

# Civil Parking **Enforcement**



## **Policy and Guidelines for Residents Parking**

## **Staffordshire County Council**

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#### **Policy**

This Policy and Guidelines have been developed in consultation with East Staffordshire Borough Council (ESBC), Newcastle under Lyme Borough Council (NBC), Stafford Borough Council (SBC) and Staffordshire Moorlands District Council (SMDC). Its contents are approved by the Staffordshire Parking Board (SPB). Any subsequent amendments will be considered by Staffordshire County Council (SCC) and its Borough/District partners and submitted to the SPB for adoption.

The following introduction to this Policy sets the scene for the provision of Residents Parking Zones within Staffordshire. The Core Principles relate to general issues whereby all Staffordshire County, Borough and District Councils undertaking Decriminalised Parking Enforcement will consider and implement and operate Residents Parking Schemes. Whilst every effort has been made to provide a consistent approach for all Borough and District partners some difference of approach is inevitable given the diverse and unique attributes of each administrative area. Therefore the associated Guidelines are strongly recommended for adoption and, whilst not forming part of the actual Policy, have been developed to consider the detailed requirements of imposing and administering such schemes whilst allowing the flexibility of approach necessary to satisfy local requirements.

This Policy and its associated Guidelines are supplementary to the approved DPE Policy for the Processing of Penalty Charge Notices and the Policy for the Introduction of Charges for On-Street Parking Places. Its contents are in addition to and not in derogation from any article or requirement of the aforementioned Policies.

#### **Introduction**

In many of Staffordshire's Towns and Villages inconsiderate and illegal parking can cause road safety problems, congestion, obstruction and considerable inconvenience to residents and businesses. More efficient enforcement of parking restrictions will help alleviate many of the problems being experienced. In some areas, where there is a great desire for on-street parking resulting in conflict between the needs of residents, businesses and those requiring shorter term parking such as shoppers and commuters, priorities need to be set. This Policy seeks to address some of these issues by identifying those types of areas where it may be possible to give priority to residents parking in an attempt to enable them to park close to their home, although even where Resident's Parking Schemes are introduced this can rarely be guaranteed.

Contrary to widespread opinion, a resident does not have any special claim to a parking space in front of their own property and such provision is impractical. It is

considered reasonable, however, to expect to be able to park close to ones home as this heightens a perception of accessibility and security. It must be recognised however that there is no guarantee that a scheme will ensure residents' will be able to park outside their home or indeed within the zone itself.

Inconsiderate and 'nuisance' parking is often a local issue between individual residents and in such cases preventative action by way of any Traffic Prohibition is rarely appropriate or effective. The introduction of a Residents Parking Zone should primarily provide a benefit to a group of local residents thereby responding positively to actual need i.e. those that can be identified and quantified. In making such a response the following SCC, District and Borough Strategic Objectives will also be supported.

- To create opportunities for the people of Staffordshire
- To make Staffordshire a great place to live, work and invest
- To create a safe, pleasant and sustainable environment

Where residents are unable to park close to their home due purely to the number of residents' vehicles exceeding the available parking space it is extremely unlikely that a Residents' Parking Scheme would prove effective or beneficial. The number of permits issued would either be less than the number desired or far too many permits for the spaces available. Both scenarios would result in some residents' with permits still being unable to find a parking space within the restricted zone.

It is important to try and ensure that any Resident's Parking Zone is respected and supported by the residents themselves. To achieve this it is considered appropriate to consult with each household seeking the support of the majority before proceeding to develop a formal scheme. This would give a very clear mandate in favour of introducing a scheme.

Consideration needs to be given as to how requests for visitor parking, parking for carers, construction/maintenance vehicles etc. is handled and the associated Policy Guidelines seek to identify some of the perceived needs and suggests a way of determining how or if they are met.

Except where parking is specifically prohibited or time limited there are very few restrictions on where drivers may safely park their vehicles. If some drivers are to be prohibited from parking on the public highway in favour of others then it can be expected that those benefiting from a Residents Parking Scheme incur costs to cover the administration of the scheme. It is not the intention for the County or Borough/District Councils to set out to make a profit from the issue of permits but neither should those Authorities be expected to have to meet the administration costs of a scheme that benefits a relatively small percentage of its inhabitants. However both the set up costs of a scheme and the on-street signing works costs should be met from any surplus funds generated from the Civil Enforcement of parking restrictions under the RTA 1991.

The size of an area or zone considered appropriate for the implementation of a Residents Parking Scheme is also important. Single roads would not normally be considered. It is envisaged that a whole estate or other area with natural boundaries would be appropriate. However the zone should not be so large that residents would be encouraged to drive from one side of the zone to the other to access shops, business etc.

Where properties in an area under consideration have extensive off-street parking facilities the introduction of a RPZ in some form may still be appropriate. In practice, a combination of parking control i.e. Junction protection, limited waiting, permitted parking places and permit parking may be necessary.

It is intended that this policy be flexible enough to cover the most important issues in a way that is appropriate for all areas of the County. A consistent approach to the many and varied issues should be maintained as far as is practicable thereby minimising confusion as to how, when and where schemes are implemented and operated. This Policy does however allow for considerable local interpretation and practices outside of core principles. As each area will be unique in it's characteristics it is considered essential that this Policy does not prevent innovative solutions to the many and varied problems being experienced.

### **Core Principles.**

The following Core Principles in developing and implementing a RPZ have been adopted across the whole County.

1. Staffordshire County, Borough and District Council Local Objectives include:
  - \*To improve the environment for local residents.
  - \*To improve safety for all road users (vehicular and pedestrian)
  - \*To reduce congestion thereby improving traffic flow.
  - \*To improve quality of life.
2. Requests for Residents Parking Zones will be forwarded to Staffordshire County Council (SCC) as Highway Authority. SCC will investigate, develop and implement RPZ's – Requests for RPZ's will come from various sources and be forwarded to the appropriate SCC Officers. These sources are likely to include County and Borough/District Members, Parish Councils, local residents groups and individual residents themselves. SCC will advise the Local Parking Committees (LPC's) (comprising nominated elected County and District Councillors) of all such requests. SCC will undertake initial investigation to judge the appropriateness of each request and recommend schemes for priority ranking by the LPC's. SCC will advise LPC's of a Schemes progress.
3. District and Borough Councils will administer schemes and undertake enforcement only where Civil Enforcement powers are enacted. It is not

envisaged that RPZ's will be considered where the Police are the sole enforcement agency in light of the resource implications.

4. Investigation - Preliminary investigation will focus on the type of environment, the amount of parking taking place and by whom i.e. commuter, shopping, business, residents etc. If it transpires that the major problems are primarily that of too many residents vehicles for the available parking spaces within an area or that less than 85% of those spaces are occupied during the survey periods then a scheme is unlikely to receive a high enough priority for detailed investigation.
5. It is anticipated that prior to preliminary investigation a substantial amount of support for a scheme will have been demonstrated. This could be by way of a formal request from a Parish or Town Council, a petition submitted by a residents group or a direct approach by the Local County Council Member or District/Borough ward members. (Individual residents should be encouraged to follow one of the above routes in the first instance)
6. Survey Periods – To ascertain with some level of confidence the parking situation at a specific location it is expected that a minimum of 4 parking surveys are undertaken at different times of the day (during the likely period of operation of the particular scheme), and on different days of the week, including at a weekend.
7. Consultation - Early consultation with individual householders and other interested parties is essential. Subsequent consultation should take place as the scheme progresses. For a scheme to progress to detail design and implementation it will be necessary for at least 60% of those consulted to respond with 85% of those in favour and prepared to pay the full annual subscription.
8. Permits:
  - i) Issue – All permits will be issued on a renewable annual basis and be effective for a period of 12 months. The method of issue is at the discretion of the District/Borough Council with the approval of the SPB/ Local Parking Committee.
  - ii) Permits will show the name/title of the issuing Authority and SCC, the name of the relevant Parking Zone in which the vehicle can park, the vehicle registration number and reference number. Specialist permits i.e. Universal Service and Business, will also display permit type. Generally only 1 permit per household is guaranteed.
  - iii) 2<sup>nd</sup> Permits – Where sufficient road space is available a limited number of second permits per household may be purchased on a first come first served basis.

- iv) Visitor Permits – Where site conditions allow, permits for casual visitors to park may be purchased in advance from the issuing Authority in accordance with that Authorities approved methodology. Alternatively, such visitors will be able to park in shared, free, parking areas where space is made available.
- v) Universal Service Permits – A Service Permit may be issued to Trades People, Health Service employees, authorised carers, property owners, Community Groups and Local Authority workers. The Permit will be issued by the Borough/District Council within which the business is based and will be valid for all zones within the County. A database will be developed and maintained by the issuing authority enabling a record to be kept of the unique permit(s) issued to a particular service or individual.
- vi) Business Permits (Business address within a RPZ) – Where a Business is situated within a zone a limited number of permits may be issued by the Borough/District Council specifically for use in that zone. A total of 2 Permits may be issued for the first 5 employees and 1 permit for every 5 employees thereafter. (Up to a max. of 4 permits).
- vii) Reduced cost Standard Permits – Owners of a hybrid vehicle will receive a discount on the cost of a Permit to encourage environmentally friendly car use.
- viii) The cost of a Standard Permit will be set and reviewed by the Staffordshire Parking Board on an annual basis. The cost of other Permits will be comparable to the approved cost of a ‘Standard Permit’ in accordance with the guidelines accompanying this Policy. Prior to any Permit being issued the applicant will need to pay the relevant charge in whatever manner the issuing Authority deems appropriate.
- ix) Evidence of Residency/Vehicle Ownership – Prior to a Permit being issued the applicant will need to prove their residency (not necessarily ownership) and their ownership of or responsibility for the relevant vehicle to the satisfaction of the issuing authority.
- x) Classes of Vehicle – Permits will be issued only for cars and light vans with a weight limit of up to 3 tonnes. Permits will be issued only for those vehicles that can park wholly within a parked bay.
- xi) Motorcycles – Permits will not be necessary for motorcycles due to permit display impracticalities, motorcycles will however (where possible) be provided a designated parking area.

- xii) Hire/Courtesy Cars – Where such vehicles replace an existing permit holder's vehicle a Visitor Permit may be issued for a limited period only.
- xiii) Multi-occupancy properties without off-street parking i.e. flats, student lets etc. – Where such premises exist within a zone. The number of Permits issued will be restricted so as to allow a fairer distribution of the available parking space. One permit per 5 or less occupants on a first come first served basis will be available up to a maximum of 3 permits.

It should be noted that a number of such properties in any given permit parking area could cause severe parking problems. Whilst permits may be issued to multi-occupancy properties already in existence when a scheme is introduced there is no automatic right for permits to be issued where either new multi-occupancy properties are constructed or existing properties are converted within an area already subject to permit parking. Discretion in this matter rests with the permit issuing authority.

- xiv) Guest Houses/Hotels – Permits will not be issued to guests of such establishments other than by way of a standard Visitors Permit.
- xv) Replacement Permits – If a Permit is lost, stolen or damaged or a permit holder moves to a new home a Replacement Permit may be required. Only one such replacement will be issued during the 12 month period. The original permit will be made invalid upon issue of the replacement.
- xvi) A Permit holder will surrender their Permit, without a refund, if their personal circumstances change to the extent where a permit would no longer be issued i.e. move house, no longer own and drive the vehicle.
- xvii) If a Permit holder allows fraudulent use of his/her permit it may be cancelled with no refund and no further permit issued to that person when residing within the County of Staffordshire.
- xviii) If a Permit is defaced it will be invalid and the vehicle may be liable to a PCN.
- xix) If a Permit holder allows their vehicle to be kept illegally on the highway i.e. without Tax, Insurance etc. the permit may be cancelled and no further permit issued to that person when residing within the County of Staffordshire. Such occurrences will be reported to Staffordshire Police.
- xx) Blue Badge holders are allowed to park free of charge within Residents Parking Zones. As such Permits will not be necessary so

long as the Blue Badge is correctly displayed. Failure to do so may make the vehicle liable to a PCN. Special concessions may be made for Blue Badge holders who are also in receipt of the mobility element of the Higher Rate Disability Living Allowance. In such circumstances Permits may be issued free of charge and parking bays provided where the resident has no off street parking at their residence and such provision is impracticable. However no more than 6% of the available parking space will be allocated to such provision.

- xxi) Senior Citizens (Those in receipt of a State Pension): Special concessions will be made for Senior Citizens who own a vehicle and live within an RPZ. Similar concessions will be made available for those Senior Citizens who live in an RPZ but do not own a vehicle thereby permitting visitors and relatives' easy access to their home.
  - xxii) Funeral Undertakers Vehicles – Vehicles actively involved in a funeral will be allowed to park without displaying a valid permit provided that the Borough/District Council's parking office is notified in advance of the time, date and anticipated duration of the funeral.
  - xxiii) Wedding Cars – Official vehicles (no more than three) actively involved in a wedding will be allowed to park without displaying a valid permit provided that the Borough/District Council's parking office is notified in advance of the time, date and anticipated duration of the wedding.
  - xxiv) Permits will not need to be issued for such as Police, Fire Brigade and Ambulance vehicles neither will they be necessary for vehicles undertaking works associated with such as gas, water and electrical equipment. A more complete list of exemptions and dispensations can be found in the 'Policy for the Processing of Penalty Charge Notices'
9. Publicity – As part of the consultation exercise a package of information will be distributed explaining the relevant processes together with what a Residents Parking Scheme can and cannot achieve.
10. Parking Bays – Individual parking bays will normally be provided within each zone although none will be specifically allocated to individual permit holders. Continual marked bays may be provided in accordance with Regulations current at the time. Vehicles must be parked wholly within an individual or continual marked bay with no part of the vehicle spanning another marked bay. Failure to comply with this requirement will make the Permit holder liable to a Penalty Charge Notice (PCN).
11. It is not envisaged that 'special needs' groups will be formally invited to be involved or comment on any proposed scheme. Any representations received from such organisations will obviously receive due consideration.



Each scheme will be designed with careful consideration of the needs of all residents and any specific representation will receive due consideration. However, it must be acknowledged that a balance will always have to be maintained between the wishes of residents to be able to park and traffic congestion and road safety needs.

12. Where shared space for non-permit holders and permit holders is made available the Highway Authority with approval from the relevant Parking Committee may make such provision without charge or seek to introduce 'Pay and Display' charges via the introduction of appropriate Traffic Orders.
13. Upon completion of a scheme arrangements will be made to review its operation and where appropriate initiate improvements in accordance with approved procedures. It is expected that an initial review will be undertaken within the first year of operation and at periods following the initial review.
14. Where a number of Residents Parking Schemes are considered viable, priority for detail design and implementation will be given to those schemes scoring most highly against a Priority Assessment Matrix and in accordance with the recommendation of the Local Parking Committee.

### **Guidelines**

- a) Proof of Residency – One of the following documents showing the applicants name and address at which a permit is applied for must accompany the Permit Application. (A photocopy is acceptable)
  - Letter of Mortgage agreement
  - Tenancy Agreement
  - Council Tax Demand
  - Most recent Utilities Bill
  - Driving licence
- b) Proof of Vehicle Ownership or Responsibility therefore - one of the following documents showing the applicants name and address at which a permit is applied for must accompany the Permit Application. (A photocopy is acceptable)
  - The original Vehicle Registration Document confirming the owners name, address and vehicle ownership.
  - If a company car a letter of entitlement to the vehicle from the company concerned confirming the applicant as the sole keeper and user confirming the company's ownership of the vehicle.
  - If a lease car the agreement confirming the fact.
  - Current Insurance Certificate.
  - Garage bill of sale or insurance cover note (if the applicant has purchased the vehicle within the last month.

- c) Change of address: If a permit holder moves to a new address within a different parking zone a new Standard Permit may need to be issued.

If a permit holder moves to a new address within the same parking zone a replacement permit will not be required but the issuing authority will need to be informed of the change of address.

- d) Change of vehicle: If a permit holder changes their vehicle a replacement permit will need to be issued. The permit holder will need to provide confirmation of ownership of the vehicle.
- e) Hire/Courtesy Cars: Where such vehicles replace an existing Permit holders vehicle for a short period only a Visitors Permit may be issued and valid for a period not exceeding 18 days. Proof of Hire/Loan of Courtesy car will be required upon application. No more than 2 such permits will be issued within a 12 month period.
- f) Renewal of a Permit: The responsibility for renewing a permit rests with the individual permit holder. However, issuing authorities may endeavour to send reminders advising of the level of charges and methods of payment prior to the expiry of the previous permit.
- g) Display of Permit: Parking Permits must be displayed on or adjacent to the near side of the front windscreen of the vehicle so that all relevant details are clearly visible. Failure to correctly display the permit may result in the issue of a Penalty Charge Notice (PCN).
- h) At any time the whole scheme or any part thereof may be suspended or revoked for whatever reason with the agreement of the Local Parking Committee other than when such revocation is of a temporary nature for reasons of road works, temporary events or The District/Borough Council make an order under relevant legislation.
- i) Advance warning will be given before any suspension starts except when the suspension is of an emergency nature, suspension of a bay will be signed on-street. It is the permit holders' responsibility to determine whether or not a bay is suspended. If a vehicle is left in a suspended parking bay it may result in the issue of a Penalty Charge Notice.
- j) Staffordshire County Council will advise the relevant District/Borough Council of any road works activity that may affect the operation of a Residents Parking Zone.
- k) Parking bays will generally be 2.4m wide with an absolute minimum of 1.8m where road width is limited. Where appropriate and to maximise the available road space 'footway parking' may be permitted, subject to the successful delivery of the relevant Traffic Regulation Order and retention of at least 1.5m clear footway width.

- l) Signs clearly indicating the zone and the restrictions on parking will be displayed in accordance with Regulations current at the time.
- m) Loading and/or unloading will normally be permitted, except where signs indicate otherwise, so long as vehicles do not cause obstruction and park for the duration of that activity only.
- n) The introduction of a Residents Parking Scheme does not prevent the prohibition of waiting where it is deemed necessary subject to statutory procedures.
- o) Permitted parking areas will not replace areas subject to existing waiting restrictions unless it is considered prudent to do so.
- p) Where sufficient on-street parking space is available shared use parking areas may be provided. These spaces can be used by any vehicle on a 'first come first served' basis.
- q) Road Width – Vehicles will generally not be permitted to park on both sides of the road opposite each other where such provision would prevent a minimum 'running lane' width of 3m being maintained. 'Passing Places' would need to be established to minimise conflict between opposing vehicles.
- r) The issue of a Parking Permit in no way absolves the permit holder from parking legally and with due care. Neither does SCC nor the issuing authority accept any responsibility for the damage, theft or loss of or to any vehicle or its contents whilst parked within a zone.
- s) Universal Service Permits – A Service Permit will be available for Trades People, Health Service, authorised carers, Community Groups and Local Authority workers. It will be issued by the Borough/District Council within which the business is based and will be valid for all zones within the County.
  - i) Trades people: Vehicles will be permitted to wait within a Zone for the purposes of loading /unloading goods. Trades people, i.e. builders, plumbers etc working at a property within a zone will require to purchase a 'Service Permit' One permit for each vehicle working within a zone would be required. No more than two such vehicles would be permitted at each property at any one time. Each application must be accompanied by an official letter from the business concerned. These Permits need not be Vehicle Registration Number specific but would include the name of the Business involved. Any abuse of such permits will result in them being withdrawn immediately.

- ii) Health Service: Service Permits will, upon application, be issued to all BMA recognised doctors, midwives and visiting nurses. Proof of recognition and current employment will be necessary. These Permits need not be Vehicle Registration Number specific. Any abuse of such permits will result in them being withdrawn immediately.
- iii) Carers: Service Permits will be issued to authorised carers upon application, which must be supported by an official letter from the care organisation or, in the case of a private carer (relative etc.) confirmation from the residents GP that he/she is in need of regular, permanent care within their home. These Permits need not be Vehicle Registration Number specific. Any abuse of such Permits will result in them being withdrawn immediately.
- iv) Property Owners (not living at address within the RPZ): a Service Permit may be issued by the Borough/District Council to property owners (e.g. landlords) which will be valid for all zones within the County. Proof of ownership of the property will be necessary. These permits will be Vehicle Registration Number specific and therefore proof of ownership will be required. Any abuse of such Permits will result in them being withdrawn immediately.
- v) Community Groups: A Service Permit will be issued upon application, which must be supported by an official letter from the organisation, to each community building situated within the RPZ, i.e. community centres, church halls and scout huts etc. These Permits need not be Vehicle Registration Number specific but would include the name of the Community Group involved. Any abuse of such Permits will result in them being withdrawn immediately.
- vi) Business Permits (Business address within RPZ): Where a Business is situated within a zone a limited number of Permits may be issued. These Permits need not be Vehicle Registration Number specific but would include the name of the Business involved. Any abuse of such Permits will result in them being withdrawn immediately.
- vii) Highway Authority Workers: Non-liveried vehicles are liable for a PCN. Permits will be issued by the Borough/District Council upon application supported by a letter signed by a Head of Business Unit or similar level Officer. No more than two permits will be issued per Business Unit. These Permits need not be Vehicle Registration Number specific. Any abuse of such Permits will result in them being withdrawn immediately.

- s) Cost of Permits:
- a. Standard Permit: Annual charge set by the SPB  
Hybrid Vehicles: Equal to 50% of the cost of a Standard Permit.
  - b. 2nd Permit:  
Equal to that of a Standard Permit Visitor Permit:
  - c. General Visitor Permit:  
Cost dependant upon methodology to be used.  
Hire/Courtesy Cars: (short term replacing an existing Permit holders vehicle): Free of Charge
  - d. Universal Service Permit:  
Trades People: Equal to that of a Standard Permit  
Health Service Employees: Free of Charge  
Carers: Free of Charge  
Property Owners: Equal to that of a Standard Permit  
Community Groups: Free of Charge  
Highway Authority Workers: Equal to that of a Standard Permit
  - e. Business Permit (without off-street parking):  
Equal to that of a Standard Permit
  - f. Business Permit (with off-street parking):  
Equal to twice that of a Standard Permit
  - g. Senior Citizens (Vehicle Owner & Resident):  
Equal to 50% of the cost of a Standard Permit
  - h. Senior Citizen (Resident but non vehicle owner):  
Equal to 50% of the cost of a Standard Permit
  - i. Replacement Permits (Lost, Stolen or Damaged):  
Equal to 50% of the cost of a Standard Permit.
  - j. Replacement Permits (Permit holders moving to a new address within a different Zone):  
Cost of a Standard Permit (No Refund)
  - k. Replacement Permits (Permit holders changing their vehicle):  
Free of Charge

**If you need a copy of this information in large print, Braille, another language or on cassette, please ask us; call 0800 232323**

*(Approved with amendments by Staffordshire Parking Board 09/07/2007)*