



1st floor  
NLBP  
1 April 2020  
Our ref: 6154588

Thank you for your request received on 2 March 2020, for the following information:

**I was served with a parking enforcement notice yesterday on Ravenscroft Avenue NW11. I saw that the parking bays were restricted until 6.30pm but I was confused as I have always been under the impression that parking on single yellow lines during Sunday hours is permitted. There is no signage to indicate that this is any different where there are parking bay restrictions ' I expect a lot of people fall foul of this unwittingly and unfairly.**

**As I was visiting a doctor for approx. 15 minutes for purposes of a very quick treatment it seems rather unsensitive, unfair and disproportionate! In fact it almost felt as though I were being watched ' the enforcement penalty was given so quickly and stealthily. Can I please ask therefore for a breakdown of Sunday enforcement figures across the borough and specifically enforcement figures for the same offence or contravention as me namely '01 Parking in a restricted street during prescribed hours'. If you could provide the highest level of detail for Ravenscroft Avenue NW11 in particular that would be appreciated. Please could you tell me specifically how much income is received from this specific offence in Barnet p/annum.**

**In relation to my excerpt above can you also please explain to me the council's (and Barnet is my council) approach to ensuring that enforcement is sensitive, fair and proportionate and the basis on which this is justified in my case? This was an offence at 17.32 on a quiet street in a quiet hour.**

**Please could you tell me how many offences (per year) are defended on the basis that signage or markings in Barnet were incorrect, missing or not in accordance with the TRO and please can you tell me why the signage or marking in my case was sufficient.**

**The exercise of discretion 7.14 The Secretary of State considers that the exercise of discretion should, in the main, rest with back office staff as part of considering challenges against penalty charges and representations that are made to the local authority. This is to protect civil enforcement officers from allegations of inconsistency, favouritism or suspicion of bribery. It also gives greater consistency in the enforcement of traffic regulations. 7.15 However, the enforcement authority may wish to set out certain situations when a penalty charge should not be issued. For example, an enforcement authority may wish to consider issuing a verbal warning rather than a penalty 17 charge to a driver who has committed a minor contravention and is still with, or**

returns to, the vehicle before a penalty charge notice has been served. The enforcement authority should have clear policies, instructions and training available on how to exercise such authority. These policies should form the basis for staff training and should be published. 7.16 Enforcement authorities should ensure that civil enforcement officers are properly trained to enforce parking controls fairly, accurately and consistently. As well as formal training, it is recommended that authorities include some supervised on-street training to familiarize civil enforcement officers with the area and any special parking provisions. Enforcement authorities should make sure that all relevant exemptions are understood, such as those applying to diplomatic vehicles and the Blue Badges issued to disabled people. Civil enforcement officers should be aware of their powers to inspect and retain Blue Badges<sup>24</sup> and the sensitivity required should they need to exercise them.

Please can you provide me figures for how many times per annum this discretion is exercised and whether referring specifically to the words in bold above why this was not thought of in my case or at least why this is not applied in cases such as mine?

We have processed this request under the Freedom of Information Act 2000.

## Response

I am writing to inform you that we have searched our records and although we hold some of the information requested, some is not held by London Borough of Barnet as it is not recorded.

We have provided answers to your request below showing where we do not hold the information requested.

*I was served with a parking enforcement notice yesterday on Ravenscroft Avenue NW11. I saw that the parking bays were restricted until 6.30pm but I was confused as I have always been under the impression that parking on single yellow lines during Sunday hours is permitted. There is no signage to indicate that this is any different where there are parking bay restrictions ' I expect a lot of people fall foul of this unwittingly and unfairly.*

*As I was visiting a doctor for approx. 15 minutes for purposes of a very quick treatment it seems rather insensitive, unfair and disproportionate! In fact it almost felt as though I were being watched ' the enforcement penalty was given so quickly and stealthily. Can I please ask therefore for a breakdown of Sunday enforcement figures across the borough and specifically enforcement figures for the same offence or contravention as me namely '01 Parking in a restricted street during prescribed hours'. If you could provide the highest level of detail for Ravenscroft Avenue NW11 in particular that would be appreciated. Please could you tell me specifically how much income is received from this specific offence in Barnet p/annum.*

Please see: <https://open.barnet.gov.uk/dataset/24r8e/parking-pcn-dashboard>

*In relation to my excerpt above can you also please explain to me the council's (and Barnet is my council) approach to ensuring that enforcement is sensitive, fair and proportionate and the basis on which this is justified in my case? This was an offence at 17.32 on a quiet street in a quiet hour.*

A vehicle parked on a restricted single yellow line during enforced hours with no exemption (Disabled Badge, Loading/Unloading, Boarding/Alighting of passengers) to the restriction applying is liable to be issued with a Penalty Charge Notice if a Civil Enforcement Officer observes the vehicle not parked in accordance with the requirements in place.

Please see: <https://www.barnet.gov.uk/parking/parking-and-traffic-enforcement/parking-restrictions> for information regarding enforcement of restrictions, single yellow lines can be enforced Monday to Sunday, excluding Christmas Day

***Please could you tell me how many offences (per year) are defended on the basis that signage or markings in Barnet were incorrect, missing or not in accordance with the TRO and please can you tell me why the signage or marking in my case was sufficient.***

Information is not recorded and therefore not held.

A vehicle parked on a single yellow line within a Controlled Parking Zone during the hours of restriction is liable to be issued with a Penalty Charge Notice if no exemption applies at the material time. A single yellow line within the Controlled Parking Zone has no requirement for signage to be in place covering the restriction which the vehicle was parked on. The single yellow line restriction and operational hours are stated on the Controlled Parking Zone entry time plates, these being located at every entry point into the Controlled Parking Zone. Only where a timeplate is on display, stating a different time of restriction to that of the Controlled Parking Zone entry time plate, does the single yellow line operate different hours of restriction to that stated on the entry time plate.

Please see: <https://www.barnet.gov.uk/parking/parking-and-traffic-enforcement/controlled-parking-zones-cpz>

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***Please can you provide me figures for how many times per annum this discretion is exercised and whether referring specifically to the words in bold above why this was not thought of in my case or at least why this is not applied in cases such as mine?***

Information is not recorded and therefore not held.

Any questions or queries regarding issued correspondence or actions undertaken as part of the Penalty Charge Notice statutory process are required to be put to the Parking Services Team directly.

### **Further information**

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

### **Advice and Assistance : Direct Marketing**

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications Regulations (PECR). For more information follow this Link [www.ico.org.uk](http://www.ico.org.uk)

**For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.**

### **Your rights**

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: [foi@barnet.gov.uk](mailto:foi@barnet.gov.uk). Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website [www.ico.org.uk](http://www.ico.org.uk)). There is no charge for making an appeal.