%
KPI : Crime awareness incidents	2	5	5
KPI : PCNs issued with photos	99%	99%	99%

Annual statistics on civil enforcement officers' safety

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.

Sadly, 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 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
- 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

Table 9: Civil enforcement officers' safety

	2022/23	2021/22	2020/21
Code red	3	6	4
Code yellow	0	0	0