

# **CHESHIRE EAST BOROUGH COUNCIL**

## **RESIDENTS' PARKING POLICY**

### **INTRODUCTION**

- 1 Although there is no inherent legal right for any vehicle owner to park on the public highway, Residents' Parking Schemes are often introduced to assist those living in an area where it is not reasonable to manage parking problems through conventional parking restrictions.
- 2 The broader issues of parking on the highway should be noted. Parking on the highway (notwithstanding its' designation as being for the passage and re-passage for legitimate travel) is accepted where there are no safety or highway management reasons why it should not be permitted. On other parts of the network, parking restrictions are provided under the formal statutory process of Traffic Regulation Orders, they are approved by Members after consultation and consideration of any public objections. The restrictions can take different forms:-
  - double yellow lines - parking is banned, principally for highway safety needs, although there may be specific exceptions for loading.
  - single yellow lines - parking is banned at specified times (usually associated with highway operational needs).
  - designated parking areas, identified where vehicles can be left and under what conditions (e.g. time-limited and/or shared space). This ration on-street parking where the demand exceeds the supply. It can cover residential permit parking where residents parking on the public highway is prioritised over other highway users.
- 3 This policy sets out principles that can underpin Residents' Parking Schemes. However, the issue as a whole can be very complex, with many individual circumstances that can be difficult to address within a prescriptive policy and a degree of interpretation for specific schemes is desirable and inevitable.

### **ADVANTAGES AND DISADVANTAGES OF RESIDENTS' PARKING SCHEMES**

#### **4 Advantages**

- discourage commuter/shopper parking in residential streets.
- opportunity of finding a parking space more likely for residents.
- may provide improved parking and traffic management.
- can produce road safety benefits.

## Disadvantages

- possible knock-on effect of re-located commuter/shopper parking.
- costs of introduction and management and payment for permits.
- permits would not guarantee a place to park.
- may only help manage an under-supply of spaces not solve problems.
- can lead to inefficient use of on-street parking space.
- financial cost to residents.

## **5 TYPES OF PARKING PERMIT SCHEMES**

There may be considered to be broadly three types of location where Residents' Parking Schemes would be appropriate.

### **6 Demand for Parking Exceeds Supply – Exclusive Permit Schemes**

This is the most traditional and common form of scheme, where a street or area is divided into prohibited and permitted parking areas. In order to park in a permitted area, a vehicle would be required to display a valid permit. The permit categories may vary; usually residents, visitors, health care workers serving residents and other users the authority may see fit. The system provides optimum benefit to residents but low levels of residents parking can lead to an inefficient use of on-street parking in situations where the overall parking supply is limited.

### **7 On-Street Parking Control with Relaxation for Residents – Shared Spaces**

This type of scheme is commonly referred to as 'shared space', where there is a dual use of on-street space, overcoming the under use problem noted above. It commonly enables the time-limited use of on-street space to be operated alongside vehicles with

residents permits that would be exempt from time limited restrictions. In isolation, it can eliminate the need for the administration of permits for visitors, carers etc. Variations of this type of scheme could have bays exclusively marked for resident's use only.

### **8 Areas where parking has Environmental / Safety / Traffic Management Issues**

In some instances, the management of parking may be desirable for highway management or traffic reasons. Whilst this category of issue can include residents parking as a management feature, it should be noted that more conventional (but tightly restricted) parking restrictions can be as effective, but where these might interfere with residents, schemes to accommodate their needs may be appropriate.

## CRITERIA FOR CONSIDERATION OF RESIDENT'S PARKING SCHEMES

- 9 The main criteria for justifying a Residents' Parking Scheme is that there is insufficient space in which the residents of an area can park as a result of the presence of vehicles arising from visitor or commuter parking and/or as a result of existing parking restrictions. Initial principles would be that.
- there should be clear evidence from residents and not just one resident of support for a scheme in advance of any details of a scheme being prepared.
  - the enforcement associated with a scheme is managed through the effective deployment of Civil Enforcement Officers.
  - Residents' Parking Schemes would not be introduced where the majority of residents have off-street parking or where there is sufficient on-street space to accommodate both residents and non-residents parking.
  - schemes should not be introduced to manage parking where the problem is linked to an over-demand for on-street parking from residents; and
  - there is a presumption against small isolated areas remote from other areas of parking enforcement.
- 10 Some authorities criteria for the introduction of schemes are very prescriptive. Whilst some flexibility is desirable, it is recommended that some general principles are set to help further define manageable schemes; to develop an initial scheme, it is reasonable to consider that some of the following criteria should be met:-
- at least 50% of properties in the proposed area as a whole have no off-street parking.
  - there is sufficient kerb space to enable 75% of householders to park at least one vehicle on-street.
  - carriageway supports a running lane: 3.5m wide to allow for emergency vehicles.
- 11 Requests that do not meet these criteria should not be considered unless:
- the scheme is part of a wider integrated traffic/parking management scheme.
  - there are road safety problems.
  - parking impact from development in residential areas would be adverse.

## LEGAL FRAMEWORK & MANAGEMENT

- 12 The issue of a parking permit in no way absolves the permit holder from parking legally and with due care. The Council does not accept any responsibility for the damage, theft or loss of, or to, any vehicle or its contents whilst parked in a Residents' Parking Zone. When operated under Civil Parking Enforcement (CPE) procedures, vehicles parking in Residents' Parking Zones without displaying a valid permit will be subject to a Penalty Charge Notice, enforced through CPE processes and powers, and normal approved procedures will be followed.
- 13 Schemes would be managed by the Councils' Parking Services Department under current processes and procedures. Permits and scratch cards remain the property of the Council and we reserve the right to withdraw any permit or scratch card and may refuse a request for future application should they be **misused, defaced or deliberately** altered, with no financial compensation.

### Permitted Vehicles

- 14 Permits will only be issued to cars and light goods vehicles with a weight limit of up to 3.5 tonnes. Vehicles that exceed 6 metres in length, 2.44 metres in height or are capable of carrying more than 13 people including the driver are prohibited from a permit.
- 15 Individual permits will not be issued for caravans or trailers, although these may be parked within a scheme on a short-term basis whilst loading or unloading provided they are hitched to a vehicle bearing a valid permit.

### Issue of Permits

- 16 It should be remembered that possession of a permit would not guarantee a parking space within the zone in question and where there are separate zones within an area, permits are zone specific. Although some indication of definitions and requirements to be eligible for permits is given here, further considerations may be required for specific designs.

## 17 Permits and Use:-

- permits will be issued on a renewable annual basis and be effective for a period of 12 months. The issue (and renewal) of permits will be through the request of individuals via appropriate application forms to Cheshire East Parking Services.
- permits will show the name and title of the issuing authority, the relevant parking zone, the vehicle registration number and reference number. Any specialist permits will provide individual details.
- all permits must be displayed on the inside surface of the windscreen so that the particulars recorded are clearly visible.
- permits may be revoked through fraudulent or inappropriate use without any cost reimbursement.
- where a hire/courtesy car replaces an existing vehicle a temporary reference number **may be issued**.

- 18 A permit will not be required for vehicles carrying out essential duties and statutory activities, including: emergency service vehicles, whilst attending an emergency, statutory undertakers, postal collection/delivery, council/government business and formal wedding cars and hearses. In addition, permits will not be required for vehicles engaging in the loading or unloading of goods and where passengers are boarding or alighting.

Residents' Permits: The following definitions/guidance should be considered as a part of a residents' parking scheme:

- a resident will be determined to be such if their sole or main residence is one within the defined scheme (e.g. for at least four nights per week) and should be registered as such for Council Tax purposes.
- a residence would be defined as a domestic property listed under Council Tax definitions.
- specific note should be made of Houses in Multiple Occupancy (HMO's), where a house has been converted into a number of separate flats or apartments (at the time of the introduction of a scheme) if each of which meets the formal classification of a residence, then each would be eligible to apply for both resident's and visitors permits (as applicable) as allowed under the policy, or applicable to the individual scheme. However, where one house has been converted to contain a number of habitable rooms (but still counts as one property) then this will be treated as a single residence.

- 19 The number of Residents' Permits available to one property should be specific to the scheme in question and thus some flexibility in interpretation is provided. The following guidelines underpin the provision:

- initially two permits will be issued to an individual residence but subject to an assessment of parking demand/supply within a zone, additional permits could be made available.
- where a residence has at least one off-street parking space available then it would not be eligible for the full allocation of permits per residence, it would however be eligible for any allocation of visitors' permits.
- residents' permits would normally be specific to one registered vehicle and proof of ownership/responsibility for the vehicle(s) use must be provided to the satisfaction of Cheshire East Parking Services department.

Carers' Permits: Visitors delivering a range of health and care needs to residents must be afforded access under Residents' Parking Schemes. Residents who live within the parking scheme may apply for a parking permit for family or professionals who visit the resident to provide care or medical support. Where parking demand is heavy, these permits may be restricted to residents who do not hold a residents' parking permit. Permit applications would normally be required to be supported by the residents' medical practitioners.

Visitors' Permits: Permits will be available to all residents within the scheme (proof of residency would be required). Visitors' permits would allow one vehicle to park for one day. Permits will be conveniently available through 'scratch card' vouchers validated on the day of use.

Business Permits: A business that operates from within a Residents' Parking Zone may be eligible for a business permit for essential vehicles or visitors, although if any form of off-street parking were available, these would be severely restricted. Alternatively, some alternative form of parking control could be operated, e.g. a short length of time limited waiting in the vicinity of a small shop.

Special Permits: At the discretion of the Council some special permits may be considered on an individual case by case basis for restricted periods on individual application. These uses cover key health workers, property maintenance contractors, visiting tradespersons etc. In the design of schemes, specific arrangements may have to be considered for churches and individual businesses where they are included in defined zones. Charges will reflect administrative costs.

## **FINANCIAL PRINCIPLES**

20 The cost of the introduction and management of Residents' Parking Schemes falls in to two categories.

- a. Set up costs (capital costs covering the investigation of schemes, consultation, design and changes to signs and lines).
- b. enforcement, administration and scheme management costs.

It is intended that all schemes will be fully self-financing, including the repayment of capital costs and prudential borrowing. Any incidental surplus must be ring fenced for use in improving parking facilities.

## **SCHEME IMPLEMENTATION**

21 Two key areas are; guidance on the prioritisation of the consideration of specific schemes and a protocol covering consultation and the public acceptance of a scheme for implementation.

## **CONSULTATION/IMPLEMENTATION PROTOCOL**

22 All proposed Residents' Parking Schemes will be subject to consultation. The process will comprise:

- (i) an initial questionnaire is sent to all residents and businesses within (and adjacent – as appropriate,) to the proposed area, to identify the level of community concern regarding the perceived parking difficulties and to establish the level of support for any proposed scheme. Progression of a scheme at this stage would not be considered unless there was overwhelming support for a scheme.
- (ii) a second round of consultation should be by means of a public meeting whereby residents and businesses who may be affected are invited. This allows officers to explain how a potential scheme and its design would operate and to answer questions and concerns as may be raised. This should then be followed up with a letter and plan, detailing the design of the scheme to all residents and businesses within the proposed zone, asking if they are in favour of the scheme or opposed (the final vote).
- (iii) the formal stage of the process involves Public Notices in the local media, Cheshire East website and on-street notices. At this stage any objections received must be considered.

23 **A scheme should only be considered for implementation if there was clear support from households in the zone for the proposals and that they are prepared to pay the annual permit costs (taken from the questionnaire in stage (ii) above).**

## DESIGN

- 24 In considering any schemes, there should be a clear understanding of the parking problems in an area, and the implications of the introduction of any new Residents' Parking Scheme – particularly in terms of the potential relocation of displaced parking. The schemes will be introduced on a zonal basis. The introduction of RPS across a zone provides greater flexibility by using spare capacity in one street to supplement another. Zone boundaries should remain logical and easily defined and not large enough to provide a benefit for vehicles 'commuting' whilst remaining in their zone.
- 25 In principle, daytime parking restrictions that reflect "standard" scheme timings (for example Monday to Saturday between (8am and 6pm) will be adopted. This approach will be the basis for starting the design process on local schemes. These parking restrictions can sometimes prove inconvenient however, after the early evening period when demand by residents is at its greatest. Therefore flexibility needs to be used in determining the actual time period of the parking restrictions within each scheme to achieve the parking needs of local residents as far as possible in practical terms. No scheme should be designed, however that spans night time or excessive cover. The basic principle remains that schemes are primarily to solve the problems created by day time parkers.
- 26 When considering the needs of the residents and determining the layout of a Residents' Parking Scheme the following must be considered;
- maintaining traffic flow & visibility at junctions.
  - vehicle accesses.
  - loading/unloading requirements.
  - bus stops.
  - the needs of blue badge holders.
  - limited waiting areas for local business.
  - visitors and other categories of drivers who need to park within the zone
  - the use of the area (residential/commercial); and
  - safety of the public within the zone.
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- The objective would be to maximise the number of residents spaces and to reduce the amount of commuter parking in residential areas and also to provide proper consideration of special issues such as churches, schools and businesses to minimise disruption.
- 27 Signage and markings are required to be in accordance with the current Traffic Signs Regulations and General Directions and the relevant sections of the Department for Transport's Traffic Signs Manual.



- 28 Individual parking bays will not normally be provided. Continual marked bays will normally be provided in accordance with Regulations current at the time. Vehicles must be parked wholly within a continual marked bay with no part of the vehicle spanning another marked bay or extending over yellow lines or some other restriction. Failure to comply with this requirement may result in the issuance of a Penalty Charge Notice (PCN).
- 29 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.

## **SCHEME CHARGES AND REVIEW**

- 30 Charges for permits should be determined by the issuing authority and should be set at a level that covers the enforcement and administration costs of the scheme. All such charges should be clearly set out and published in any consultation literature, along with all other Terms and Conditions of the Residents' Parking Scheme. Current charges for Permits are set out below.

- residents' Permits – £50 per annum.
- carers' Permits – Provided without cost.
- visitor Permits (if issued) – Initial tranche of 40 at £20 (50%) discount, further permits to be available in books of 10 for £10.
- business Permits – £80 per permit.
- special Permits – these are covered outside of this policy by dispensations and waivers.

All permit charges should be subject to an annual review process.