

# Parking Policy Framework including the:

## Parking Partnership Enforcement Policy (PEP)

*Showing the Partnership Enforcement  
Policy and links to Regional and National Policy,*

**Issue 2 – August 2012**

# **Introduction to the Parking Policy Framework**

## **The Parking Policy Framework**

The Parking Policy Framework has two elements to it. Part One is a County level statement of joint ambition and the strategic outcomes sought for Essex County Council and the South Essex Parking Partnership.

Part Two is at district and borough level setting out how the joint ambition and county wide strategic outcomes are reflected in the setting of local priorities, enforcement and on street pricing policies.

## **Part One of the Parking Policy Framework**

This outlines the principles and objectives of Essex County Council with regard to the management of on-street parking in Essex. It supports and provides a framework for the delivery of on-street parking through two parking partnerships, each with a lead authority, which came into effect on 1 April 2011.

These principles and objectives are designed to ensure that a consistent approach is taken to on-street parking across Essex, which will deliver benefits to the public, the borough and district councils in the two partnerships and the County Council.

Through its Local Transport Plan, the County Council has the aims of: tackling congestion; improving accessibility; improving safety; and reducing air pollution. As Essex County Council remains the Highway Authority and has a responsibility under the Traffic Management Act as Traffic Manager, it is important that the Parking Partnerships share the same aims for the service.

### **a. Tackling Congestion**

Through its functional road hierarchy, the County Council has defined those routes where the focus should be predominantly to facilitate the movement of through traffic. The Parking Partnerships should ensure that each route is treated as required through that hierarchy.

In general terms the management of parking charges and availability of parking spaces can have a positive impact on the levels of congestion in town centres, encouraging drivers to use alternative forms of transport.

On key routes and junctions, parking restrictions should be used to allow the free-flow of traffic on through routes and radial routes, particularly where these form part of a passenger transport corridor.

In narrow streets, restrictions should also be used to facilitate the safe passage of passenger transport and emergency vehicles.

## **b. Improving accessibility**

The implementation of parking policy can improve accessibility in a number of ways: limited availability of parking at the workplace can encourage modal shift in employees, encouraging the use of passenger transport, car sharing schemes or walking and cycling; managing parking on key passenger transport corridors can improve reliability of services and journey times, thus encouraging greater levels of passenger usage.

## **c. Improving safety**

Parking restrictions should be used to enhance the safety of road users, for example, protecting visibility at junctions or at bends; protecting visibility at crossing points or in areas with high numbers of pedestrian movements where pedestrians could be masked by parked cars; preserving road space required for large vehicles such as buses to make manoeuvres safely and without delay. Alternately, the presence of parked vehicles can also enhance safety, acting as a form of “traffic calming” slowing vehicles in low speed residential roads.

## **d. Reducing air pollution**

Overall, management of congestion and delays, as well as the encouragement of modal shift to forms of transport other than the private car, have benefits in terms of reducing carbon, emissions and improving air quality.

## **Part Two of the Parking Policy Framework**

The South Essex Parking Partnership’s Parking Enforcement Policy (PEP) is a policy tool, developed to help the Partnership to manage on-street parking. It provides a clear framework for effective parking management activities across the Parking Partnership area.

The PEP fulfils both Part Two of the Parking Policy Framework and Operational Guidance<sup>§</sup> issued by the Department for Transport requiring authorities to publicise an Enforcement Policy and the enforcement regime. This ensures that the public is aware of the legislation and how it is to be applied.

Parking enforcement is operated using the legislation of The Traffic Management Act 2004.

Note <sup>§</sup>  
“Operational Guidance to Local Authorities: Parking Policy and Enforcement  
Traffic Management Act 2004”

(ISBN 9780115529436)

Available at: <http://www.dft.gov.uk/publications/tma-part-6-cpe-guidance/>

The PEP identifies the overall policy basis which will guide the Parking Partnership's parking enforcement. The Parking Operational Protocols document (POP) explains how the Parking Partnership will apply these policies. Together they will ensure that a clear parking enforcement strategy is developed and that it is reflected within the Civil Parking Enforcement operation.

The PEP is based upon prioritising clearly identified needs, such as the needs of people with disabilities, residents, visitors and businesses and will help to manage parking in the Partnership's geographical areas on a fair and consistent basis.

The PEP helps create a better and safer environment and aims to provide effective on-street parking management across the Partnership area by supporting the following six County wide Parking Policy strategic outcomes

- **Reducing congestion and number of and severity of traffic accidents;**

Suitable parking restrictions implemented in town centre areas will ensure free flow of traffic and will encourage visitors to the town to park in the designated parking areas available, thus preventing unnecessary congestion and obstruction and the potential for road traffic accidents

Restrictions around junctions will also allow traffic to flow more freely, further reducing the potential for congestion;

Analysis of Road Traffic Collisions has shown that improperly or inappropriately parked vehicles can be a common causal or contributory factor; Parking restrictions can help to reduce the occurrence of this type of parking;

The positioning of parking bays can also be a major contributor to reduction in traffic speeds in what should be low speed residential or retail areas;

- **Reducing the effect of transport on the environment;**

Traffic is a major contributor to reduced air quality levels, particularly traffic which is queuing in areas of limited capacity or obstructed by parked vehicles; As well as reducing the wasted engine running time, simply reducing the number of vehicles will have positive effects.

- **Maintain the highway assets of the county;**

Reducing the number of vehicles using each road should increase the intervals between major maintenance of the highway. However this benefit is only slight as the predominant reduction is in private cars whilst the majority of damage is caused by heavy goods vehicles.

- **Improve access to jobs and services;**

In this sense access is predominantly about public transport availability for those without their own transport or who choose not to use it because of the parking restrictions.

Former car drivers will create an increased demand for public transport which if acted upon will increase the viability of public transport services generally, with benefits for all users.

- **Encourage healthier travel choices and employer travel plans;**

Some drivers will switch to alternative travel methods such as walking and cycling, either for recreational or commuting purposes.

Depending on the availability of parking facilities at the place of work, parking restrictions may encourage companies to take a look at their employees travel habits.

Companies may assist in reducing the overall level of dependence on the private car by assisting in car sharing arrangements or they might provide facilities such as cycle parking, changing rooms and showers.

- **Operate with Financial sustainability**

**Raising revenue is not the objective of the Parking Partnership, nor are targets set for Civil Enforcement Officers to issue a set number of PCNs.**

**The purpose of issuing PCN's is not to generate revenue but rather to deter motorists from breaking the parking regulations and promote compliance.**

**Ideally parking enforcement should be self financing through running Civil Parking Enforcement effectively and economically when practicable. Applications for CPE should not be refused without the scheme being self financing providing a Local Authority can meet the cost from existing funding.**

### **Parking Enforcement Policy**

The PEP seeks to put these strategic outcomes into a local context and meet the needs of all road users by clearly prioritising the different parking enforcement needs across the Partnership area. The aim is to manage parking in the Partnership area on a fair and consistent basis.

The following sections are covered within the Parking Enforcement Policy:

1. Parking Management
2. Civil Parking Enforcement
3. Enforcement Priorities
4. Methods of Enforcement
5. Parking Controls
6. Fees and Charges

## 1. Parking Management

Parking management includes the enforcement of on-street parking regulations.

Illegal parking is inconsiderate; it can be dangerous. Under Civil Parking Enforcement, the South Essex Parking Partnership is directly responsible for parking enforcement in its Civil Enforcement Area under an agency agreement with Essex County Council. The County Council has delegated the powers of enforcement to the Joint Committee of the South Essex Parking Partnership. The South Essex Parking Partnership consists of Basildon Borough Council, Brentwood Borough Council, Castle Point Borough Council, Chelmsford City Council, Maldon District Council and Rochford District Council.

Chelmsford City Council has been nominated as lead authority to deliver the enforcement operation on behalf of the Joint Committee.

Illegal parking on parking restrictions can cause a serious road safety hazard. The PEP supports effective parking management by:

- Coordinating on-street parking enforcement management to ensure a comprehensive and consistent approach;
- Allocating parking permits and dispensations with clear conditions of use based on transparent and consistent principles, which give priority in accordance with the defined hierarchy of parking enforcement; and
- Maximising the potential of information technology (IT) to support an effective and efficient parking management operation.

## 2. Civil Parking Enforcement

The aim of enforcement is to maximise compliance with regulations to make our streets safer for all road users, particularly vulnerable road users; to prevent obstruction and delays (especially for buses and emergency vehicles); to ensure that parking bays are made available for their intended use and to improve the general street scene.

The purpose of Civil Parking Enforcement can be summarised as follows:

- **It will be safer for drivers and pedestrians** since the focus on enforcement means clearer roads and pavements;
- **It will be better for local businesses** since areas of short term parking such as those outside local shops will receive effective enforcement ensuring designated on-street spaces are used for the intended use and therefore increasing the potential for local trade;
- **It will support town centre needs** by encouraging commuters and other drivers to use designated parking areas.
- **It will increase parking for residents** by discouraging commuters from parking in permit only areas;

- **It will increase Blue Badge benefits** since the enforcement of existing parking spaces for disabled drivers will improve availability for Blue Badge holders.

In addition Civil Parking Enforcement will have the following benefits:

- **Fewer illegally parked cars will improve traffic flow and accessibility and reduce the chance of accidents** because the focus of enforcement will be on lessening inconsiderate and dangerous illegal parking in order to improve safety and minimise congestion;
- **Emergency and service vehicles will be able to operate more effectively** along roads and **low floor buses will be able to reach the kerb at bus stops** since fewer inconsiderately parked vehicles will be in their way;
- **The general environment will improve** by providing a more environmentally efficient transport system in terms of reducing congestion, energy conservation; use of other modes of transport will be encouraged such as walking and cycling (healthy options);
- **Sensible and safe parking within the partnership will be encouraged** – as will greater compliance with Traffic Regulations. The regulations will not change but will have greater significance;
- **Parking provision will become more responsive to the public's needs** because the local Council will control both provision and management of parking;
- **Single responsibility for parking means greater clarity to the public.** The Council's integrated transport strategy can be linked to local issues in enforcement.

The basis for this is fair, consistent, transparent, policy-driven and quality-led operational enforcement.

Enforcement will be targeted to tackle problem areas. The PEP specification provides a schedule and prescribes the hierarchy of patrol visits (1, 2&3), dependent upon the location type. This will ensure a good parking enforcement regime that is both consistent and transparent.

The PEP focuses on Customer needs by:

- Ensuring an efficient, robust and customer-friendly parking system.
- Effective tackling of parking fraud, and abuse of the Blue Badge Scheme.
- Ensuring an effective, fair and consistent enforcement operation to maximise compliance with the partnership's parking regulations and Traffic Management Act 2004
- Consulting and communicating with both internal and external stakeholders to inform parking management issues.

### **3. Enforcement Priority**

As competing parking demands intensify and conflict, the need for skilled and effective on-street parking management based on clearly defined priorities increases.

The parking enforcement priorities shall be generally as follows:

#### **Highway Safety**

Preventing dangers due to parking:

- Near Accident locations such as junctions
- Near Pedestrian Crossings
- Dangerously or double parking
- Pedestrian areas

#### **Aid to Movement**

Preventing obstruction and congestion on:

- Main access roads into major urban centres (Principal Roads)
- Town Centre shopping streets
- Public Transport routes
- Main traffic routes (Non-principal Road)
- Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)

#### **Obstruction & Nuisance**

Preventing hindrance to road users at:

- Bus stops
- Schools
- Vehicle access
- Pedestrian areas
- Taxi Ranks
- Grass verges & pavements / walkways
- Special entertainment events

#### **Deliveries & Servicing**

Control and enable the conveyance of goods at:

- Service yards
- Permitted loading areas

#### **Parking Bays**

Control effective use of permitted parking areas in:

- Disabled Badge Holder Bays
- On-street Pay & Display
- Residents parking
- Limited waiting

The Parking Enforcement priorities are set out in greater detail in **Appendix B**.



Other enforcement requirements that follow will be balanced and prioritised depending upon location, frequency of patrols and resources available.

- The needs of disabled people and effective enforcement of parking regulations to enable easy access to activities and facilities.
- Road safety initiatives (especially for pedestrians, cyclists and other vulnerable road users), and emergency access requirements.
- Managing local parking problem areas, e.g. for child safety near schools caused by the school run (including Safer Routes to School initiatives) and associated short-stay on-street parking activity.
- Legitimate parking and loading requirements of businesses, taking into account commercial needs for delivery and servicing movements and the opportunity for changing delivery schedules and vehicle sizes.
- Supporting the safe and efficient operation of the public transport network, especially on low-floor bus corridors.
- Enforcement against observed parking patterns of demand to allow targeting of known problem areas.

Inconsiderate parking contravenes the Highway Code, which requires drivers to show consideration for all road users. Certain parking contraventions remain the responsibility of the Police (zigzag pedestrian crossings, obstruction and restriction of access where there are no yellow lines), and the Parking Partnership will work together with Essex Police in order to communicate relevant information between both stakeholders. The Partnership can also enforce zigzag pedestrian crossing contraventions but if both organisations issue a ticket for the same offence the police enforcement takes precedence.

In parts of the Partnership area, footway parking currently takes place. In these areas parked vehicles dominate the street scene and can cause dangerous obstruction to other road users, such as parents with pushchairs and visually/mobility impaired people and wheelchair users. The Parking Partnership will seek to minimise inappropriate footway parking in the Partnership area where enforceable, (i.e. where there are parking restrictions or at places where dropped kerbs can be enforced, or other regulations introduced) to ensure that local pedestrian access and amenity is not adversely affected. Obstructions of footways which are not supported by a relevant Traffic Regulation Order are unenforceable by the Parking Partnership. In this instance the police will be responsible for enforcement.

Abandoned vehicles are an environmental nuisance and can be associated with anti-social behaviour. Abandoned vehicles not only cause an unnecessary hazard wherever they are dumped, they also have a serious impact on residents' quality of life and fear of crime in the local area; Civil Enforcement Officers will report potential abandoned and untaxed vehicles on the street.

Residents parking permits are issued to compliant applications by the Parking Partnership for the use of designated parking places in resident parking zones.

The Essex County Council's Social Services administers parking permits for disabled people under the Blue Badge Scheme, which allows disabled badge holders considerable flexibility in where they can park on street. Badge holders can park free of charge without time limit in many designated areas, provided a valid Blue Badge is correctly displayed, the bay has not been suspended and the vehicle is being used to transport the Blue Badge holder. Blue Badge holders are also allowed to park for a maximum of 3 hours on single and double yellow lines, except where there is a loading ban or where a bus or cycle lane is in operation

The Parking Partnership will consider requests for parking dispensation and suspension from contractors to ensure necessary development works can progress. Each application will be considered on merit and will take into account location, safety, traffic flow and alternative parking provision.

The normal hours of operation will be between 07.30 to 20.00 Mondays to Saturdays across the SEPP, with the exception of Brentwood operating additionally on Sundays. Operating hours will be extended as and when required from early morning to late evening on occasion – in order to satisfy enforcement of “at any time” restrictions. The Partnership will regularly review operation hours and enforcement provision.

#### **4. Methods of enforcement**

The Traffic Management Act 2004 provides local authorities options for issuing a Penalty Charge Notice (PCN). The preferred options of the Parking Partnership are;

- Issuing a PCN via a handheld device and printer
  
- Issuing a PCN via post (in instances where a CEO was prevented from serving a PCN or the vehicle drove away)
  
- Enforcement using an approved device. The Partnership utilises a CCTV vehicle to effectively enforce Clearways, bus stops, pedestrian crossings and school keep clear markings. This vehicle is currently used in the Borough of Basildon.

Although the TMA 2004 enables local authorities to introduce a clamping and removal operation, the Partnership currently has no intention of introducing this method of enforcement.

## **5. Parking Controls**

Effective traffic management relies on suitable implementation of parking controls. There are many different forms of parking control and careful consideration must be given when designing new schemes. The partnership will review existing and new parking restrictions to ensure the schemes are necessary and suitable for purpose.

The preferred Partnership option for residents who experience commuter parking problems is to introduce a resident parking scheme. The cost of the annual permit to park in these designated areas will help fund the implementation of the scheme and the continued daily enforcement patrols of the area.

In areas where limited waiting parking is available, serving local businesses and shops, the preferred option to provide effective and efficient enforcement is to introduce short stay on-street pay and display. This method ensures greater compliance of the parking control and ensures the spaces are available for the intended use. A by-product of this type of control is pay and display income which will help fund the implementation of the scheme and the continued daily enforcement patrols of the area.

Any proposals for resident parking and on street pay and display will only be determined by consultation with affected persons with the decision to go ahead with a scheme being based on a simple majority of those responding and being agreed by the Joint Committee.

## **5. Fees and charges**

Within the South Essex Parking Partnership individual accounts are maintained for each of the six areas. The aim is for each area's account to achieve a profit or break-even position. Charging levels for residents parking and on-street pay and display will be determined at a local level in order to achieve this aim. Individual Partnership borough and district councils will be responsible for setting fees and charges in their respective areas in line with their individual Partnership account.

A County wide parking policy strategic outcome is to operate the service with financial sustainability. Future charging levels will also need to take account of the cost of delivering a robust efficient enforcement operation considering future investments for new equipment, vehicles, and technology.

## Appendix A – Glossary

- CPE ..... Civil Parking Enforcement
- CEO..... Civil Enforcement Officer
- PEP ..... Parking Enforcement Policy
- POP ..... Parking Operational Protocols
- PCN..... Penalty Charge Notice
- RTA1991 ..... Road Traffic Act 1991 – superseded by TMA2004
- TMA2004 ..... Traffic Management Act 2004

## Appendix B – Hierarchy of Parking Enforcement

Priority numbered in order of importance considering the overall impact of parking issues and the location and frequency of patrols and resource required.			
<b>Highway Safety</b>			
Preventing dangers due to parking:	Near Accident locations such as junctions.	PRIORITY <b>1</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions at or close to junctions and bends particularly where visibility is poor to minimise dangers to moving traffic, pedestrians and other road users.
	Near Pedestrian Crossings	PRIORITY <b>1</b>	Mainly preventing danger to pedestrians at crossing places. (This does not include the offence of stopping on white zigzag markings, where police enforcement action takes precedence).
	Dangerous or double parking	PRIORITY <b>1</b>	Mainly where drivers are parked on the carriageway but in a manner that is likely to cause a hazard to other drivers and road users.
	On Pedestrian Footways	PRIORITY <b>2</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions where drivers are using the footway causing obstruction and hazard to pedestrians, wheelchair and pushchair users.
<b>Aid to Movement</b>			
Preventing obstruction and congestion on:	Main access roads (Principal Roads).	PRIORITY <b>1</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by parked vehicles.
	Town Centre shopping streets	PRIORITY <b>1</b>	Mainly enforcement of double yellow line restrictions and loading restrictions to enable essential traffic to access the town centre and not be hindered by illegally parked vehicles.

	Public Transport routes	PRIORITY <b>2</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable bus traffic to flow freely and not be hindered by illegally parked vehicles.
	Main traffic routes (Non-principal Road)	PRIORITY <b>2</b>	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
	Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)	PRIORITY <b>3</b>	Mainly enforcement of single and double yellow line restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
<b>Obstruction &amp; Nuisance</b>			
Preventing hindrance to road users at:	Bus stops	PRIORITY <b>1</b>	Enforcement of No Stopping Except Buses restriction in marked Bus Stop locations (where there is a wide yellow line marking) to prevent obstruction of bus stops.
	Vehicle accesses	PRIORITY <b>1</b>	Mainly prevention of obstruction to private driveways that have yellow line restrictions. This is particularly important where residents are in the process of trying to enter or exit their premises. Dealing with obstruction of dropped kerbs.  Other footway obstruction without yellow line or other restrictions is a police function.*
	Pedestrian access routes	PRIORITY <b>2</b>	Mainly enforcement of single and double yellow line restrictions where numbers of pedestrians are walking, such as shopping areas and pedestrian prioritised streets.
	Taxi Ranks	PRIORITY <b>2</b>	Mainly enforcement of single and double yellow line restrictions at Taxi Ranks to prevent obstruction.
	Grass verges	PRIORITY <b>3</b>	Mainly enforcement of single and double yellow line restrictions where drivers are using the grass verge and causing damage. This does not apply where there are no yellow lines.

	Special entertainment events	PRIORITY <b>3</b>	This is primarily where large organised events such as shows or firework displays cause short term visitors to park vehicles in side/residential streets contravention of waiting restrictions, where covered under temporary restrictions and No Waiting Cones are placed.  This excludes Police No Waiting temporary cones which may also be placed at events; where there is no temporary restriction, the enforcement of which remains a police function.*  For main traffic routes see <i>AID TO MOVEMENT</i>
<b>Deliveries &amp; Servicing</b>			
Control and enable the conveyance of goods at:	Servicing yards	PRIORITY <b>2</b>	Enforcement of single and double yellow line restrictions to enable effective use and access to service yards.
	Permitted loading areas	PRIORITY <b>2</b>	Enforcement of single and double yellow line restrictions to enable effective use and access to loading bays.
<b>Parking Bays</b>			
Control effective use of permitted parking areas in:			
	On-street Pay & Display	PRIORITY <b>2</b>	Issue PCN for infringement of on street parking Orders
	Disabled Badge Holder Bays	PRIORITY <b>2</b>	Enforce infringement of on street disabled only parking places where there is time a restriction and where vehicle is not displaying a blue Disabled Driver Badge
	Residents parking	PRIORITY <b>2</b>	Enforce infringement of on street residents parking places where a vehicle is not displaying a current residents parking or visitor badge for the appropriate Zone.
	Limited waiting	PRIORITY <b>3</b>	Enforce infringement of on street parking Orders where there is no fee but parking is time restricted.

Note: \* indicates that this is a function of Police authority unless other parking regulations are in force.