Residents’ Parking Schemes

1. What is a Residents’ Parking Scheme?

There are a number of residential areas within the Borough which are subjected to substantial intrusion by parked vehicles not belonging to residents. This type of parking is usually generated by shoppers or commuters and is usually located near to town centres, public transport stops, businesses, colleges, hospitals etc. In a certain number of the areas the parking might prevent the residents who have no off-street parking (forecourt, drive, garage etc) finding a parking space reasonably close to their home.

Traffic Regulation Orders (TRO’s) might be used to alleviate some access or environmental problems which can be associated with high levels of parking but this cannot provide preference in favour of residents. Both residents and non-residents would be equally affected by any conventional regulations that are put in place.

It is, however, possible to regulate in favour of residents by introducing a Residents’ Parking Scheme. Within such a scheme, parking is wholly or partly restricted to vehicles displaying a permit issued by the Council. Permits are normally only issued to residents living within or in the immediate proximity to the controlled parking zone and issued at the discretion of the Council.

Residents’ Parking Schemes are not a solution to all resident parking concerns. They have a number of advantages and disadvantages which are summarised as follows:

<table>
<thead>
<tr>
<th>Advantages</th>
<th>Disadvantages</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Residents with no off-street parking have an improved opportunity to park close to their homes (residents’ parking schemes do not, however, guarantee a space or the location of the parking);</td>
<td>a) The primary role of the Highway Authority (The Council) is to keep traffic moving rather than providing parking;</td>
</tr>
<tr>
<td>b) The removal of opportunities for commuter parking in residential areas encourages consideration of alternative modes of transport and therefore contributes to reducing congestion;</td>
<td>b) A residents’ parking scheme in one area may create or worsen parking problems in adjacent areas;</td>
</tr>
<tr>
<td>c) There should be a reduction in conflicts leading to improved accessibility and potentially fewer accidents;</td>
<td>c) The provision of a localised scheme may give rise to accusations of discrimination from residents who do not have a scheme;</td>
</tr>
<tr>
<td>d) The amenity of the area may be improved with fewer vehicles being parked during the working day.</td>
<td>d) There is frequently insufficient space for all residents’ vehicles and parking for visitors is restricted by virtue of the space, permit availability or time limits on waiting;</td>
</tr>
<tr>
<td></td>
<td>e) The presence of a scheme could inhibit commercial and other non-residential activities within the zone.</td>
</tr>
</tbody>
</table>
2. Types of scheme

The types of scheme have developed over time and as the law relating to traffic regulation has changed. There are essentially three forms of scheme but each scheme is recognisable by signs giving the times of operation or indicating that parking within the zone is restricted to permit holders.

**Type 1** - The majority of long standing schemes provide parking bays for residents and visitors marked out by white lines on the highway with time plates explaining the usage of the bays. Many older schemes consist of a combination of those bays which are restricted to resident permit holders only and time limited bays which are provided for visitors and other vehicles. Other schemes have mostly bays which are restricted to permit holders and visitors may park within these bays when displaying a visitor permit.

**Type 2** - Apart from schemes for areas with 24 hour parking problems, most schemes are effective between 8 am – 6 pm Monday – Friday/Saturday. This arrangement gives greater opportunity for flexibility of use overnight and on Sundays when demand for both resident and visitor parking is usually greatest.

**Type 3** - Some newer schemes, which usually do not include through routes, do not have bays marked since this provides greater flexibility in the use of the limited kerb space and gives maximum opportunity for residents to park in the best way that suits their neighbourhood. Markings such as double yellow lines restrict parking at critical locations within the area of the scheme.

3. Who qualifies for a permit?

**Residents' permit**

Permits are issued to residents who own or keep and use a car, light van (light goods vehicle with a gross weight of 3.5 Tonnes or less) or motorcycle on a full time basis. Where the car is not owned by the resident but is available primarily for his use a permit may be issued.

A resident is a person living within a property which has a frontage onto, or vehicle access to a street named in that part of the order which defines the Residents’ Parking Scheme Zone.

A person may be deemed a resident of a specific zone at the discretion of the Council. Permits can thereby be issued to residents of properties which lie beyond the zone but are reliant upon parking within it.

Generally, each eligible property is entitled to a maximum of two resident permits. More than one permit will not be issued in schemes where kerb space is insufficient for the demand by residents.

Houses in multiple occupation and flats/apartments are eligible to only one resident permit.

**Residents' Visitor permit**

Visitor permits do not display a vehicle registration and allow vehicles to park within permit holder only areas.
Generally, only one visitor permit per property will be issued. More than one visitor permit may be issued at the expense of a resident permit.

Houses in multiple occupation and flats/apartments are not eligible for a visitor permit.

A visitor permit may be used for a resident’s vehicle while waiting, for example, for a permit where a vehicle registration is changed or a permit has been lost.

**Business permit**

The Council does not issue Business permits in Residents' Parking Schemes.

**Other Visitor permits**

Permits may also be issued where there is a demonstrable need for parking within a Residents' Parking Scheme for specific purposes for example:

- Professional health care workers whilst visiting patients in their own homes (but not to enable them to park near to their work base). (The provision of such a scheme for care workers is a requirement of the Department for Transport (DfT));
- Maintenance, building, excavation and demolition work (builders, scaffolders);
- Workshop vehicles with a need to be in a particular vicinity (Joiners, plumbers, appliance repairers, vehicle based window cleaning);
- Any other reason of an equivalent nature or purpose accepted by The Council.

It should be noted that these additional visitor permits will only be issued where it has been demonstrated that the use of residents’ visitor permits is not practicable.

**Life of Permits**

All permits will be valid for a maximum period of 12 months. All resident schemes have a start and expiry date for permits. A permit may be issued for a shorter period of time (up until the expiry date) depending on when they are issued during a year.

Other visitor permits will be valid for the duration of the approved purpose but not exceeding 12 months.

**4. Operation of the scheme**

**Parking**

A permit allows parking in any space reserved for permit holders but does not reserve a specific space. Visitors to an area who are not eligible for a permit can park in time limited spaces or unlimited parking bays. Permit holders do not have priority over non-permit holders to park in non-permit spaces and time restrictions apply equally to permit holders and non-permit holders.

Blue Badge holders can park in time limited spaces for as long as they wish until where relevant it becomes permit holder only parking or on yellow lines for up to three hours where it is safe to do so and does not create an obstruction: however, a valid resident or visitor permit must be displayed to park in permit holder only spaces.
It is the responsibility of household members to ensure that the visitor permit is retrieved from a visitor’s vehicle at the end of the visit. There is no time limit on length of stay.

Withdrawal of a Permit

A permit may be withdrawn or invalidated if it is found that it is not being used in accordance with the guidelines or it is found that a person is no longer eligible to hold a permit.

Where the size of a vehicle causes problems of poor visibility for motorists or pedestrians or creates a degree of visual obstruction detrimental to the visual amenity of an area, a permit may be refused or withdrawn at the discretion of the Council.

5. Issues

Levels of car ownership

Since the introduction of many schemes the level of car ownership has increased significantly. It is assumed by many residents that they will be able to park their car on-street preferably outside or very close to their home. However, this is increasingly impossible as demand for parking outstrips the space available.

New forms of scheme

The scheme described above as Type 3 is permitted by virtue of recent changes in the requirements for traffic regulation. Where streets are in a definable area, usually excluding through routes the entire area may be designated for permit holders. This type of scheme provides greater flexibility in parking and thereby may create more parking space than traditional schemes which include marked bays. Since this type of scheme requires no bays the cost of installation is usually less than a traditional scheme of Type 1 or 2. However, this type of scheme is not suitable or permitted for all circumstances.

Parking Places Orders

A Residents’ Parking Scheme is a particular type of traffic regulation order which is established by means of a legal process involving consultation, advertising and publicity and is implemented in accordance with the order that is made. The order is effective when the relevant road markings and signs are in place.

Illegal Parking and Enforcement

For many years, prior to civil enforcement of parking, the police undertook very little enforcement of parking contraventions. This lead to an assumption by many drivers that illegal parking is acceptable. However, uncontrolled parking does result in access difficulties which include buses, deliveries, refuse collection and emergency services. Civil parking enforcement has highlighted that some areas have higher levels of parking demand than can be accommodated within existing schemes. In residential areas some residents consider that they have no alternative than to park illegally when they cannot find on-street parking near to their homes and object when faced with a Penalty Charge Notice (PCN).

Consistency and Integrity

An enforcement authority has an obligation to uphold the traffic regulation orders and to ensure enforcement is consistent and protects the rights of those who are entitled to use
those parts of the street allocated to particular use. It has been suggested that residents who are permit holders should be allowed to park in areas within the zone, such as time limited bays or on yellow lines at times when such parking would otherwise be a contravention. However, such a concession would compromise the implementation process and be open to challenge by those denied their rightful opportunity to park, such as by Blue Badge holders who cannot make use of time limited bays. Where local demand for parking has changed since the introduction of a scheme, any amendment must be achieved by means of the same legal process that introduced the scheme (or as required by current legislation where this differs) including advertising, publicity and consultation.

Revising a Scheme

As indicated above, changes to a TRO must be subject to the relevant legal and democratic processes. These processes consist of a number of sequential stages including some legally defined periods and which normally take a minimum of 6 months, but 12 months is more usual due to the demand on resources. These include legal and technical staff time and the costs of advertising and physical works to traffic signs and road markings.

6. Charges for Permits

General

The Councils’ Cabinet Committee approved, at its meeting in August 2012 that a charge should be made for permits issued for use in a Residents’ Parking Scheme. The charge is to cover the administration and management of the scheme and the direct costs of the permits. It is not a charge to park and as indicated above does not guarantee a parking space at any particular location or time due to the high levels of demand on finite kerb space.

A charge of £25 per permit issued will be applicable to all permits with the exception of those indicated below. It is also worth noting that the charge of £25 is equal to the lowest discounted PCN amount and there is therefore no incentive for motorists to park without obtaining a permit.

Professional Health Care Worker Permits

An allocation of free permits will be issued to the Primary Care Trust in each district.

Carer Permits

Free permits will also be issued to carers who visit residents on a regular basis. The care company must apply for the permits and supply supporting documentation. The permits will be issued to the residential property therefore will be included in the allocation of permits for that property (maximum of three)

Change of Vehicle

No charge will be made for providing a permit when a resident changes their vehicle and wishes to transfer the permit to their new vehicle, retaining the expiry date. However, more than one change in any one year will be charged for.