



Norfolk County Council

# Norfolk Parking Partnership Joint Committee

Date: Thursday, 04 October 2018

Time: 15:00

Venue: Edwards Room, County Hall,  
Martineau Lane, Norwich, Norfolk, NR1 2DH

Persons attending the meeting are requested to turn off mobile phones.

## Membership

### County Councillors

Mr B Spratt (Chairman) *Substitute: Mrs C Walker*

### District Councillors

Mrs L Neal *Substitute: Ms K Mason Billig* South Norfolk District Council

Mrs K Mellish *Substitute: Mrs J Westrop* Borough Council of King's Lynn  
and West Norfolk

Mr G Plant Great Yarmouth Borough Council

### Non-Voting District Councillors

Mr P Claussen Breckland District Council

Mr R Price *Substitute: Mrs J Oliver* North Norfolk District Council

Mr M Stonard Norwich City Council

Awaiting Appointment Broadland Council

**For further details and general enquiries about this Agenda  
please contact the Committee Officer:**

Hollie Adams on 01603 223029  
or email [committees@norfolk.gov.uk](mailto:committees@norfolk.gov.uk)

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# A g e n d a

## 1. To receive apologies and details of any substitute members attending

## 2. Election of Vice Chairman

To elect a Vice-Chairman for the ensuing Council year from the Voting District Council representatives.

According to the terms of reference, the Chairman of the Committee is the member appointed to represent Norfolk County Council on the Committee.

## 3. Minutes

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To agree the minutes of the Norfolk Parking Partnership meeting on the 23 October 2017

## 4. Declarations of Interest

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is on your Register of Interests you must not speak or vote on the matter.

If you have a **Disclosable Pecuniary Interest** in a matter to be considered at the meeting and that interest is not on your Register of Interests you must declare that interest at the meeting and not speak or vote on the matter

In either case you may remain in the room where the meeting is taking place. If you consider that it would be inappropriate in the circumstances to remain in the room, you may leave the room while the matter is dealt with.

If you do not have a Disclosable Pecuniary Interest you may nevertheless have an **Other Interest** in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

If that is the case then you must declare such an interest but can speak and vote on the matter.

## 5. Any items of business the Chairman decides should be considered as a matter of urgency

## 6. NPP Annual Report 2017/18

Page 8

A report by the Executive Director of Community and Environmental Services

**7. Norfolk County Council Enforcement Policy (Blue Badge Protocol) and Enforcement Guidance Manual Update** **Page 25**

A report by the Executive Director of Community and Environmental Services

**8. Review of Parking Management** **Page 86**

A report by the Executive Director of Community and Environmental Services

**Chris Walton**  
**Head of Democratic Services**  
County Hall  
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NR1 2DH

Date Agenda Published: 26 September 2018



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## **Norfolk County Council & District Councils, Norfolk Parking Partnership Joint Committee**

**Minutes of the Meeting Held on Monday, 23 October 2017  
at 10am in the Edwards Room, County Hall**

### **Present:**

|                |   |
|----------------|---|
| Cllr M Castle  | Norfolk County Council                          |
| Cllr K Mellish | Borough Council of King's Lynn and West Norfolk |
| Cllr G Plant   | Great Yarmouth Borough Council                  |

### **Non-Voting Members Present:**

|                 |                            |
|-----------------|----------------------------|
| Cllr P Claussen | Breckland District Council |
|-----------------|----------------------------|

### **Officers Present:**

|                 |  |
|-----------------|--|
| Dave Stephens   | Team Manager, Network Safety & Sustainability,<br>Norfolk County Council |
| Martin Chisholm | Borough Council of King's Lynn and West Norfolk                          |
| Miranda Lee     | Great Yarmouth Borough Council   |
| Jo Day          | Norwich City Council   |
| Rob Young       | North Norfolk District Council   |

## **1. Apologies for absence**

- 1.1 Apologies were received from Cllr A White (Cllr M Castle substituting), Cllr L Hornby, Cllr J Oliver, Cllr R Price, David Disney and Michele Earp.
- 1.2 Cllr M Castle in the Chair.

## **2. Election of Vice-Chairman**

- 2.1 Cllr Mellish proposed Cllr Castle, seconded by Cllr Plant.
- 2.2 Cllr M Castle was duly appointed as Vice-Chairman for the ensuing Council year.

## **3. Minutes of the meeting held on**

- 3.1.1 The minutes of the meeting held on the 27 October 2016 were agreed as an accurate record and signed by the Chairman subject to an amendment to Appendix A: the second row of the "Total" column should read "5653".

## **4. Declarations of Interests**

- 4.1 No interests were declared.

## 5. Items of Urgent Business

5.1 No urgent business was discussed

## 6. Annual Report 2016-17

- 6.1.1 The Committee received the report outlining the CPE (Civil Parking Enforcement) annual report for 2016-17.
- 6.1.2 Since publication of the report, the letter had been sent to the Department for Transport detailing operational figures shown in the report and summary financial information.
- 6.1.3 The declining issuance of PCNs (Penalty Charge Notices) was noted. The Team Manager, Network Safety & Sustainability, reported a positive financial position had been returned due in part to efficiency cost savings agreed as part of the revised business plan; programmed expenditures had not yet been delivered and these costs would be seen later in the financial year.
- 6.2.1 Cllr Plant noted that the future plan did not include £15,000 previously allocated for CCTV in Great Yarmouth. The Team Manager, Network Safety & Sustainability, confirmed that CCTV had not been supported via the CPE Forward Programme which had to date been allocated for capital expenditure; CCTV was taken as a revenue expenditure. The support for CCTV had to date come from other sources outside the Norfolk Parking Partnership.
- 6.2.2 Cllr Plant felt that as most CPE income came through the Great Yarmouth and Kings Lynn areas, processes to ensure this income, such as CCTV, were important. The Team Manager, Network Safety & Sustainability, reported this could be brought on board as part of trading account arrangements.
- 6.2.3 The Chairman reported that he had responded positively in Spring 2017 to a request from The Borough Council for funding support for CCTV as part of ongoing support for local transport-related projects which would be made possible by the return of operational surpluses to be spent in Great Yarmouth. He felt spend on CCTV was a legitimate use of Norfolk transport money; it would be taken through the Great Yarmouth Infrastructure Steering Group. The Team Manager Network Safety & Sustainability **agreed** to take away Cllr Plant's concerns related to funding for CCTV and gain more clarity on the way forward. He confirmed there was an expectation that money returned to Great Yarmouth would be used for local schemes.
- 6.2.4 Cllr Plant raised concerns about the amendment scheme at paragraph 2.3.14; following consultation about seafront winter parking charges in Great Yarmouth, a report did not come to Committee before this was taken on to the business plan. Seafront traders struggled in the winter and Cllr Plant felt the changes would affect their businesses.
- 6.2.5 The Chairman clarified that Norfolk County Council proposals were restricted to the area between Sandown Road and Kings Road where the Borough Council also levied charges in their car parks during the winter period. He was keen to ensure that the changes were reviewed after a full year in operation, as had been the case following the introduction a few years ago of Visitor Voucher parking in some of the streets off that stretch of the seafront. It was important that a cohesive approach with regard to charging was taken by the Borough and County Councils within the "core" Yarmouth CPE area.

- 6.2.6 Cllr Plant was concerned that talks were not held with the Parking Partnership before implementation; the Chairman clarified that responses from seafront traders came to local Members at the time of consultation; it had not been necessary to bring it to the Committee as there had been no objection from local Members. Police proposals for tackling issues related to boy racers complicated the consultation, giving the impression that Norfolk County Council would be charging south of Kings Road; he clarified that parking would be free north of Sandown Road and south of Kings Road.
- 6.2.7 The Team Manager, Network Safety & Sustainability, reported that removing contributions to supporting maintenance of signs and markings had reduced costs, however, income was dependent on sufficient levels of maintenance. Cross boundary working had seen improvements in PCN issuance in low contribution areas.
- 6.2.8 Cllr Mellish queried whether residents' parking charges would be reviewed. Mr Chisholm recalled that Members previously agreed to maintain charges at the current level. Ms Lee reported there were no plans in Great Yarmouth to change the charges but they hoped to implement them more efficiently; Great Yarmouth Borough Council and the Borough Council of King's Lynn and West Norfolk were merging back office functions. Enforcement officers' hand-held devices could work in real time to allow charging via a mobile app. Mr Chisholm confirmed that voucher parking could be used on the app.
- 6.2.9 Cllr Claussen reported that he had been asked to look into car park enforcement due to issues in Attleborough and Swaffham from people parking in free car parks to travel to work out of town; he was keen to discuss with colleagues from the Borough Council of King's Lynn and West Norfolk and Great Yarmouth Borough Council.
- 6.2.10 There were no changes being discussed at Norfolk Norfolk District Council.
- 6.3 Norfolk Parking Partnership **AGREED**:
1. To **NOTE** the statistical return as presented in this report;
  2. To **NOTE** the financial position of the NPP as at 31<sup>st</sup> March 2017;
  3. To **NOTE** the progress with efficiency savings and the likely impact these would have on the 17/18 financial outturn;
  4. To **NOTE** the performance of the Blue Badge Investigations scheme and the positive feedback on the role of the Blue Badge Investigator;
  5. To **ACCEPT** this report as the financial position of the NPP as at 31<sup>st</sup> March 2017;
  6. To **NOTE** the draw down on the Capital Equipment Replacement Fund to replace handheld units, vehicles and P&D machines;
  7. To **NOTE** the extension of the existing 0.5fte temporary contract for the Blue Badge Investigations Officer from 24/10/17 to 31/03/2019.

## 7. Any Other Business

- 7.1.1 The Team Manager, Network Safety & Sustainability, discussed developments related to the Great Yarmouth air show to be held in 2018. He was liaising with colleagues in highways services who would advise Great Yarmouth Borough Council.
- 7.1.2 Regarding the impact on CPE operations the Team Manager Network Safety & Sustainability confirmed that traffic management costs should be covered by the event organisers. A condition discussed with event organisers was that, if a loss of on-street parking revenue was seen as a result of traffic or crowd management arrangements, the Partnership would ask for compensation.

- 7.2.1 Ms Lee suggested PCNs may increase; increased visitors to the area would benefit Yarmouth and Norfolk.
- 7.2.2 Mr Chisholm suggested the Partnership agreed to suggest that “additional costs should not be incurred by the Partnership by the event, however if necessary to suspend a number of bays it would not be necessary to recover additional costs from the event organisers due to reciprocal incomes from the event”.
- 7.2.3 Cllr Plant reported that the event had been funded by a tourism bid which businesses had paid into; Great Yarmouth Borough Council’s Policy and Resources Committee had agreed to contribute land to the event.
- 7.2.4 Cllr Mellish **proposed** that Members agreed that costs were not taken back to the event organisers to cover compensation. Norfolk Parking Partnership **AGREED** the proposal.
- 7.2.5 Cllr Mellish thanked officers for their hard work.

The meeting concluded at 10.43am

**Cllr M Castle, Vice Chairman,  
Norfolk Parking Partnership Joint Committee**



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# Norfolk Parking Partnership Joint Committee

|   |  |
|---|--|
| <b>Report title:</b>  | <b>Annual Report 2017/18</b>   |
| <b>Date of meeting:</b>   | <b>4 October 2018</b>  |
| <b>Responsible Chief Officer:</b>   | <b>Tom McCabe – Executive Director, Community and Environmental Services</b> |
| <b>Strategic impact</b>   |  |
| <p>Civil Parking Enforcement (CPE) is undertaken in Norfolk by delegation to the Norfolk Parking Partnership (NPP) Joint Committee and is chaired by the Council. However the County Council carries a budget risk, as the one to whom the Department for Transport (DfT) made the decriminalisation order, if the receipts fail to cover the costs of operating the scheme.</p> <p>Since November 2016 the County Council has employed a Blue Badge Investigations Officer to provide a disposals service when misuse of the Blue Badges or fraud have been reported. This is an integral part of the CPE arrangements and supports both the badge-holders' benefits as well as the wider parking management objectives.</p> |  |

## Executive summary

This report provides the Annual Report for the sixth full financial year of operation of CPE in Norfolk and includes; a draft statistical return as required by the DfT; a summary of the financial accounts for financial year 2017/18; and an update on areas of work for the NPP since the last Annual Report.

In 2017/18 the on-street operations of the NPP produced a deficit of -£29,641 compared to a predicted surplus in the business plan of £67,069, an adverse variance of £96,710.

In October 2016 the Partnership adopted a new 4 year business plan and agreed a two year budget 16/17 and 17/18 aimed at recovering a sustainable financial footing. In the first year the financial outturn produced a positive variance of £98,314, giving a net positive variance from the planned position of £1,604 at the end of the second year.

The closing balance in the CPE Reserve was £11,135, and there was £233,451 in the Capital Replacement Fund. No draw-downs from the Capital Replacement Fund were made in 2017/18. The Capital Replacement Fund therefore remains at £233,451, which is less than the current total of committed expenditure as set out in the previous annual report. Officers are therefore looking at the committed and planned expenditures, to ensure that these can be fully accommodated from the current funds, and will offer value for money.

## Recommendations:

1. **DfT Returns** -That the NPP Joint Committee accepts the draft statistical return in Table 1 and authorises the final statistical return to be sent on 4 October.
2. **Financial outturn 2017/18** - That the NPP Joint Committee notes the financial position of the NPP as at 31<sup>st</sup> March 2018
3. **Performance management** - That the NPP Joint Committee notes progress with efficiency savings and agrees that a report on the outcomes is brought to the next meeting in February 2019.
4. **Budget for 2018/19** - That the NPP Joint Committee approves the budget for the NPP for 2018-19 as set out in Appendix C.
5. **Blue Badge enforcement** - That the NPP Joint Committee notes the performance of the Blue Badge Investigations scheme and the positive feedback on the role of the Blue Badge Investigator.
6. **CPE Reserves** - That the NPP Joint Committee accepts this report as the financial position of the CPE Reserves as at 31<sup>st</sup> March 2018

## 1. Introduction

- 1.1 This Annual Report summarises the Partnership's operational and financial activity during financial year 17/18 and reports the end of year balances in the CPE Reserve and the Capital Asset Replacement Fund.
- 1.2 The Annual Report also provides an update on progress of various projects and takes into account the planned review of on-street parking management as set out in a separate report.

## 2. Evidence

### 2.1 Operational Position (1 April 2017 to 31 March 2018)

- 2.1.1 The draft statistical return for the period 1 April 2017 to 31 March 2018 for DfT is shown in Table 1 below. Data provided is the latest interim data available as at 24 September.

Table 1: Interim Statistical Return for period 1 April 2017 to 31 March 2018

|                                    | South Norfolk | Great Yarmouth | Breckland | Broadland | North Norfolk | King's Lynn and West Norfolk | County Total (excluding Norwich City) |
|------------------------------------|---------------|----------------|-----------|-----------|---------------|------------------------------|---------------------------------------|
| Number of higher level PCNs served | 450           | 5,108          | 1,381     | 151       | 1,271         | 3,804                        | 12,165                                |

|   |     |       |       |     |       |       |        |
|---|-----|-------|-------|-----|-------|-------|--------|
| Number of lower level PCNs served   | 619 | 3,590 | 757   | 105 | 1,240 | 909   | 7,220  |
| Number of PCNs paid   | 852 | 5,549 | 1,710 | 205 | 2,087 | 3,707 | 14,110 |
| Number of PCNs paid at discount rate  | 755 | 4,568 | 1,470 | 179 | 1,778 | 3,138 | 11,888 |
| Number of PCNs against which an informal or formal representation was made          | 224 | 1,870 | 326   | 56  | 431   | 960   | 3,867  |
| Number of PCNs cancelled as a result of an informal or formal representation        | 114 | 1,118 | 117   | 20  | 189   | 298   | 1,856  |
| Number of PCNs written off for other reasons (e.g. CEO error or driver untraceable) | 63  | 852   | 101   | 14  | 70    | 241   | 1,341  |
| Number of vehicles immobilised  | 0   | 0     | 0     | 0   | 0     | 0     | 0      |
| Number of vehicles removed  | 0   | 0     | 0     | 0   | 0     | 0     | 0      |

2.1.2 In comparison with financial year 16/17 2,420 more PCNs have been issued (a total of 19,385). This shows a reversal of the downward trend in income from PCN issuance. Overall the number of PCN paid has increased by 14%, with the number of lower level PCNs served increasing by 60% overall. An increase in Great Yarmouth of 170% is largely responsible, together with smaller increases in all other district areas. The total number of PCNs paid also increased by about 6% overall. In Great Yarmouth, following the introduction of cross-border working arrangements, there was a large increase in the numbers of PCN paid, (up 1,159) with most of these being paid at the discount rate (up 1,001 on 2016-17)

2.1.3 Numbers of challenges have, in most areas, changed in line with the changes to total numbers of PCN. In Great Yarmouth the number of PCN cancelled has increased by 50% and the number of PCNs written-off went up by 155%. In other areas the levels of cancellations and written-off PCN are in line with the overall numbers issued. Officers will review the performance of CEOs across the county to ensure an even level of performance can be maintained, and it is very likely that the range of performance this year has resulted from the resolution of long-term staff absences in Great Yarmouth.

2.1.4 A final statistical return will be compiled on 30 September as required for submission to the DfT. Final statistics for paid/cancelled/written off may therefore change due to progress with individual cases.

**Recommendation 1: It is recommended that the NPP Joint Committee accepts the draft statistical return above and authorises the final statistical return to be sent to the DfT on 4 October.**

## 2.2 Financial Performance

2.2.1 Overall the NPP produced a deficit from operations of £29,641 in 2017/18, which contrasts with a projected surplus in the business plan of £67,072 (an adverse variance of nearly £97k).

2.2.2 The business plan includes a commitment to make an annual contribution to the Capital Equipment Replacement Reserve (equal to 20% of the capital spend to date) to cover future costs. During 17/18 this has remained at £59,000. However, there isn't sufficient funding at the close of the financial year to make this viable and the County Council have withheld the contribution for 2017/18.

2.2.3 The final outturn figures for 2017/18 are shown in Table 2 below.

Table 2 NPP Financial Performance 1 April 2017 to 31 March 2018

| <b>Civil Parking Operations 2017/18</b>                  | <b>Plan</b>    | <b>Actual</b>  | <b>Variance</b> | <b>Comment</b>                                      |
|--|----------------|----------------|-----------------|---|
| King's Lynn & West Norfolk CPE Costs                     | 403,871        | 432,099        | 28,228          | Includes costs for cross-border deployments         |
| King's Lynn & West Norfolk CPE Income                    | -340,357       | -311,869       | 28,488          | Cross-border working income is not included.        |
| <b>King's Lynn &amp; West Norfolk CPE Balance</b>        | <b>63,514</b>  | <b>120,230</b> | <b>56,716</b>   |   |
| South Norfolk CPE Costs                                  | 34,570         | 24,416         | -10,154         |   |
| South Norfolk CPE Income                                 | -15,856        | -14,545        | 1,311           |   |
| <b>South Norfolk CPE Balance</b>                         | <b>18,714</b>  | <b>9,871</b>   | <b>-8,843</b>   |   |
| Great Yarmouth CPE Costs                                 | 398,586        | 364,742        | -33,844         | Additional costs for staff transitions shown below. |
| Great Yarmouth CPE Income                                | -242,209       | -173,168       | 69,041          | Further income may accrue in 2018/19                |
| <b>Great Yarmouth CPE Balance</b>                        | <b>156,377</b> | <b>191,574</b> | <b>35,197</b>   |   |
| <b>Civil Parking Operations 2017/18</b>                  | <b>Plan</b>    | <b>Actual</b>  | <b>Variance</b> | <b>Comment</b>                                      |
| Great Yarmouth On-street Pay & Display + Residents Costs | 92,520         | 104,691        | 12,171          |   |

|   |                 |                 |               |  |
|---|-----------------|-----------------|---------------|--|
| Great Yarmouth On-street Pay & Display and Residents Income | -469,373        | -486,387        | -17,014       | Includes impact of Seafront orders not progressing |
| <b>Great Yarmouth On-street Pay &amp; Display Balance</b>   | <b>-376,852</b> | <b>-381,696</b> | <b>-4,844</b> |  |
| Kings Lynn On-street Pay & Display + Residents Costs        | 4,621           | 7,154           | 2,533         |  |
| Kings Lynn On-street Pay & Display and Residents Income     | -75,381         | -61,922         | 13,459        |  |
| <b>Kings Lynn On-street Pay &amp; Display Balance</b>       | <b>-71,120</b>  | <b>-54,768</b>  | <b>16,352</b> |  |
| <b>Total from Partner Operations</b>                        | <b>-209,367</b> | <b>-114,789</b> | <b>94,578</b> |  |
| NCC parking department                                      | 83,298          | 86,424          | 3,128         | Includes costs for GY Seafront orders              |
| Annual Capital Replacement Contribution                     | 59,000          | 0               | -59,000       | Contribution to Replacements (see 2.2.2 below)     |
| <b>Total including NCC services</b>                         | <b>-67,069</b>  | <b>-28,365</b>  | <b>38,704</b> |  |
|   | 0               | 58,006          | 58,006        | Combined back office transition staff costs        |
|   |                 |                 |               |  |
| <b>Final outturn</b>  | <b>-67,069</b>  | <b>29,641</b>   | <b>96,710</b> |  |

2.2.4 A direct comparison of the outturns achieved against Business Plan projections is not possible based on the information presented in Table 2. Following the introduction of cross-border working, the costs of deployment and PCN issuing can appear under the District which issues the PCN, while the income is shown under the District in which an infringement occurred.

2.2.5 Overall, the variances can be explained by considering the combined outturns for 2016/17 and 2017/18 as shown in Table 3 below.

Table 3 Variances (underspend)/overspend over Years 1 & 2 of Revised Business Plan

| Norfolk Parking Partnership | 2016/17 | 2017/18 | Combined | Explanation of variance |
|-----------------------------|---------|---------|----------|-------------------------|
|                             | £       | £       | £        |                         |

|   |                 |               |                |   |
|---|-----------------|---------------|----------------|---|
| 1) Staff transition costs                   | Nil             | 58,006        | 58,006         | Costs included in forecast savings for 2016/17 – Not migrated to 2017/18 budget                                     |
| 2) CPE Partner operations                   | (39,691)        | 83,070        | 43,379         | Savings from efficiencies deferred to 2017/18, and savings delayed to end of period. Plus impact of staff absences. |
| 3) On-street P&D and Residents Permits      | (51,972)        | 11,508        | (40,464)       | Large surplus income in Great Yarmouth.   |
| 4) NCC Parking Department                   | (765)           | 3,126         | 2,361          | Includes costs of Seafront orders.  |
| 5) Contribution to Capital Replacement Fund | Nil             | (59,000)      | (59,000)       | Contribution withheld for 2017/18   |
| 6) Scheme-related income                    | (5,886)         | Nil           | (5,886)        | As reported in 2016/17 Annual Report.   |
| <b>Overall variance</b>                     | <b>(98,314)</b> | <b>96,710</b> | <b>(1,604)</b> | Unplanned expenditure on Staff transition costs (1) has displaced Contribution to Funds (6)                         |

2.2.6 Taking the two periods 2016/17 and 2017/18 together, the combined outturns are £1,604 up against the projections in the business plan. This slight improvement has been achieved by deferring the contribution to capital replacements, however this may require a further commitment in future budget-setting.

2.2.7 The budgets anticipated £20K of savings in the first year with an additional £100K of savings in the second year. Actual performance has delivered more savings during year 1 than anticipated (Table 3, items 2 and 3), as described in the previous Annual Report. However savings from the combined back-office functions have not accrued until later than anticipated, and have not therefore allowed the staff transition costs (Item 1) to be absorbed into the operational costs as originally planned.

2.2.7 Performance of on-street CPE functions has been worse than forecasts. However the increase in PCNs paid described in Table 1 suggests that there will be additional income to accrue in 2018/19 as a result this. Overall there remains a pressure on officers to continue to make further efficiency savings over the remainder of the budget planning period as set out below.

**Recommendation 2: That the NPP Joint Committee notes the financial position of the NPP as at 31<sup>st</sup> March 2018**

## 2.3 Efficiency Savings

2.3.1 The report taken to Joint Committee on 27 October 2016 made a number of suggestions for efficiency savings which committee members resolved that Officers should take forward.

- 2.3.2 All partners have been actively pursuing these savings, however there have been delays in implementing some of the planned initiatives, as described below.
- 2.3.3 A combined back-office: the project is now complete. The 2016/17 budget included one off costs for delivering this project (system licences etc) which were delayed and charged in 2017/18, impacting on the current financial performance. In addition there have been costs associated with the transition of staff as a result of the combined back-office which have amounted to £58k and were not absorbed into operational costs due to the delayed implementation.
- 2.3.4 Alternative payment options for P&D and remote monitoring of P&D machines in Great Yarmouth: the necessary amendments orders have been made and the initial results have shown that cashless payments are being taken up ahead of expectations. Replacement of P&D machines is programmed for 2018/19, and the efficiency savings are expected to bring savings over 2018/19 and 2019/20. However, due to the shortfall in funding for capital replacement (see 4.7 below) and the expected review of parking management arrangements, the procurement is currently under review.
- 2.3.5 2016/17 and 2017/18 have seen a great deal of activity to deliver changes and efficiencies and this has impacted on the flows of performance and financial information (particularly the merging of back-office functions which are used to process the data and generate the reports). Going forward, the Officer Working Group is now in a good position to re-focus on to the management of performance, based on the agreed Performance Measures, as set out in Appendix A. This will include a close scrutiny of the underlying factors which have resulted in the outturns achieved to date, and a report to Members with recommendations for any further changes to operational arrangements.

**Recommendation 3: That the NPP Joint Committee notes progress with efficiency savings and agrees that a report on the outcomes is brought to the next meeting in February 2019.**

## **2.4 Budget for Norfolk Parking Partnership 2018-19**

- 2.4.1 An indicative budget for the period 2018-19 was included in the Revised Business Plan approved by the Joint Committee in December 2016, as set out in Appendix B. This budget would deliver a surplus from the CPE operations of £44,878. However, included in this was an allowance for the additional incomes from winter charges on the seafront in Great Yarmouth. Since the scheme to introduce the new charges has not been implemented (see 3.2 below), the following revisions to the budget are proposed:
- Removal of the £11,000 projected income from winter charges in G Yarmouth seafront area
  - Additional savings of £11,000 to come from the County Council's parking management service.
- 2.4.2 The revised proposed budget for 2018-19 is set out in Appendix C. This equates to the projected outturns for 2018-19 in the Revised Business Plan of £44,878 surplus from CPE operations.
- 2.4.3 Following the completion of efficiency measures, and recognising that staff issues which have impacted on operations are now resolved, officers will now focus on to financial performance management with the aim of meeting, and if

possible exceeding, the financial performance set out in Appendix C, so that the current planned procurements for capital replacements can proceed and support the on-going good performance of the scheme.

**Recommendation 4: That the NPP Joint Committee approves the budget for the NPP for 2018-19 as set out in Appendix C.**

### 3. Project updates

#### 3.1 Blue Badge Infringements

- 3.1.1 It is a criminal offence to misuse a disabled parking badge. This includes people other than the badge holder taking advantage of the parking concessions provided with the scheme.
- 3.1.2 To address concerns regarding the misuse of blue badges, since April 2016 the NPP is funding the role of a Blue Badge Investigator (costs are included within the NCC parking department budget line). This has led to the development of an enhanced process for the enforcement of blue badge contraventions, which is intended to protect the interests of genuinely disabled residents and visitors to Norfolk, whilst preventing fraud.
- 3.1.3 Proactive blue badge enforcement commenced in November 2016. There has been an extremely positive response from people with disabilities who believe that people are misusing what is to them a vital concession.
- 3.1.4 Table 3 below shows that during 2017/18 a total of 103 investigations were undertaken. Where there is found to be an offence and sufficient evidence has been gathered, a formal prosecution is sought by the County Council in accordance with the NCC Enforcement Policy. A summary of the prosecutions made in Norfolk is available to view on the NCC website pages under Blue Badges.
- 3.1.5 In addition to disposals by formal prosecution, some cases can be dealt with by issuing written or verbal advice, usually to the badge-holder, to correct misunderstandings about the conditions of issue of the blue badge, and improve future compliance. There is also a strong engagement between the Investigations Officer and the District parking teams to improve evidence-gathering, as well as some contact with other authorities to deal with cross-border issues, as shown in the table.

Table 3 – Total investigations by disposals, reporting, location of incident and residency of badge-holder.

| <b>Investigations of Blue Badge Infringements</b>   | 2016-17<br>(since Nov 16) | 2017-18 | Comments   |
|---|---------------------------|---------|------------|
| <b>Disposals:</b>                                   |                           |         |            |
| Formal prosecution (including caution)*             | 6                         | 7(+1*)  | *1 pending |
| Advisory/warning letter or verbal advice from BBI   | 13                        | 24      |            |
| Details forwarded to parking team for CEO awareness | 2                         | 13      |            |

|  |           |            |  |
|--|-----------|------------|--|
| No action required (including insufficient or incorrect information to pursue further)   | 8         | 33         |  |
| Investigation in progress/pending  | 0         | 1          |  |
| <b>Reporting:</b>  |           |            |  |
| Reports from others (incl. public)   | 18        | 55         |  |
| Identified by CEO  | 6         | 24         |  |
| Identified by BBI  | 5         | 6          |  |
| <b>Location of incident:</b>   |           |            |  |
| Norfolk  | 22        | 84         |  |
| Outside Norfolk  | 2         | 8          |  |
| Insufficient information to determine  | 5         | 5          |  |
| <b>Residency of badge-holder:</b>  |           |            |  |
| Norfolk resident badge-holder  | 23        | 67         |  |
| Non-Norfolk resident badge-holder  | 1         | 28         |  |
| Insufficient information to determine  | 4         | 6          |  |
| Not BB related   | 1         | 2          |  |
| <b>Total investigations</b>  | <b>29</b> | <b>103</b> |  |
| *a summary of all prosecutions is available to view on the NCC website under Blue Badges |           |            |  |

3.1.6 During the investigations, blue badges may be seized or requested to be returned to the County Council as part of the information-gathering work. If appropriate, badges may be destroyed, or returned to the badge-holder who often is not the person we prosecute for the misuse. The table below shows the numbers of badges seized, returned to the Council, and those taken out of circulation to prevent further misuse occurring.

Table 4 – Numbers of badges seized, returned and destroyed

| <b>Number of badges</b>               | 2016-17<br>(since Nov 16) | 2017-18   |
|---------------------------------------|---------------------------|-----------|
| Seized and destroyed                  | 2                         | 9         |
| Seized but returned to badge-holder   | 8                         | 8         |
| Returned to NCC and destroyed         | 3                         | 5         |
| Insufficient information to determine | 0                         | 1         |
| <b>Total badges destroyed</b>         | <b>5</b>                  | <b>14</b> |

3.1.7 There has been a generally positive reaction to our proactive approach to blue badge misuse and the information above shows there is an on-going case-load of incidents.

3.1.8 The post of the blue badge investigator is currently funded at a level of 0.5fte, under a temporary contract which is due to expire at the end of March 2019. On-going funding of this role has already been included within the 18/19 budget and the business plan approved by Committee on 27 October 2016.

**Recommendation 5: It is recommended that the NPP Joint Committee notes the performance of the Blue Badge Investigations scheme and the positive feedback on the role of the Blue Badge Investigator.**

### **3.2 Forward programme**

- 3.2.1 It was agreed at the committee meeting in October 2016 to fund some amendments to the seafront Pay and Display parking in Great Yarmouth. The scheme has been designed to help address antisocial behaviour in the southern end of the sea front, and introduce winter charging in the central section (Sandown Road to Kings Road). Based on responses received in relation to early consultation on the proposals, slightly revised proposals were advertised formally last autumn. In accordance with NCC procedures, the representations received were considered by the Chair of EDT Committee and the Director of Community and Environment Services.
- 3.2.2 Following receipt of a legal challenge to the making of the orders, these have been placed on hold. No works have been programmed to implement any changes to the current signing, and all design work is now on hold until the legal matters can be determined.

### **3.3 New Approach to Scheme Delivery**

- 3.3.1 In accordance with the recommendations approved at the 27 October 2017 meeting of the NPP Joint Committee the approach to funding new schemes has now changed.
- 3.5.2 Schemes will only be funded if and when there is a surplus and schemes will only be considered for funding when they meet the requirements of parking principles, support the efficient operation of CPE in Norfolk and have successfully passed the statutory consultation stages with local approval.
- 3.5.3 This approach requires promoting bodies to have secured a level of funding external to the partnership to develop the proposals to a stage where design and implementation can be undertaken with confidence that a scheme will succeed.
- 3.5.4 Discussions have been progressing with a range of stakeholders and work is ongoing to bring forward possible schemes for implementation. At this stage however there are no schemes which have been progressed to a stage where consideration by the NPP Joint Committee is required.
- 3.5.5 In accordance with the business plan 2016-2020, the financial position of the Partnership has been reviewed at the end of the second year, and as no surplus is currently available there is no funding available to support a forward programme of schemes.

## **4. Financial Implications**

- 4.1 At the NPP Joint Committee meeting on 27 October 2016 a report was approved which proposed a budget for 16/17 and 17/18 which included a number of savings targets aiming to return the partnership to a sustainable operating position.

- 4.3 Table 5 shows the balance within the NPP since the approval of the Revised Business Plan for CPE in December 2016:

Table 5 Value of CPE Reserve – £ positive/(negative) balance

| <b>Norfolk Parking Partnership Balance</b> | <b>2015/16</b> | <b>2016/17</b> | <b>2017/18</b> |
|--|----------------|----------------|----------------|
|  | <b>£</b>       | <b>£</b>       | <b>£</b>       |
| Opening Balance                            | 148,106        | (3,122)        | 40,776         |
| In Year Surplus/(Deficit)                  | (17,812)       | 38,012         | (29,641)       |
| In Year Contribution to Schemes            | (133,404)      | (8,646)        | 0              |
| In year additional income                  | 0              | 14,532         | 0              |
| <b>Closing Balance</b>                     | <b>(3,122)</b> | <b>40,776</b>  | <b>11,135</b>  |

- 4.5 Overall the NPP produced a deficit from operations of -£29,641 in 2017/18 which has resulted in the account reducing to balance of £11,135 at the end of 6 years of operating CPE in Norfolk (outside Norwich).

**Recommendation 6: It is recommended that the NPP Joint Committee notes this report as the financial position of the CPE Reserves as at 31<sup>st</sup> March 2018.**

- 4.6 The following table shows the balance on the Capital Equipment Replacement Fund (which was created in 2012/13):

Table 6 Value of Capital Equipment Replacement Fund

| <b>Capital Equipment Replacement Fund</b> | <b>2015/16</b> | <b>2016/17</b> | <b>2017/18</b> |
|---|----------------|----------------|----------------|
|   | <b>£</b>       | <b>£</b>       | <b>£</b>       |
| Opening Balance                           | 130,011        | 174,451        | 233,451        |
| Contribution                              | 44,440         | 59,000         | Nil            |
| Drawdown                                  | 0              | 0              | 0              |
| <b>Closing Balance</b>                    | <b>174,451</b> | <b>233,451</b> | <b>233,451</b> |

- 4.7 At the close of 31 March 2018 the value of the Fund was £233,451 and no requests to draw down funds had been made. However, during 2018/19 the replacement of 24 handheld units has been drawn down at a cost of £20,408, leaving £213,043 in the Fund. As reported in October 2017 there will be a need to replace 7 vehicles and up to 60 P&D machines on the seafront in Great Yarmouth. Officers are budgeting £105,000 for the vehicles The P&D machines are estimated to cost in the region of £175,000. There isn't sufficient funding within the Capital replacement fund to deliver all of the required investment.

- 4.8 Officers are now working to manage any further procurements against the capital replacements to ensure that the services can be maintained, income-generation supported, and the scheme delivers value for money.

## **5. Issues, risks and innovation**

- 5.1 The Council as the one to whom the Department for Transport (DfT) made the decriminalisation order, is wholly responsible if the receipts fail to cover the costs of operating the scheme.

- 5.2 To meet the savings targets the NPP no longer makes annual contributions to highway maintenance, and the revised business plan commits to reducing the NCC parking department budget. This impacts on the ability of the NPP to replace missing parking signs, faded lines etc or to make operational improvements. The NPP is dependent on clear, unambiguous restrictions to enable high quality enforcement. Ultimately poorly maintained, unclear restrictions will affect the number of PCNs issued.
- 5.3 Officers will continue to manage these risks through both the NPP Officer Working Group and other risk management processes within the County Council's business procedures.

## 6. Background

- 6.1 This is the sixth Annual Report of the NPP, covering the year from April 2017 to March 2018. A summary of this report, if agreed by the NPP Joint Committee, will be sent to the DfT.
- 6.2 Civil Parking Enforcement (CPE) is the local control of on-street parking which can enable consistent, efficient and effective enforcement provision across the county. CPE can assist Norfolk County Council (the Council) to manage traffic and in such a way as to focus on key issues such as highway safety, accessibility and local environment. CPE also has an important role in supporting the local economy and is used to benefit both business and the community as part of a co-ordinated access and spatial strategy.
- 6.3 The CPE scheme business case is based on the premise that any on-street income generated through PCN, P&D or permit charging is retained and offset against the cost of the service. In addition, where there is a surplus, this can be used to support parking operation and the Council's responsibility as local Highway Authority under section 122 of the Road Traffic Regulation Act 1984 (RTRA) which may include transport initiatives supporting parking operations in accordance with section 55 of the RTRA (see Appendix C). This does not affect the revenue generated through off-street car parks, which are owned by district councils who continue to exercise their own controls.
- 6.4 Enforcement itself is undertaken by GYBC, KLWNBC and SNDC as a whole, although it is noted that KLWNBC provides enforcement within the district council areas of West Norfolk, Breckland, Broadland and North Norfolk and can also provide resources in South Norfolk and Great Yarmouth as required. The district council partners employ staff as Civil Enforcement Officers (CEO) who issue Penalty Charge Notices (PCN) on behalf of the Partnership. Income is also generated from on-street charges using Pay & Display (P&D) machines.
- 6.5 To date, all surpluses from CPE operations have been allocated by the Partnership to the on-going development of CPE in Norfolk (outside Norwich), and to additional funding for the maintenance of assets. This approach has been changed as of 27 October 2017. 50% of any operational surpluses will now be reallocated to those districts contributing positively to the financial position. In addition the partnership should only fund schemes which *'meet all the requirements of the Parking Principles, the efficient operation of CPE in Norfolk and have successfully passed the statutory consultation stages with local approval'*
- 6.4 A main benefit of CPE is that the local control of on-street parking can enable consistent, efficient and effective enforcement provision across the county,

thereby assisting the traffic authority to use its network management duty in such a way as to focus on key issues such as highway safety, accessibility and local environment. Consequently, CPE can be used to benefit both business and the community, to introduce/enforce Traffic Orders and to set up new measures as may be identified in the Parking Principles.

6.5 More fundamentally, CPE ensures at least an essential level of enforcement.

### **Officer Contact**

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

**Officer Name: Dave Stephens**

**Tel No: 01603 222311**

**Email address:** [dave.stephens@norfolk.gov.uk](mailto:dave.stephens@norfolk.gov.uk)



If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

Background papers:

[Norfolk Parking Partnership Joint Committee](#)

[Forward Programme and Budget 2016/17 & 2017/18 Report 27 October 2016](#)

### Performance Indicators agreed February 2016

**KPI1 % PCNs cancelled due to CEO error** - ensures that the tickets issued are of high quality and reflect the high standards provided by CEOs;

**KPI2 variance between predicted deployed hours/or employed hours to actual deployed hours** - value for money;

**KPI3 % customer contacts to parking teams resolved according to customer service timescales** – measures standard of interface with customers, and includes NCC’s response times to customer enquiries;

**KPI4 defect reports received as a result of not being able to issue a PCN** measures the frequency of defects and the impact that this is having on enforcement;

**KPI5—defects resolved within agreed timescales** measures the success of our agreed approach to defect resolution;

**KPI6 Performance against compliance/consistency assessment** this will benchmark compliance with restrictions and consistency in enforcement around the county. An agreed number of streets around the county will be visited quarterly by NCC officers. The number of non-compliant vehicles will be recorded. This can then identify countywide/area specific trends;

**KPI7 Provision of monitoring data including financial returns** timely provision of information is essential to ensure regular monitoring of these KPIs;

**KPI8 Invoices issued on time (days late)** timely issuing of invoices is essential to monitor performance against the business model;

**KPI9 Invoices paid (days late) monitors** NCC processes in settling invoices.

December 2016 Revised Business Plan projection for Norfolk Parking Partnership 2018-19:

|   | King's Lynn      | North Norfolk   | Breckland       | Broadland       | Great Yarmouth   | South Norfolk   | NPP Total        |
|---|------------------|-----------------|-----------------|-----------------|------------------|-----------------|------------------|
| <b><u>Civil Parking Enforcement</u></b>                                 |                  |                 |                 |                 |                  |                 |                  |
| <b>Costs</b>  |                  |                 |                 |                 |                  |                 |                  |
| Parking Enforcement - Annual Operating Costs                            | (152,827)        | (62,093)        | (62,093)        | (31,047)        | (333,472)        | (30,449)        | (671,981)        |
| Parking Department (NCC) - Annual Operating Costs                       | (17,238)         | (7,003)         | (7,003)         | (3,502)         | (40,817)         | (3,617)         | (79,181)         |
| Parking Department (NCC) – Additional savings                           | 0                | 0               | 0               | 0               | 0                | 0               | 0                |
| Central Processing Unit - Annual Operating Costs                        | (49,168)         | (23,453)        | (23,313)        | (2,910)         | (70,340)         | (4,605)         | (173,788)        |
| Capital Contribution  | (12,845)         | (5,219)         | (5,219)         | (2,609)         | (30,549)         | (2,559)         | (59,000)         |
| <b>Total Costs</b>  | <b>(232,078)</b> | <b>(97,768)</b> | <b>(97,628)</b> | <b>(40,067)</b> | <b>(475,178)</b> | <b>(41,230)</b> | <b>(983,950)</b> |
| <b>Income</b>   |                  |                 |                 |                 |                  |                 |                  |
| On-Street Parking Enforcement - PCN Income                              | 159,900          | 76,270          | 75,815          | 9,463           | 228,753          | 14,976          | 565,177          |
| <b>Total Income</b>   | <b>159,900</b>   | <b>76,270</b>   | <b>75,815</b>   | <b>9,463</b>    | <b>228,753</b>   | <b>14,976</b>   | <b>565,177</b>   |
| <b>Surplus/(Deficit) from CPE</b>                                       | <b>(72,178)</b>  | <b>(21,498)</b> | <b>(21,813)</b> | <b>(30,605)</b> | <b>(246,425)</b> | <b>(26,255)</b> | <b>(418,773)</b> |
|   |                  |                 |                 |                 |                  |                 |                  |
| <b><u>On Street Pay &amp; Display</u></b>                               |                  |                 |                 |                 |                  |                 |                  |
| <b>Costs</b>  |                  |                 |                 |                 |                  |                 |                  |
| Cash Collection and Maintenance   | (2,918)          | 0               | 0               | 0               | (84,463)         | 0               | (87,381)         |
| Residents Permit Scheme Costs   | (1,456)          | 0               | 0               | 0               | (10,080)         | 0               | (11,536)         |
| <b>Total Costs</b>  | <b>(4,374)</b>   | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>(94,543)</b>  | <b>0</b>        | <b>(98,917)</b>  |
| <b>Income</b>   |                  |                 |                 |                 |                  |                 |                  |
| Residents Parking Permit Scheme Income                                  | 9,234            | 0               | 0               | 0               | 82,668           | 0               | 91,902           |
| On-Street Pay & Display   | 67,655           | 0               | 0               | 0               | 392,012          | 0               | 459,667          |
| Great Yarmouth: Seafront Winter charging                                |                  |                 |                 |                 | 11,000           | 0               | 11,000           |
| <b>Total Income</b>   | <b>76,888</b>    | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>485,680</b>   | <b>0</b>        | <b>562,569</b>   |
| <b>Surplus / (Deficit) from Pay &amp; Display and Residents Schemes</b> | <b>72,514</b>    | <b>0</b>        | <b>0</b>        | <b>0</b>        | <b>391,137</b>   | <b>0</b>        | <b>463,651</b>   |
|   |                  |                 |                 |                 |                  |                 |                  |
| <b>Overall CPE Surplus / (Deficit)</b>                                  | <b>336</b>       | <b>(21,498)</b> | <b>(21,813)</b> | <b>(30,605)</b> | <b>144,712</b>   | <b>(26,255)</b> | <b>44,878</b>    |

## October 2018 Proposed Budget for Norfolk Parking Partnership 2018-19:

|   | King's<br>Lynn   | North<br>Norfolk | Breckland       | Broadland       | Great<br>Yarmouth | South<br>Norfolk | NPP Total        |
|---|------------------|------------------|-----------------|-----------------|-------------------|------------------|------------------|
| <b><u>Civil Parking Enforcement</u></b>                                 |                  |                  |                 |                 |                   |                  |                  |
| <b>Costs</b>  |                  |                  |                 |                 |                   |                  |                  |
| Parking Enforcement - Annual Operating Costs                            | (152,827)        | (62,093)         | (62,093)        | (31,047)        | (333,472)         | (30,449)         | (671,981)        |
| Parking Department (NCC) - Annual Operating Costs                       | (17,238)         | (7,003)          | (7,003)         | (3,502)         | (40,817)          | (3,617)          | (79,181)         |
| Parking Department (NCC) – Additional savings                           | 2,395            | 973              | 973             | 486             | 5,696             | 477              | 11,000           |
| Central Processing Unit - Annual Operating Costs                        | (49,168)         | (23,453)         | (23,313)        | (2,910)         | (70,340)          | (4,605)          | (173,788)        |
| Capital Contribution  | (12,845)         | (5,219)          | (5,219)         | (2,609)         | (30,549)          | (2,559)          | (59,000)         |
| <b>Total Costs</b>  | <b>(229,683)</b> | <b>(96,795)</b>  | <b>(96,655)</b> | <b>(39,581)</b> | <b>(469,482)</b>  | <b>(40,753)</b>  | <b>(972,950)</b> |
| <b>Income</b>   |                  |                  |                 |                 |                   |                  |                  |
| On-Street Parking Enforcement - PCN Income                              | 159,900          | 76,270           | 75,815          | 9,463           | 228,753           | 14,976           | 565,177          |
| <b>Total Income</b>   | <b>159,900</b>   | <b>76,270</b>    | <b>75,815</b>   | <b>9,463</b>    | <b>228,753</b>    | <b>14,976</b>    | <b>565,177</b>   |
| <b>Surplus/(Deficit) from CPE</b>                                       | <b>(69,783)</b>  | <b>(20,525)</b>  | <b>(20,840)</b> | <b>(30,118)</b> | <b>(240,729)</b>  | <b>(25,777)</b>  | <b>(407,773)</b> |
|   |                  |                  |                 |                 |                   |                  |                  |
| <b><u>On Street Pay &amp; Display</u></b>                               |                  |                  |                 |                 |                   |                  |                  |
| <b>Costs</b>  |                  |                  |                 |                 |                   |                  |                  |
| Cash Collection and Maintenance   | (2,918)          | 0                | 0               | 0               | (84,463)          | 0                | (87,381)         |
| Residents Permit Scheme Costs   | (1,456)          | 0                | 0               | 0               | (10,080)          | 0                | (11,536)         |
| <b>Total Costs</b>  | <b>(4,374)</b>   | <b>0</b>         | <b>0</b>        | <b>0</b>        | <b>(94,543)</b>   | <b>0</b>         | <b>(98,917)</b>  |
| <b>Income</b>   |                  |                  |                 |                 |                   |                  |                  |
| Residents Parking Permit Scheme Income                                  | 9,234            | 0                | 0               | 0               | 82,668            | 0                | 91,902           |
| On-Street Pay & Display   | 67,655           | 0                | 0               | 0               | 392,012           | 0                | 459,667          |
| Great Yarmouth: Seafront Winter charging                                |                  |                  |                 |                 | 0                 | 0                | 0                |
| <b>Total Income</b>   | <b>76,888</b>    | <b>0</b>         | <b>0</b>        | <b>0</b>        | <b>474,680</b>    | <b>0</b>         | <b>551,569</b>   |
| <b>Surplus / (Deficit) from Pay &amp; Display and Residents Schemes</b> | <b>72,514</b>    | <b>0</b>         | <b>0</b>        | <b>0</b>        | <b>380,137</b>    | <b>0</b>         | <b>452,652</b>   |
|   |                  |                  |                 |                 |                   |                  |                  |
| <b>Overall CPE Surplus / (Deficit)</b>                                  | <b>2,731</b>     | <b>(20,525)</b>  | <b>(20,840)</b> | <b>(30,118)</b> | <b>139,408</b>    | <b>(25,777)</b>  | <b>44,878</b>    |

**Road Traffic Regulation Act 1984**

**PART IV PARKING PLACES – Parking on highways for payment**

[Section 55 - Financial Provisions relating to delegation orders](#)

The full wording is available via the link above. Key points can be summarised as:

1. Norfolk County Council must keep a separate account and records of expenditure and income related to parking places
2. At the end of each financial year any deficit in the 'parking account' should be made good from the general fund.
3. Any surplus can either be
  - a. spent on a project (as defined below)
  - b. allocated to a project (as defined below) which will be carried out in a future financial year
  - c. carried forward in the parking account to the next financial year

Permitted areas of investment

- a) paying back the general fund for any deficit covered in the previous 4 financial years
- b) funding the provision or maintenance of off-street parking
- c) funding the provision or maintenance of existing on-street parking
- d) provision of, operation of or facilities for, public passenger transport services
- e) highway or road improvement projects (as defined by Highways Act 1980)
- f) environmental improvement projects including
  - a. the reduction of environmental pollution
  - b. improving or maintaining the appearance or amenity of a road; land in the vicinity of a road; open land or water that has general public access
  - c. the provision of outdoor recreation facilities available to the public without charge

# Norfolk Parking Partnership Joint Committee

|  |   |
|--|---|
| <b>Report title:</b>   | <b>Norfolk County Council Enforcement Policy (Blue Badge Protocol) and Enforcement Guidance Manual Update</b> |
| <b>Date of meeting:</b>  | <b>4 October 2018</b>   |
| <b>Responsible Chief Officer:</b>  | <b>Tom McCabe – Executive Director of Community and Environmental Services</b>                                |
| <b>Strategic impact</b>  |   |
| <p>The Norfolk County Council Enforcement Policy has recently been reviewed to reflect changes in legislation and guidance. Blue Badge fraud and misuse investigation forms part of our enforcement activity and as such a new protocol has been developed to reflect this.</p> <p>The Norfolk Parking Partnership Enforcement Guidance Manual has been reviewed and updated to follow changes in legislation and operational guidance.</p> <p>These reviews ensure we operate a best practice service and maintain our strong customer focus ethos.</p> |   |

## Executive summary

|  |
|--|
| <p>While originally based on the Trading Standards Enforcement Policy the current Policy now covers a much wider range of enforcement activity across the Community and Environment Service. It represents the work of Trading Standards, Planning, Highways (Blue Badge) and Norfolk Fire &amp; Rescue Service.</p> <p>Previously, where necessary, detailed plans for each service area have been developed that support the main Policy.</p> <p>As part of the Enforcement Policy review a detailed plan has been developed which outlines the Blue Badge investigation protocol. This is to ensure we carry out fair and robust investigations that accord with all current legislation and guidance.</p> <p>The Norfolk Parking Partnership Enforcement Guidance Manual is regularly reviewed to ensure we follow changes in legislation, best practice and the strategic objectives of the Norfolk Parking Partnership. Updates this year are to reflect changes in legislation around the enforcement of school keep clear markings, operational enforcement of dropped kerbs and clarification of the dispensation and waivers scheme.</p> <p><b>Recommendations:</b></p> <ol style="list-style-type: none"> <li><b>1. That the Joint Committee endorses the Blue Badge investigation protocol as set out in Appendix A.</b></li> <li><b>2. That the Joint Committee notes the changes to the operational guidance document especially in relation to enforcement of school keep clear markings (A full version of the document is attached as appendix B.).</b></li> <li><b>3. That the Joint Committee agrees to a further separate report on enforcement of school keep clear markings to fully explore the issue at the next committee meeting.</b></li> </ol> |
|--|

## 1. Proposal (or options)

### 1.1 Blue Badge Enforcement Protocol

- 1.1.1 The Blue Badge investigation service area has been operational for approximately 2 years and in this time has been successful in bringing forward various forms of sanction against those who have misused the blue badge scheme. It has been well received by both Blue Badge users, and the wider travelling public.
- 1.1.2 In this period the investigative procedure has been refined as experience of every new case widens our knowledge base.
- 1.1.3 The Protocol as set out in Appendix A has been established to support Blue Badge Investigations and forms part of the Norfolk County Council Enforcement Policy.
- 1.1.4 It sets out how potential offences are identified, and how we publicise enforcement results. It outlines the investigation process and how those who are suspected of an offence may provide a defence or mitigating information. The types of disposal available to us are outlined together with legislation we use in the prosecution process.

**Recommendation: To endorse the Blue Badge investigation protocol as set out in Appendix A.**

### 1.2 Norfolk Parking Partnership Enforcement Guidance Manual

- 1.2.1 The Guidance Manual is regularly reviewed to ensure that we take note of changes in legislation and operational practice. This provides a robust framework in which to operate proportionate, fair and impartial enforcement activity.
- 1.2.2 Updates in this revision (see Appendix B) make numerous minor changes to wording to improve clarity for the reader.
- 1.2.3 It clarifies that 'cross border' working is undertaken between District Council areas.
- 1.2.4 It makes changes to the wording around the dispensation and waivers scheme, clarifying when dispensations apply and which vehicles are within its scope.
- 1.2.5 Making it clear when and how enforcement takes place against vehicles parking across accesses (private driveways).
- 1.2.6 Following the recent revision of the *Traffic Signs Regulations and General Directions 2016* (TSRGD), clarification has been received from NPLaw about the enforcement of School Keep Clear road markings. The previous requirement was to have a Traffic Regulation Order (TRO) to back these markings and make them

enforceable. This has been removed and now for enforcement to take place the signs and lines have only to be of the specified type.

**Recommendation: To note the changes to the operational guidance document especially in relation to enforcement of school keep clear markings (A full version of the document is attached as Appendix B).**

1.2.7 Many schools in Norfolk have these road markings but only a few have a TRO to back them. Further, the geographic spread of schools in the County means that enforcement would likely be difficult or sporadic.

1.2.8 The NPP is asked to recognise that there could be an increased expectation of enforcement around schools.

**Recommendation: To agree that a further, more detailed report examining the issue, financial implications and potential enforcement solutions should be brought to a subsequent NPP Committee meeting as part of the wider review of parking management.**

## **2. Evidence**

2.1 Compliance with the Norfolk County Council Enforcement Policy and the Blue Badge Protocol will ensure we strive to undertake fair, impartial, objective decisions that result in proportionate sanctions. It will ensure that the service we deliver takes account of equality issues and understands barriers faced by protected groups.

2.2 Review, and publication of operational guidance shows we follow best practice and that we are adaptable to change.

2.3 An up to date operational guide shows we are fair, proportional and transparent when it comes to enforcement actions.

## **3. Financial Implications**

3.1 There are no financial implications in adopting a specific Blue Badge Investigation protocol.

3.2 There are no financial implications in updating the operational guidance.

3.3 However, there may be financial implications in relation to the enforcement of school keep clear markings. An increase in staff resource time to meet expectations but not necessarily an increase in Penalty Charge Notices (PCN) to offset this cost. At the present time this is not a service area that the NPP could

take on. This should be fully investigated as part of a wider review of parking management.

#### **4. Issues, risks and innovation**

- 4.1 The risk in not adopting and endorsing the Blue Badge protocol would be that our investigation process is not as robust and that our actions could be more open to challenge resulting in fewer successful prosecutions undermining the investigation process.
- 4.2 Keeping operational guidance up to date is best practice and not doing so could result in successful challenges to Penalty Charge Notices (PCNs) or offences going unsanctioned due to lack of appropriate guidance.
- 4.3 The operational guidance document is published which, together with other information on the Norfolk County Council website enables drivers to park appropriately without breaking the law.
- 4.4 The operational guidance is followed by all enforcing members of the NPP to ensure fairness and equality of enforcement practice. Those members are consulted as part of the document development.
- 4.5 NPP enforcement managers are given the opportunity to comment on the changes and request appropriate inclusions.

#### **5. Background**

- 5.1 Norfolk County Council has in place a robust enforcement policy that informs the public of what to expect in relation to enforcement action that the authority may carry out. This is the overarching umbrella under which Blue Badge Enforcement resides.
- 5.2 It was originally developed for Trading Standards as they undertook the majority of enforcement actions. However, the range of enforcement areas is now much broader encompassing the work of Trading Standards, Norfolk Fire and Rescue, Planning, and Highways.
- 5.3 Each of these service areas has its own protocol or detailed plan. To reflect the inclusion of Blue Badge misuse and fraud offences and ensure robustness in the work of the Blue Badge investigations team a specific protocol has been developed.
- 5.4 The Norfolk County Council Enforcement Policy ensures that enforcement activity is delivered in an equitable, practical and consistent manner. This is in line with the principles of good enforcement as set out in the Legislative and Regulatory Reform Act 2006.

5.5 CPE was introduced in Norfolk in November 2011 and the Guidance Manual developed to coincide. The final version was released in March 2013, it was subsequently revised in June 2015 and again in October 2016.

### **Officer Contact**

If you have any questions about matters contained or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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If you need this report in large print, audio, Braille, alternative format or in a different language please contact 0344 800 8020 or 18001 0344 800 8020 (textphone) and we will do our best to help.

## 1.0 Introduction

In November 2011 Norfolk was designated as a Civil Enforcement Area and, following the commencement of the Disabled Persons' Parking Badges Act 2013, local authority enforcement officers are now able to inspect and retain a blue badge without police presence, if they have reasonable grounds for believing that an offence has occurred.

Misuse of a Blue Badge is a strict liability offence. The County Council employs a Blue Badge Investigator to carry out follow up investigations and prepare the evidence in support of enforcements – including giving written warning, or recommendations for formal prosecutions or simple cautions.

The Community and Environmental Services Enforcement Policy is followed, and this protocol is to be read in conjunction with that over-arching document. The Blue Badge Investigations forms part of the on-street parking management service within the Highways Infrastructure Development Section. There is a close working arrangement with Trading Standards, who process the legal disposals, and with the Customer Services Centre (CSC) who administer the Blue Badge Scheme.

There is close liaison with District Councils who employ Civil Enforcement Officers (CEO), including guidance on the policy requirements for evidence-gathering and operational arrangements.

The misuse of the Blue Badge Scheme can have serious consequences for legitimate users by denying them access to essential services and facilities. Norfolk County Council are committed to reducing the level of misuse and increasing compliance with the scheme in pursuit of our traffic management duties and aims, and to support vulnerable people in Norfolk.

## 2.0 Identifying Offences

Blue Badge Offences are identified in 3 ways –

- Reports by members of the public via the online form or the CSC
- Badge Inspections and seizures by CEOs as part of normal patrol duties.
- Badge Inspections and seizures by the Blue Badge Investigator during specific patrols.

The County Council publicised the commencement of work by the Blue Badge Investigator and continues to publish on its website the results of enforcement action where a person is taken to court.

<https://www.norfolk.gov.uk/care-support-and-health/disabilities/blue-badges/blue-badge-enforcements>

We have provided guidance to Civil Enforcement Officers who have the power to inspect and retain Blue Badges. This includes when and when not to inspect/retain badges, what offences are likely to have been committed, how they should interact with members of the public in what is a stressful situation and the type of questions to ask to gather evidence.

### **3.0 Investigation Process**

All investigations into alleged offences are conducted in accordance with statutory powers, relevant legislation and codes of practice.

Persons suspected of committing an offence will always where possible be formally interviewed in accordance with Police and Criminal Evidence Act 1984 (PACE). This is undertaken in 3 ways –

- Roadside interview by the Blue Badge Investigator
- Interview in person with the Blue Badge Investigator
- Postal Interview

The method chosen is dependent on how the alleged offence was identified.

The opportunity to demonstrate a statutory defence and offer mitigating information is, where possible, always offered during the PACE interview. Unsolicited information may also be recorded and used as part of the decision making process. We will also give an additional opportunity to offer mitigation following a road side interview by writing to the alleged person providing them with a copy of their responses.

### **4.0 Disposal**

We are committed to giving advice, guidance and support to all those persons suspected of committing an offence and will do so at all stages of an investigatory process. Mitigating information where supplied will be used during the decision making process but, a formal disposal may still be the likely outcome.

There are four methods of disposal available to use in relation to the misuse of a Blue Badge.

1. No further Action (NFA) – the alleged offence may fall outside our jurisdiction, there may be insufficient evidence or formal action not in the public interest.
2. Written warning – The alleged offence was within our jurisdiction but there is insufficient evidence or formal action would not be in the public interest.
3. Simple Caution – In certain cases a simple caution may be offered instead of prosecution. When offering a simple caution we will comply with relevant Home Office Circulars and the offender will be made aware of the impact the simple caution may have on their life.
4. Prosecution - We may prosecute using different pieces of legislation depending on what offences are alleged. The legislation we use is;
  - Section 115/117 of the Road Traffic Regulation Act 1981
  - The Fraud Act 2006
  - Forgery and Counterfeiting Act 1981
  - The Theft Act 1968
  - Proceeds of Crime Act 2002

A person could also be issued with a penalty charge notice for any parking contravention that occurs.

In cases where a badge holder lets a third party use a badge, the issuing local authority can withdraw the badge under regulation 9(2)(a) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000 after a relevant conviction has been obtained.

In certain circumstances involving prolific offenders Courts are able to disqualify drivers for a period of time under section 46 of the Powers of Criminal Courts (Sentencing) Act 2000.

# Norfolk Parking Partnership



## Civil Parking Enforcement Guidance Manual

Issue V7: October 2018



# Civil Parking Enforcement

## Guidance Manual

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| V5       | June 2015     | HM         | Amendments following changes in legislation relating to mandatory grace periods and ceasing the issuing of paper tax discs. |
| V6       | October 2016  | HU         | Amendments following changes to approach to blue badge misuse, and advice from DfT regarding information provided on a PCN. |
| V7       | October 2018  | TY         | Amendments following changes in legislation and operational practice  |

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## 1. Introduction

Civil Parking Enforcement (CPE) means that enforcing the majority of on-street parking restrictions is now the responsibility of local authorities rather than the Police. This is in addition to the responsibility for the council-operated off-street car parks. Under CPE there will be a more coherent approach to parking management for both on and off-street parking.

This Norfolk Parking Partnership CPE Guidance Manual provides clear information about how parking enforcement will be carried out in Norfolk.

The **Norfolk Parking Partnership (NPP)** has been created to manage and administer parking enforcement in Norfolk and comprises **Norfolk County Council, Norwich City Council, the Borough Councils of Great Yarmouth and King's Lynn & West Norfolk and the District Councils of Breckland, Broadland, North Norfolk and South Norfolk.**

This manual is intended both to inform the public and promote good working practices for undertaking parking enforcement responsibilities within Norfolk.

This is consistent with current best practice and aims to provide clarity, consistency and transparency within the parking enforcement process and compliance with the aspirations of the Traffic Penalty Tribunal and the Local Government Ombudsman.

### 1.1 General

This guidance manual is designed to outline the circumstances when enforcement action will take place and the reasoning behind this. It covers both on and off-street enforcement activities. For ease of use, the categories in Section 6 have been listed in alphabetical order.

A good parking enforcement regime is one that uses quality based standards that the public understands and which are enforced fairly, accurately and expeditiously. It is the aim of NPP to increase compliance with parking restrictions through clear, well designed, legal and enforced parking controls. In this way CPE can contribute to the effective delivery of Norfolk's wider transport strategies and objectives. Importantly, CPE will not be viewed in isolation or as a way of raising revenue.

Illegal or inconsiderate parking can have serious consequences, including:

- congestion and air quality problems.
- blocked access for emergency vehicles, buses and deliveries.
- obstructions for cyclists and pedestrians, especially mobility or visibility impaired.
- reduced turnover on time-limited spaces, affecting shops and other businesses.
- hazards for all road users caused by reduced visibility.

The prime aim of the NPP's parking enforcement activity will be to support the following objectives:

- A safer Norfolk.
- The efficient movement of traffic.
- The integration of traffic management and parking enforcement.
- The combination of on and off-street parking enforcement.
- Rapid response to changing priorities, local factors and demands for parking.

Civil Enforcement Officers (CEOs) employed by NPP will be instructed to issue Penalty Charge Notices (PCNs) to all vehicles parked in contravention of a local traffic order parking regulation following the expiry of any mandatory grace period or agreed observation period, unless the vehicle carries an appropriate authorised dispensation or waiver. Only authorised personnel will be allowed to cancel a PCN. Cancellation of the PCN can only be undertaken by authorised personnel after written representations against the issue of the PCN are received.

Every representation against the issue of a PCN will be considered on its individual merits. This approach is consistent with current legal requirements, practices and accepted best practice and

complies with The Secretary of State's Statutory Guidance (November 2015) to Local Authorities on the Civil Enforcement of Parking Contraventions

## 1.2 Statement of Intent

In view of the above:

[i] NPP will enforce parking regulations fairly, lawfully and without discrimination. It will organise this enforcement in a manner that is proportionate to the problems caused by the parking.

[ii] Enforcement will take place on a daily basis in accordance with the local restrictions that are in force.

[iii] Traffic Regulation Orders will be enforced on every day of the year, except Christmas Day. For the purposes of enforcement, Bank Holidays are treated as normal working days and are subject to the restrictions in the relevant Traffic Regulation Orders.

[iv] Vehicles parked in contravention of the parking regulations may be removed where they are:

- causing an obstruction or
- not registered with the DVLA or
- the vehicle owner repeatedly offends and evades and has three or more outstanding PCNs (classed as a 'Persistent Evader').

[v] Penalty Charge Notice's (PCN's) will be issued where vehicles do not display the disabled badge correctly. In most instances, the PCN will be cancelled for a first contravention. This helps disabled badge holders understand the correct procedure for displaying the blue badge and clock, and avoids misunderstanding at a later date. It also helps to detect misuse or abuse of the blue badge scheme. Where evidence of possible misuse or abuse of the scheme is present, NPP will report this to the Norfolk County Council Blue Badge Investigator for investigation and potential legal action.

(vi) PCN's will be issued where vehicles do not have a valid residents' permit displayed whilst parked in a Controlled Parking Zone. In most instances, the PCN will be cancelled for a first contravention if a valid residents' permit exists but has not been correctly displayed. PCNs issued for contraventions in respect of visitor, business or landlord permits will be treated on their merits and will not be waived for failing to display unless there are mitigating circumstances.

[vii] PCN's will be issued where vehicles do not display a valid pay and display ticket. The PCN will not be waived unless there are mitigating circumstances.

[viii] PCN's will be issued where vehicles do not park within marked bays/parking places, and for parking on grass verges and on the footway where restricted by the Traffic Regulation Order (TRO).

[ix] in determining the above procedures, due account has been taken of:

- Existing and projected levels of demand for parking by all classes of vehicle.
- The availability and pricing of on and off-street parking places
- The justification for and accuracy of, existing Traffic Regulation Orders
- The adequacy, accuracy and quality of signing and lining which restricts or permits parking within or outside a Controlled Parking Zone
- Agreed patrolling of traffic sensitive areas through partnership agreements with the local business community and schools

- The Standard Contravention Codes - Traffic Management Act 2004 (Appendix A)

It is important to recognise that each case will be considered on its own merits with matters of proportionality, objectivity, fairness and reasonableness being paramount. The following is therefore a guide for information. These procedures will be subject to ongoing scrutiny and review.

## **2. Representations**

### **2.1 Representations against a Penalty Charge Notice (PCN)**

If you are reading this you may have received a PCN, or parking ticket. The PCN will have been issued by a Civil Enforcement Officer (formerly known as a parking attendant), or approved device, for a parking or a moving traffic contravention.

Parking and traffic regulations are in place for good reasons, for example, to keep traffic moving, to improve road safety and the environment and to address and balance the needs of different road users. We would prefer motorists to take account of the signs and regulations, and to drive and park properly. But those motorists who do not are liable to receive a PCN.

Information on how to avoid getting a PCN, and what to do if you do get one, are given on Norfolk County Council's web site and on the reverse of the PCN. You have certain rights to dispute the issuing of a PCN. If you think you have been issued with a PCN wrongly or unfairly, you can dispute it by submitting representations at the appropriate time.

When making your representations it will assist their consideration if you set out all the issues that you think are relevant and, where applicable, provide any evidence to support your representations.

The Norfolk Parking Partnership has discretionary powers to cancel a PCN at any point of the Civil Parking Enforcement process. In exercising our discretion to cancel a PCN we will act fairly and proportionately and with due regard to the public interest.

Your representations will be considered impartially and the exercise of discretion whether of not to cancel a PCN will be approached objectively and without regard to any financial interest in the penalty or to any decisions that may have been taken at an earlier stage in the proceedings.

As circumstances differ from case to case and as each case is considered on its own merits, it is not possible to limit or prescribe the factors that are taken into account when exercising discretion. Therefore, this Guidance Manual cannot cover every situation that may arise. However, it includes examples of certain situations in which discretion may be exercised to cancel a PCN. Please note that this document will be subject to ongoing scrutiny and review and will be revised from time to time. Please check the Norfolk County Council website for updates.

## 2.2 Grounds to Make Representations

(The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

### **Important Note:**

Although the following are the statutory grounds to make representation, in accordance with a directive issued by the Local Government Ombudsman, full consideration will be given and account taken of all representations received, whether or not they fall within the description of “Statutory Grounds”. It is for this reason that an additional ground (mitigating circumstances), encompassing any other information the motorist or owner/keeper would like the Council to consider, has been included.

#### **S1 That the contravention did not occur**

- S1.1 Where the motorist claims he/she was loading/unloading.
- S1.2 Where the motorist claims that a parking pay & display machine was faulty.
- S1.3 Where the motorist claims that the restriction is not clearly signed or marked.
- S1.4 Where the motorist claims that the Penalty Charge Notice was not served (i.e. the Penalty Charge Notice was not found attached to vehicle, handed to the driver or received in the post).
- S1.5 Where the motorist claims that their vehicle was not parked in the location at the time and on the date alleged on the Penalty Charge Notice which was issued.
- S1.6 Where the motorist claims that a valid authorisation to park had been Issued.
- S1.7 Where the motorist claims that a pay & display ticket was purchased and displayed but had fallen off the dashboard or was face down.

#### **S2 The motorist (recipient) was not the owner/keeper of the vehicle at the time of the contravention**

- S2.1 Where the current registered keeper claims that the vehicle was disposed of before the contravention occurred.
- S2.2 Where the current registered keeper claims that the vehicle was purchased after the contravention occurred.
- S2.3 Where the current registered keeper claims that a contracted third party was responsible for the vehicle at the time of the contravention.
- S2.4 Where the motorist claims that they never owned the vehicle.

#### **S3 The vehicle had been taken without the owner’s consent**

- S3.1 Where the current registered keeper claims that the vehicle had been stolen.
- S3.2 Where the current registered keeper claims that the vehicle was driven by a third party (i.e. a friend, relative or estranged partner).

#### **S4 The owner is a hire company and has supplied the name of the hirer**

#### **S5 The penalty charge exceeded the relevant amount**

#### **S6 The Traffic Order was invalid**

#### **S7 Procedural impropriety on the Council’s part**

#### **S8 That the Notice to Owner should not have been served because the Penalty Charge had already been paid in full or by the reduced amount of any discount set within the set period**

#### **S9 In the case where a PCN was served by post on the basis that a CEO was prevented by some person from fixing it to the vehicle concerned or handing it to the owner or person in charge of the vehicle, that no CEO was so prevented**

### 3. Enforcement Practice

#### 3.1 General Note

Unless otherwise stated, this guidance applies to all on-street restrictions and local authority operated off-street car parks within Norfolk, with the exception of Trunk Roads (A11, A12 and A47), where the Police remain responsible for the regulation of traffic.

#### 3.2 Civil Enforcement Officers

Civil Enforcement Officers (CEOs) are the patrolling officers responsible for issuing Penalty Charge Notices (PCNs) to vehicles considered to be parked in contravention of a local traffic order. Under delegated function agreements with Norfolk County Council the CEOs are employed by Norwich City Council, Great Yarmouth Borough Council, King's Lynn & West Norfolk Borough Council or South Norfolk District Council. They enforce parking restrictions both on-street and off-street in council-operated car parks. CEOs wear a uniform containing the logo of the council, organisation or section that employs or manages them. Their hours of operation and beats are flexible to address the parking issues which vary across the county. Under an agreement CEOs can work 'cross border' in other District Council areas.

CEOs are expected to carry out their work overtly, fairly and reasonably and to comply with all relevant laws and codes of conduct. This includes advising motorists on how and where to park. CEOs are conversant with the on and off-street parking arrangements in their area, parking policies, permit arrangements and other information necessary to enable them to carry out this function.

A CEO must not resort to any form of entrapment or deliberately avoid assisting a driver, nor, under any circumstances, accept money or other gifts offered by any person, or solicit such gifts.

CEOs who are approached by a member of the public about the issue of a PCN will:

- Explain why a PCN was issued, pointing out the information available at the time, including information on controls, lines and signs as applicable.
- Provide an explanation of the details given on a PCN.
- Explain that he/she has no authority to cancel a PCN.
- Explain that a PCN should be referred to the NPP enforcing authority in writing for consideration of the issue of the notice and whether or not it should be cancelled.
- Indicate that if the driver writes to the enforcing authority within 14 days, the right to pay at the discount amount will be preserved.
- Be prepared to explain a PCN processing stages in brief detail if required to do so.

CEOs will not offer an opinion on the parking restrictions nor comment on NPP policies either in relation to parking or in general. In all cases the motorist will be referred to the appropriate enforcing authority for a matter to be pursued.

In particular, CEOs may not:

- Offer an opinion on the traffic management or parking enforcement regime or its operation.
- Comment on the quality of the lines and signs or the functionality of any equipment.
- Comment on the issue of PCNs at a location.
- Comment on any difficulties other motorists may experience in the area.
- Comment on whether a PCN should have been issued.
- Indicate whether a PCN is likely (or not) to be cancelled.

CEOs may not give any indication of whether or not a representation to the enforcement authority is likely to be successful. The enforcing authority will investigate all correspondence prior to making a decision and response.

CPE has only been introduced in Norfolk (outside Norwich) from November 2011 some motorists may not have received parking tickets when parked illegally, CEOs may receive complaints from motorists that “*have always parked there and never been issued with a ticket*”. In these circumstances, the motorist will be advised that:

- The restriction has not changed.
- The restriction is now being enforced.
- A motorist has previously parked there and never received a ticket does not mean that it is permissible to park there, nor does it mean that the ticket should not have been issued.
- The ticket was correctly issued and any further complaint should be referred to the enforcing authority, in writing, at the address shown on the back of the PCN.

### **3.3 Blue Badge Inspections**

Under section 21(4BA) of the Chronically Sick and Disabled Persons Act 1970 (“the 1970 Act”), an enforcement officer can approach a person in a vehicle displaying a Blue Badge (or a person who appears to have been in or to be about to get into, the vehicle) and require them to produce the badge for inspection. This is to check the detailed information and photograph of the badge holder on the back of the badge, to verify whether or not the badge is being used by the correct person. A full explanation can be found in section 6.29a

## 4. How to Park

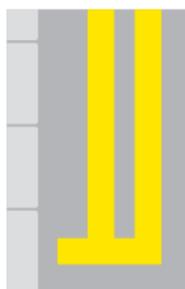
Parking incorrectly, such as on double and single yellow lines, in a bus lane, across cycle lanes or in residents' parking bays, even for a few minutes, can cause inconvenience and even danger to other road users and pedestrians.

The Norfolk Parking Partnership hopes that motorists will be encouraged to park safely and legally. This will therefore reduce the inconvenience and danger placed upon safe parkers and road users every day.

Following these simple rules will help you to park in a way that doesn't cause inconvenience to other members of the public:

- Always check the lines on the road and, where applicable, the signs by the side of the road.
- Always make sure you have parked within the bay markings.
- Make sure that none of your vehicle's wheels are resting on yellow line(s) when operational.
- Do not assume that by parking behind yellow lines you are not parking in contravention of a traffic regulation order. Areas where you think you may legally park may in fact be part of the highway and, if so, will be enforced as such.
- In pay and display car parks always make sure you read the signs.
- In pay and display car parks always make sure you purchase the appropriate ticket in accordance with the instructions on the signs and/or ticket machine.
- In pay and display car parks always make sure you clearly display your ticket.
- Do not stay longer than is permitted by the signs or by the ticket you have purchased.
- Do not block entrances to private properties – dropped kerbs.
- Do not double-park.
- Do not park on footways.
- Do not park on pedestrian crossings or the white zigzags markings near to the crossing.
- Do not park on 'School Keep Clear' markings or the yellow zigzag markings near to schools.

The following are some of the common restrictions you will see and a reminder of what they mean<sup>1</sup>:

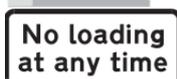
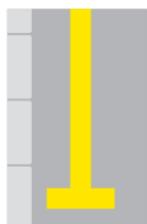


### Double yellow lines

along the edge of the road mean no waiting at any time. However, you may stop while passengers get into or out of the vehicle and to load and unload, **unless** there are also loading restrictions. There is no requirement to erect a sign for a permanent double yellow line restriction.

However, some double yellow line restrictions in Norfolk operate on a seasonal basis, meaning that they will only be enforced during the times specified on the adjoining sign. An example sign can be seen on the left.

1. The images above are used lawfully and free of charge and have been taken from the Directgov website. They are subject to Crown copyright © protection.



### Single Yellow Lines

along the edge of the road mean you can't wait during the times shown on the adjacent sign.

However, you may stop while passengers get into or out of the vehicle and to load and unload, **unless** there are also loading restrictions.

### Loading Restrictions

are shown by yellow lines on the kerb or at the edge of the carriageway. They indicate that loading or unloading is prohibited during the times shown on the signs.

Double yellow lines on the kerb mean no loading or unloading at any time.

### Limited Waiting Bays

are shown by bay markings and signs that indicate the maximum amount of time that you may park in the bay.

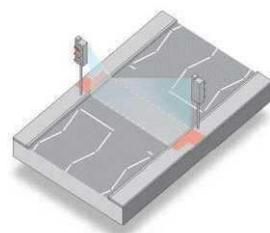
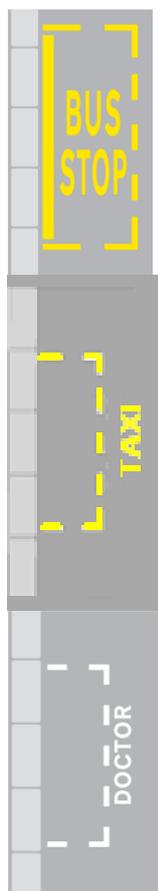
Please take note of the 'No Return' information displayed on the sign. This means that you are not permitted to return to the limited waiting bay within the time specified. CEOs will log all vehicles parked in limited waiting bays to ensure that they do not return to the bay within the specified timescale. Vehicles returning to the bay within the specified timescale will be issued with a PCN.

### Bus Lanes

You must not drive or stop in a bus lane during its period of operation. Taxis and cycles are usually allowed to use bus lanes.

### Loading Bays

are white 'bays' marked with the words 'Loading only' and a sign with the white on blue 'trolley' symbol. A sign will show the times when the bay can be used and whether loading and unloading is restricted to certain types of vehicles. Vehicles may not park here if they are not loading or unloading.



### **Bus Stop Clearways**

You must not park in a bus stop clearway during its period of operation. The period of operation will be shown on the adjoining signs.

### **Taxi Ranks**

You must not park in a taxi rank during its period of operation. The period of operation will be shown on the adjoining signage.

### **Parking Bays for Specific Use**

You must not park in parking spaces reserved for specific users such as Doctors, Blue Badge holders or residents, unless you are entitled to do so. Signs will indicate who is allowed to park and when the restrictions are in operation.

### **Pedestrian Crossing Zig-Zags**

You must not park on a pedestrian crossing or in the area covered by the zigzag markings. These markings are installed specifically to maintain pedestrian safety.

### **School Keep Clear**

Keep entrances outside schools clear of stationary vehicles, even if picking up or setting down children.

***Always use the current version of the Highway Code.***

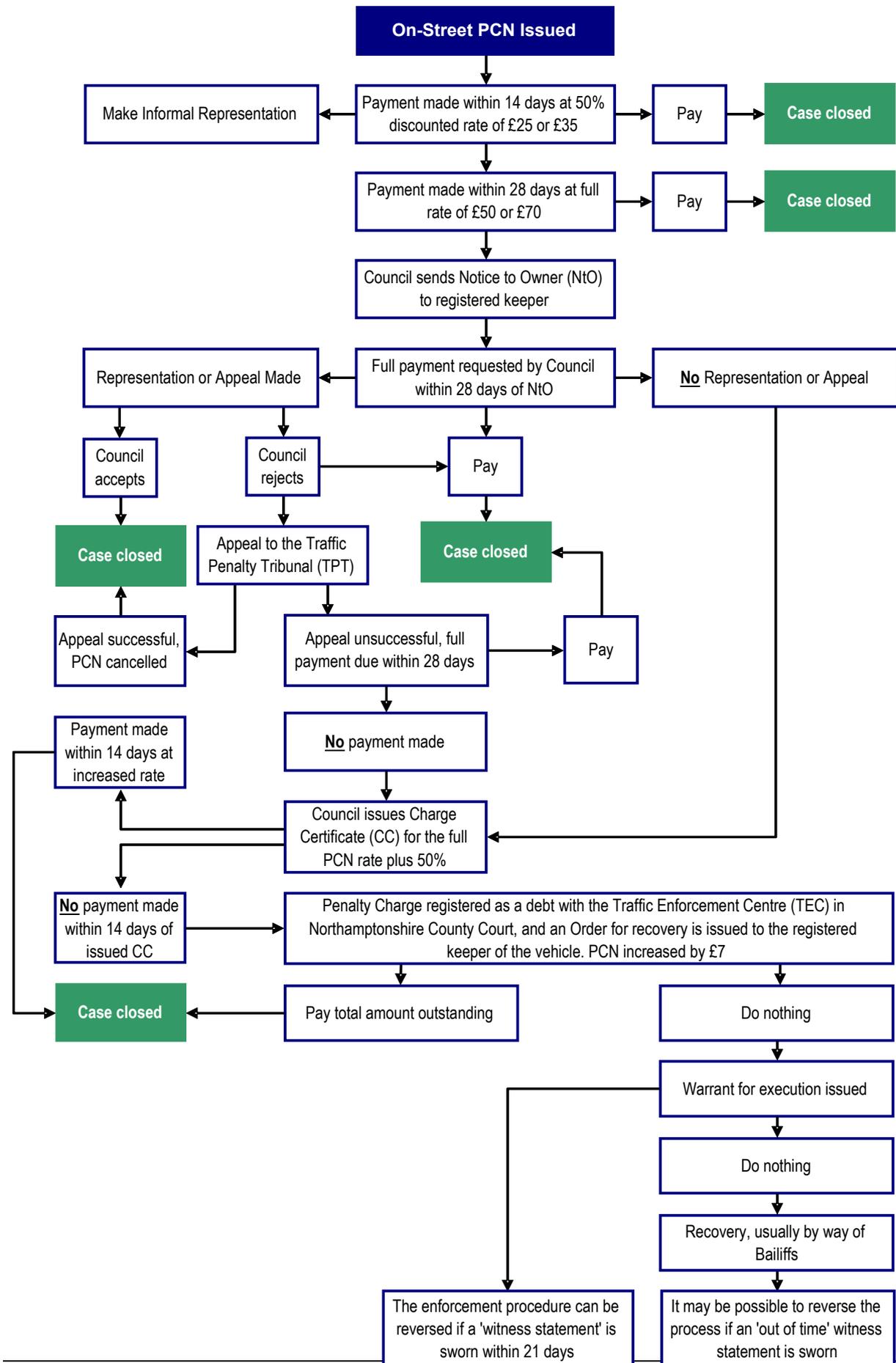
## 5. PCN Recovery System Flowchart

This flow chart shows the life-cycle of a PCN, how the enforcing authority will enforce the PCN recovery through a defined and regulated process and the options available to the registered owner of the vehicle (registered keeper) for making representations against the issue of the PCN.

The initial rate of the penalty charge will be dependent on the type of parking contravention that has occurred. The penalty charge rates are currently £70 for higher level and £50 for lower level contraventions, which can both be reduced by 50% for early payment. More details of the different levels of charge can be found in NPP's Civil Parking Enforcement and Discretion Policy.

The PCN recovery system flowchart is presented on the following page in Figure 4.1.

**Figure 4.1 - Penalty Charge Notice (PCN Recovery Flow Chart (Traffic Management Act, 2004))**



## 6. Specific Procedures

### 6.1 Abandoned Vehicles

Where a vehicle remains parked, in a restricted area, for a period during which 3 or more PCNs are issued for the same contravention and the PCNs are not removed, the vehicle, will be treated as potentially abandoned and will be dealt with under the provisions of Refuse Disposal (Amenity) Act 1978.

The enforcing authority will use the following criteria to help us identify Abandoned Vehicles:

- Untaxed
- General poor condition.
- No evidence of movement.
- Multiple PCNs attached to vehicle.

\*The vehicle must be untaxed to enable removal by the enforcing authority.

Whilst the vehicle is being dealt with as potentially abandoned, no further PCNs will be issued. Issued PCNs will however be enforced against the registered keeper of the vehicle in the normal way.

#### 6.1.1 Advertising Vehicles

For advertising trailers not attached to a motor vehicle see **6.12 caravans and trailers**.

Advertising vehicles, including any connected trailer are considered to be those specifically designed, constructed, modified or otherwise adapted (either permanently or temporarily) to display advertising messages for goods and/or services. Vehicles parked on the highway for the purposes of advertising goods and/or services are subject both to the same restrictions as any other vehicle but also to additional restrictions within parking orders which define the appropriate use of a parking place. These orders often exclude vehicles which are parking solely in connection with the sale of goods or services. Advertising vehicles as defined above will be issued PCNs when parked in contravention of restrictions controlling waiting, loading, parking or use of parking places

### 6.2 Abusive and Violent Behaviour

Abusive behaviour, either in person or on the telephone, will not be tolerated. Abusive individuals will be advised that their behaviour is unacceptable and the conversation terminated if the abuse continues. A record will be kept of persistent offenders who are intimidating or abusive to staff.

The enforcement authority will fully support the prosecution of individuals who assault CEOs or other Council employees in the performance of their duties.

CEOs who experience abusive behaviour will make a full record in their pocket book directly quoting what is said. Procedures exist which ensure that suitable lines of communication are available to summon assistance as required in the event of threatening or intimidating behaviour.

If the PCN has been prevented from being served due to a physical or verbal threat or intimidation, then a PCN may be issued and sent to the owner of the vehicle by post. Please refer to the section "Prevention of Service of a PCN" for further information.

### 6.3 Access to Property

Motorists who are unable to gain access to their private or commercial property are not entitled to park in contravention of any parking restriction except when collecting a key to unlock a barrier that prevents access. When a driver has to collect a key to gain access to a property this should take no longer than 5 minutes and will be covered by the CEO's observation time. In such circumstances vehicles should not be left for longer periods in contravention of a parking or loading restriction.

Where access to a property is being blocked and there is a parking restriction or a dropped footway crossing, a PCN may be issued to the obstructing vehicle. **See also “Dropped Footway”**

Cases of obstruction where there is no parking restriction or dropped crossing should be referred to the police as a CEO will not be able to issue a PCN.

#### **6.4 Bank Holidays – Restrictions Applicable**

Waiting and loading restrictions, as indicated by yellow lines / markings on the carriageway and/or kerbs are in force throughout the year unless otherwise indicated by adjacent signs e.g. Monday to Saturday or seasonal waiting restrictions.

In designated parking bays (limited waiting, loading, shared use bays, pay & display etc.), restrictions may be lifted on certain days e.g. Bank Holidays. Reference should be made to the relevant signs and road marking on the road and kerbside. Motorists cannot assume that restrictions do not apply on Bank Holidays unless this is specifically stated on the relevant signs.

#### **6.5 Bank Visits**

Delivery of money to or from a bank will not normally be accepted as a reason to cancel a PCN. If restrictions are in place adjacent to a bank these must be complied with. Motorists are advised to contact the bank about future security arrangements.

Bullion vehicles will be exempt from waiting restrictions whilst loading / unloading large quantities of coin and cash boxes.

#### **6.6 Blocked Exit from a Parking Place**

If the driver of a blocked vehicle has remained with the vehicle and is seen by a CEO, a PCN will not be issued. The CEO will make full notes of the vehicle in their pocket book; may take a photograph of the vehicle's position and will advise any other CEOs in the immediate vicinity of the situation.

If the blocked vehicle is left unattended, the CEO will issue a PCN but will make full notes of the vehicle in their pocket book and take photographs of the vehicle's position.

Where a representation against the issue of a PCN to a blocked vehicle is received claiming that a vehicle could not be moved due to another parked vehicle, then due consideration will be given to its cancellation. When considering this, the representation should be accompanied by any supporting evidence provided by the vehicle owner and due consideration will also be taken of the CEO's pocket book/HHC notes and any photographs.

#### **6.7 Blue Badges – See “Disabled Drivers / Passengers”**

#### **6.8 Breakdown Organisations**

Vehicles being used in conjunction with the repair or recovery of broken down vehicles will be exempt from the regulations as long as they can be seen to be actively involved in such. Breakdown vehicles parked for long periods with no activity observed are subject to the same restrictions as ordinary vehicles.

#### **6.9 Broken Down Vehicles: (Also See “Vandalised Vehicles”)**

Claims of alleged breakdown will normally be accepted if they appear to be unavoidable and, if supporting evidence in the form of one or more of the following is produced:

- A garage receipt, on headed paper, properly completed and indicating repair of the alleged fault within a reasonable time of the contravention.
- A till receipt for purchase of relevant spare parts purchased on or soon after the date of contravention.
- A confirmatory letter from the RAC, AA or other similar motoring organisation.

- Confirmation from the CEO that the vehicle was obviously broken down.

Each case will be considered upon its own merits. A note left in the windscreen, stating that “the vehicle has broken down”, will not be accepted as a reason for not issuing a PCN.

Listed below are some areas of contention relative to the alleged breakdown of vehicles:

1. Flat Battery:

- The receipt for the purchase of a new battery or parts that could cause a flat battery (alternator, solenoid etc.), will be requested. The receipt should not pre-date the date of the contravention or postdate it by an unreasonable length of time.
- In cases where it is alleged that the vehicle was bump/jump started and no other evidence is provided, the PCN will be enforced. (NB. Vehicles with automatic transmission cannot be bump started).

2. Flat Tyre:

- It is reasonable to expect that in the event of a flat tyre the motorist will remain with the vehicle and make efforts to change the vehicle’s wheel. If the vehicle is left unattended a PCN will be issued and will be cancelled only if it subsequently transpires that the motorist had gone to obtain assistance. In such instances evidence from the assisting party will be required.
- If the wheel could not be changed because of a mechanical difficulty, evidence must be produced from the attending breakdown service supporting this.
- Failure to carry a spare wheel is not normally sufficient reason to cancel a PCN.

3. Overheating:

- All cases where it is claimed that a vehicle has overheated due to lack of water will be enforced unless directly attributable to a mechanical fault such as broken fan belt, cracked radiator, burst hose, faulty water pump or thermostat. In such cases evidence of repair should be produced.

4. Running Out of Fuel:

- Unless this is due to a mechanical / electrical fault evidenced by repair, PCNs will normally be enforced.

### 6.10 Builders / Tradesmen (see also 6.31 Dispensations and Waivers)

Waiting restrictions: Parking will normally only be allowed on waiting restrictions whilst loading / unloading of tools or materials is taking place. At all other times the vehicle must be moved to a permitted parking area unless a Dispensation has been obtained.

All trade vehicles parked within a resident parking area must display either a valid Visitor’s Parking Permit (obtainable from the resident) or, if applicable, a Business Parking Permit or a Dispensation (both obtainable from the Council). Parking is permitted within some zones for a limited time without a permit – there is a need to check the signs.

Claims that a vehicle needs to be parked close to the location of an emergency repair will be treated accordingly providing it is confirmed, from the CEO’s notes, that such activity was taking place at the time of the issue of the PCN. PCNs will not be cancelled when issued to vehicles that are not actively involved in emergency work.

### 6.11 Bus Stops

The prevention of obstruction to public transport plays an important part in helping to improve journey reliability. Parking in bus stops can disrupt services and add to traffic congestion and will be enforced accordingly.

Bus stops can either be restricted or unrestricted. Restricted bus stops can either have a 24 hour restriction or have a fixed time period of control. An unrestricted bus stop will not have a sign plate but may include advisory road markings.



Bus stops restricted 24 hours a day will have yellow bus bay road markings incorporating a solid yellow marking along the kerb with a sign plate showing that stopping is not allowed “At Any Time Except Buses”. Bus stops with a fixed period of restriction, for example 7am to 7pm, will also have a yellow bus bay incorporating the solid yellow clearway marking and a time plate showing the hours of operation.

A Traffic Regulation Order is not required for a bus stop or bus stop clearway to be enforceable. However, a bus stop or bus stop clearway must be correctly signed stating that stopping is not permitted.

Where motorists have parked in a bus stop during the control hours they will be asked to move and an instant PCN will be issued if the request is ignored.

If there is no bus stop clearway but there is a yellow line at the bus stop, it may be permissible to load and unload, and a PCN will not be issued providing loading and unloading is actually taking place.

### **6.12 Caravans and Trailers**

Caravans and Trailers not attached to a motor vehicle and parked in contravention of a Traffic Regulation Order will be reported to the police as soon as possible.

### **6.13 Care Organisations**

Numerous care organisations now operate within Norfolk, often displaying badges in their vehicles. These are not recognised as allowing parking in contravention of restrictions.

1. On-street: Carers are not exempt from yellow line restrictions and must not contravene them. No dispensation will be issued to carers to enable them to park on yellow lines except in a medical emergency in which case the PCN may be cancelled after consideration of the evidence.
2. Off-street: It is not felt that there is a need for carers to park within district council off-street car parks free of charge. Consequently permits are not issued for this purpose.

### **6.14 Cars for Sale**

Vehicles parked on the highway for the purpose of being sold will be subject to the same restrictions as any other vehicle. CEOs will deal with vehicles for sale in the same way as any other vehicle parked in contravention of the traffic regulation order (TRO) and will issue a relevant PCN. Any challenge against the issue of a PCN to a vehicle parked in contravention of a TRO for the purpose of sale will normally be rejected.

### **6.15 Challenge against Issue of PCN**

Within 14 days of issue of a PCN, a motorist may make an informal written challenge. This challenge can mention any mitigating circumstances as well as challenging the validity of the PCN.

The enforcing authority will respond, in writing, within 28 days of receipt of the challenge and must either give notification of acceptance of the challenge and cancellation of the PCN or rejection of the challenge.

If a challenge is rejected, the written notification from the enforcing authority will give precise reasons why this decision has been reached. The discounted rate will be restarted and last for 14 days from the date of the challenge rejection letter.

The making of an informal challenge in no way detracts from the ability of the motorist (or registered keeper) to make a subsequent formal representation against the issue of the PCN to the enforcing authority or to the Traffic Penalty Tribunal.

### **6.16 Challenges / Representations Accompanied by Payment**

Where a motorist submits both a payment and a letter challenging the PCN, the enforcing authority will always consider the challenge. If the challenge is successful the enforcing authority will return the payment.

If the challenge is unsuccessful the enforcing authority will return the payment explaining why the challenge is unsuccessful and that the PCN cannot be formally challenged until after the issue of a Notice to Owner. The enforcing authority will offer another 14 days to pay the discounted penalty charge.

### **6.17 CEOs' Pocket Book / Notebook / HHC**

CEOs may maintain a separate pocket book / note book in which they note details of daily occurrences. Where used, these books are kept in addition to any details entered into their handheld computers and they will be made available to the adjudicators in the event of a PCN being challenged through the independent adjudication process to assist the investigation of any challenge or representation received by the enforcing authority.

### **6.18 Car Parks**

There are various regulations relating to car parks and these may vary depending on the car park concerned. For example, PCNs may be issued to vehicles parking outside of the marked areas, failing to display the appropriate pay and display ticket, not displaying a valid season ticket or permit or overstaying the time purchased.

### **6.19 Chimney Sweeps and Window Cleaners**

The enforcing authority recognises that Chimney Sweeps and Window Cleaners provide a service that may require regular access to their vehicles and equipment. Accordingly they will be eligible for a business permit or waiver and may park as necessary to carry out their work at an adjacent property provided that no obstruction is caused.

Vehicles should be properly liveried and/or display an appropriate permit/waiver. In these circumstances a PCN will not be issued if the vehicle is parked;

- In a permit holders bay
- In a shared use, limited waiting or P&D bay
- On SYL or DYL without a loading restriction providing no obstruction is being caused.

The dispensation/waiver scheme does not grant general parking rights and therefore a vehicle displaying a waiver but not actively involved in Chimney Sweep or Window Cleaning activities will be subject to a PCN.

### **6.20 Clamping & Removal**

The enforcing authority has the power to clamp and subsequently remove vehicles parking in contravention of parking restrictions.

Whilst the enforcing authority does not undertake widespread clamping and removal, the enforcing authority will take action against persistent evader vehicles. This is a vehicle with three or more penalty charge notices which have not been paid, represented or appealed against within the statutory time limits and the registered keeper of the vehicle is not identifiable via the DVLA.

### **6.21 Coaches (see also paragraph 6.86 for Public Service Vehicles)**

The enforcing authority recognises that coaches may need to set down a large group of people in a safe manner. CEO's will always attempt to communicate with a coach driver whose vehicle is

stationary. Coaches should not park in loading-restricted areas or where it is dangerous to park. When necessary, CEO's will advise coach drivers on the best locations to stop.

## 6.22 Complaints

Allegations that a CEO has made an error whilst issuing a PCN will be investigated under the enforcing authority's complaints procedures and a formal written notice of acceptance or rejection will be sent to the complainant within the stipulated timescale.

Any allegation of misconduct or rudeness made against a member of the enforcing authority's staff will be investigated and dealt with in accordance with the Enforcing authority's disciplinary procedures. The findings of the investigation will be sent to the complainant, in writing, within the stipulated timescale. Should the findings not be acceptable to the complainant, advice of how to invoke the Enforcing authority's complaints procedure will be given.

## 6.23 Court Attendance

The length or timing of any court hearing or trial cannot be guaranteed and often jury members and/or witnesses find that they are unable to leave court to purchase further pay & display time in a car park. This may lead to overstay and to PCNs being issued. Courts issue clear instructions to all jury members and witnesses advising them as to how and where they should park. Courts will not pay any PCN issued to a witness or jury member whilst carrying out their legal duties even if they are delayed by the court.

**In such circumstances the enforcing authority will enforce PCNs against the owner unless evidence is produced to support the fact that they were delayed to an extent that could not have been reasonably foreseen e.g. moved to a hotel overnight.**

The conditions applying to jury members and witnesses equally apply to defendants. However, there have been instances when a defendant has unexpectedly been given a custodial sentence and, as a direct result, is unable to remove his/her vehicle from a car park.

In such circumstances the enforcing authority expects that the vehicle will be removed, as soon as is reasonably possible, by the defendant's family, friends or legal representatives. Any PCN issued will not be enforced providing supporting evidence is supplied by the defendant's legal representative.

## 6.24 Cycle Lanes and Tracks

Cycle lanes are located within the carriageway and can either be mandatory or advisory. Mandatory cycle lanes are delineated by unbroken white lines or physical separation (i.e. a kerb) and supported by appropriate blue and white signage. The mandatory cycle lane traffic order bans driving, waiting and loading in the cycle lane and therefore, no yellow lines are necessary.

Advisory cycle lanes are marked within the carriageway by broken white lines. Motorists are advised not to drive or park in advisory cycle lanes unless it is unavoidable, but it is not an offence to do so. However, if there are yellow line waiting and loading restrictions present (double or single yellow lines) the cycle lane will be enforced as part of these restrictions.

Cycle tracks are part of the highway which are separated from the main carriageway. The public can use cycle tracks on pedal cycles, (other than pedal cycles which are motor vehicles). There may also be a right of way on foot for pedestrians.

CEO's will issue the appropriate PCN where a motor vehicle is parked wholly or partly within a cycle track.

## 6.25 Dental / Doctors Appointments

If, due to a delay in the appointment time or because treatment took longer than anticipated, a PCN is issued (after the expiry of the mandatory grace period) for overstaying the parking time purchased on

arrival, consideration will be given to the validity of the claim. Such claims should be supported by written confirmation from the dentist or doctor that the delay was caused for reasons outside of the driver's control.

However, the enforcing authority will need to be satisfied that the parking time purchased was reasonably sufficient to allow for normal delays experienced whilst attending such appointments.

### 6.26 Description of Vehicle – On PCN

When issuing a PCN, CEO's will note the make, colour and registration number of the vehicle, which will appear on the PCN. They may also note other details such as positions of tyre valves, and take photographs of the vehicle which will form part of the supporting records.

#### Incorrect colour/make:

CEO's will make every effort to correctly identify the colour/make of vehicle before issuing a PCN. If the colour/make is not clear then the CEO will record any etchings shown on the windows of the vehicle.

- Widely differing Colours/Makes: If the colour/make recorded by the CEO is backed up by photographic evidence taken at the time of the alleged contravention, the enforcement authority will proceed with enforcement, even if DVLA records show a different colour/make for the vehicle.
- Similar Colours: These may be mistaken especially in poor light. Many metallic colours can be seen differently by different people i.e. Silver as Blue. Where there is a close relationship between the colours the enforcement authority will proceed with enforcement.

### 6.27 Diplomatic Vehicles

PCNs issued to 'D' (full diplomatic immunity) and 'X' (limited diplomatic immunity) plate vehicles will automatically be cancelled upon input to the processing system. Should payment subsequently be received, it will be accepted.

### 6.28 Disabled Drivers / Passengers

The blue badge scheme is intended for on-street parking only. It does not apply to off-street car parks although some district councils in Norfolk provide designated disabled person parking places in their car parks and/or parking charge concessions.

Blue badges are issued to a disabled driver or a disabled passenger. They can only be used when the vehicle is being used to transport the disabled person. **It is not permitted to use the badge for any other purpose e.g. shopping for the disabled person when they are not being transported in the vehicle.**

Blue badges must be clearly and properly displayed whilst the vehicle is parked. The blue badge must be on the dashboard or the fascia of the vehicle where it can be seen through the windscreen. The front of the badge must be displayed, with the wheelchair symbol visible. If there is no fascia or dashboard in the vehicle, the badge must be displayed in a prominent position. The blue badge should always be displayed along with the disabled badge time clock.

Failure to display the badge properly may result in a PCN being issued for the contravention of a parking restriction. When considering the matter the enforcement authority will take into account any previous contraventions by the same vehicle and/or badge holder for failure to display a disabled badge.

Providing the blue badge is clearly and properly displayed the badge holder can park on-street in:

- Designated disabled bay, limited parking areas and P&D bays for an unlimited time.
- On single or double yellow lines for a period not exceeding 3 hours where this does not cause obstruction and as so long as no loading restrictions are in force.

Blue badge holders are not allowed to park on-street:

- Where there is a loading restriction.
- In any area specifically reserved for other vehicles or purpose. i.e. residents' parking areas, taxi ranks, bus stops or goods vehicle loading bays etc.
- Where obstruction or danger would be caused to other road users, including pedestrians.
- Where temporary parking restrictions are in force or parking bays have been suspended.

Parking with a blue badge must always be in accordance with the current Blue Badge Scheme Guidance.

Disabled visitors from abroad can enjoy the parking concessions provided in the UK by displaying the badge issued under their own national scheme. Where their national scheme does not include a parking disc (time clock) as required in England and Wales for parking on yellow lines, the Department for Transport (DfT) suggests that, when parking in areas that would normally require a parking disc, the disabled badge holder should simply write the time of arrival on a piece of card and display it prominently on the dashboard or fascia panel of their vehicle.

### **6.28a Misuse of blue badges**

The DfT is keen to ensure that the blue badge scheme provides the intended benefits to badge holders while seeking to prevent improper use. By virtue of Disabled Persons' Parking Badges Act 2013 police officers, traffic wardens, local authority parking attendants and civil enforcement officers (as defined in Section 76 of the Traffic Management Act 2004) and other authorised persons (as defined in the Disabled Persons' Parking Badges Act 2013) have the power to inspect badges. They also have the power to retain the badge if they have reasonable grounds for believing that the badge is being misused/ is expired/ has been cancelled/ is a fake/ or should have been returned.

It is an offence to fail to produce a badge when requested to do so by any of these authorised persons. CEO's and other authorised persons employed by the enforcement authority will receive specific training on how the inspection and retention of blue badges should take place. If a badge is retained we may provide a receipt either in person at the time of seizure or by post after the event. If the badge is still valid it may be returned either to the entitled person named on the badge, or to the relevant issuing authority if outside of Norfolk, with a letter offering advice and providing a reminder of the correct use of the badge.

Norfolk County Council (in conjunction with any other issuing authority) will then undertake further investigatory work, which may include contacting the person(s) using the badge and the badge holder to take statements, or be interviewed, and will decide if any enforcement action is appropriate. Any enforcement action (by Norfolk County Council) will be considered in accordance with the Norfolk County Council Enforcement Policy.

Mis-use of a blue badge is an offence which can be prosecuted in the Magistrates Court. In addition, should an entitled person repeatedly allow their badge to be mis-used this can result in the blue badge not being renewed.

### **6.29 Discretion**

The exercise of discretion rests with back office staff as part of considering challenges against PCN's and representations against an NTO. This provides better consistency in the enforcement of traffic regulations and protects CEOs from allegations of favouritism or irregularity.

### 6.30 Dispensations and Suspensions (Waivers)

A dispensation is where a specified vehicle is given permission to park in a bay or on yellow lines during restricted hours without the need for the enforcement authority to put up notices or suspend bays. Issuing a dispensation allows the enforcing authority to efficiently administer this power and prevents issuance of PCNs that would ultimately be cancelled.

Only vehicles that meet specified criteria will be eligible for a dispensation.

A suspension is where specific parking bays are suspended from normal use and signed accordingly.

Anybody can apply for a suspension although there may be a charge, and the enforcement authority will only allow if it does not impact on the safety of other road users or traffic flow.

#### Dispensations

Dispensations can be arranged for up to 14 days (including weekends) in the following:

- Marked bays.
- Yellow lines.

A dispensation does not permit general 'parking'. It is only valid for a specific vehicle to assist in fulfilling a specific task. Once the task is completed the vehicle should be parked elsewhere. A dispensation is non-transferable.

A dispensation allows a vehicle or vehicles to park in what otherwise would be a contravention of a Traffic Regulation Order, for the following principal reasons:

- Furniture removals.
- Building maintenance, repair and demolition works where close proximity to the vehicle is essential for access to specialist tools/equipment. This does not include the transport of personnel to site. If a vehicle can be used conveniently in nearby unrestricted parking then this should be the default.
- Goods deliveries in respect of which it is reasonable to allow longer than that normally permitted by the regulations.
- Funerals - the hearse and cortege vehicles only (unfortunately we are unable to extend this to general mourners' vehicles).
- Weddings - the bridal vehicles.
- Other circumstances in which the enforcement authority may reasonably regard the requirement to be essential and where alternative arrangements would be unsatisfactory.

Dispensations will not be issued for:

- Applications where parking may adversely affect disabled/doctors/business bays, taxi bays or bus stops.
- Applications where loading restrictions are in place if the dispensation is requested during the restricted period(s).
- Locations within 50 metres of a signal controlled junction, the entry/ exit pedestrian crossing marking, on a footway or verge (unless parking is allowed by signs and markings) and/or other locations where parking may cause danger, serious obstruction or impediment to pedestrians or other road users.
- Requests where there are doubts concerning the validity of the application.
- Applications in respect of vehicles where dispensations have been issued more than twice within the four weeks before the date of the application. Officers have discretion to vary this ban if it is considered it is otherwise reasonable to approve the application.

Applications for dispensations must be received by the enforcement authority's Parking Manager at least 5 working days prior to the required date. If granted, dispensations will be issued to the applicant by way of a printed permit, which must be clearly displayed on the vehicle whilst parked.

Applications may be made in person, by post or where available an e-form. An administration charge, per dispensation, per day issued, may be made. A full list of administration charges will be available on application from the Parking Manager.

### Suspensions

Designated on and off-street parking bays may be suspended for the following reasons:

- To allow maintenance of adjacent property where highway access is required for deliveries, essential vehicles, skips etc. (Cars will not be considered as "essential vehicles" and will be expected to park in accordance with parking restrictions).
- Maintenance of the highway.
- At the request of the Police.
- For security reasons.
- Filming and other special events.
- Any other reason accepted by the enforcement authority.

Suspension of parking bays requires a Temporary Traffic Regulation Order (TTRO) to be in place to enable enforcement. TTROs are administered by Norfolk County Council as part of the Streetworks function and applications made through them. Further information can be found at:

<https://www.norfolk.gov.uk/business/licences-and-permits/highways-licences-and-permits>

A fee is payable for this service and a minimum notice period of 6 weeks is required to process a TTRO. However, it is accepted that there may be times when a suspension is arranged at short notice, for example in the case of emergency work.

If granted, suspensions of parking bays will be clearly signposted by means of temporary signs which will indicate the exact location(s) and the extent of the suspension with the start and finish dates and times. These signs will normally be displayed at least 5 days before the suspension comes into operation. All adjacent properties will receive advanced notice of the suspension. Vehicles parked in contravention of a suspension will receive PCNs.

Once a suspension has been authorised, warning notices and signs will be put into place. The sign will state the following:

- Dates between which the suspension will be in force.
- Exact location of the suspension.
- Purpose of the suspension.

If this information is missing, or a sign is not in place, a PCN will not be issued.

An unauthorised vehicle parked on a notified suspension will be issued with a PCN. This provision also applies to householders who have arranged a suspension for removals or work on the property, as the suspension does not permit the householder to park his vehicle there. The CEO will make notes or take photographs which show the position of the suspension sign in relation to the vehicle in order to confirm that the suspension was in force at the time.

Where a representation is received claiming that a vehicle was parked in the suspended bay without having received notice of the suspension and, upon investigation, the claim is found to be valid the PCN will be cancelled, providing that a valid permit was displayed if required to park in that bay.

### **6.31 Double Parking**

Motorists are not permitted to park more than 50 centimetres away from a kerb when the vehicle is not within the markings of a designated parking space. This contravention is more commonly known as double parking. Vehicles parked in this manner cause inconvenience and unnecessary danger to other road users by obstructing the carriageway. Vehicles parked in such a manner will be issued a PCN.

### **6.32 Drink Driving or Other Arrest**

If a motorist has been arrested and, as a direct result, has been forced to leave the vehicle in contravention of an on-street parking restriction, any resultant PCN will not be enforced unless the driver has had ample time to safely remove the vehicle after his/her release from custody. (In the case of drink driving a period of at least 12 hours should be allowed for safe removal of the vehicle).

In all cases of arrest claims the motorist will be asked to provide date, time and evidence of arrest including custody number, officer and police station involved.

### **6.33 Drive-aways**

A PCN is normally only valid if it has been placed on the vehicle or handed to the person in charge of the vehicle except in certain specific circumstances (see information below and section on 'Prevention of Service').

If a motorist returns to the vehicle before the PCN has been served, the CEO will point out that a PCN is being issued. The motorist has no legal obligation to wait for the PCN. If the vehicle is driven away, the CEO will record this in his pocket book, together with a note of any conversation which took place.

The Traffic Management Act allows a PCN to be sent by post to the registered keeper of the vehicle in cases where the vehicle has been driven away before the PCN has been properly served (by being placed on the vehicle or handed to the driver).

### **6.34 Drivers in Vehicles**

Where a vehicle is parked in contravention of the restrictions and the driver is present, the CEO will ask the driver to move the vehicle and park legally; issuing a PCN only if this request is not met. Where a passenger alone is present there is no requirement to ask them to move the vehicle and normal enforcement should continue.

### **6.35 Driveways (also known as vehicle Crossovers)**

A crossover is defined as a part of a footway that has been lowered to give access to a driveway or similar beyond the footway or verge. Some, but not all crossovers will be marked with yellow or white lines.

When a vehicle is parked on a crossover covered by a yellow line during its time of operation, CEO's will issue the appropriate PCN.

A PCN may also be issued where a vehicle is parked across a formal crossover covered by a white line or with no line, provided that the owner of the property has requested that enforcement action be undertaken.

A vehicle will be deemed to be parked across a formal crossover where one of its wheels is positioned beyond where the kerb transitions from full height to lowered.

### **6.36 Dropping Off / Picking Up Passengers**

Except on designated clearways and zigzag (schools and pedestrian crossing) restrictions, any vehicle will be allowed a reasonable amount of time to drop-off or pick up passengers irrespective of any on-

street waiting or loading restriction in force. As long as the CEO witnesses dropping off or picking up activities a PCN will not be issued. **After 5 minutes of inactivity a PCN will be issued.**

When considering the cancellation of PCNs, special consideration will be given to drivers of Hackney Carriages or Private Hire Vehicles who need additional time to announce their arrival and accept payment.

### 6.37 Dropped Footway (see also Driveways)

CEOs will issue a PCN to vehicles that are obstructing dropped footways which have been provided to enable the carriageway to be crossed more easily, including where the carriageway level has been raised to footway level for the same purpose, or which allow access to more than one set of premises. Dropped footways which allow access to single premises will only be enforced if the premises owner so requests.

### 6.38 Emergency Duties

1. **Local Authority Liveried Vehicles** will be exempt from parking restrictions when actively dealing with an emergency on the highway. However, wherever possible, these vehicles should not be parked in a way that will cause obstruction to other road users, including pedestrians.
2. **Medical Emergency:** Doctors, nurses, midwives etc engaged on emergency duties are expected to park legally in accordance with local restrictions wherever possible. Should a PCN be issued it will be cancelled only upon provision of evidence of the emergency. Regular or programmed visits will not be considered an emergency.
3. **Non-Liveried Vehicles** such as private vehicles being used by the County Council Highways Department, RNLI, Coastguard etc are expected to be parked legally in accordance with local restrictions wherever possible. Should a PCN be issued it will be cancelled only upon provision of evidence of the emergency. Regular or programmed visits will not be considered an emergency.

### 6.39 Enforcing Authority Officers and Members on Duty

All enforcing authority staff and Members (County and District Council) on duty are expected to comply fully with on-street parking regulations as follows:

- Staff or Members carrying out their official council duties will be expected to comply with any relevant parking regulations. Failure to comply will result in a PCN being issued.
- Parking on yellow lines - no special dispensation will be given to allow staff or Members to park on yellow lines. In such cases PCNs will be issued.
- Request for cancellation of PCN - this will only be considered in case of emergency and must be supported by written confirmation from the relative Corporate Director.

### 6.40 Estate Agents

Estate agents are not exempt from parking restrictions.

### 6.41 Exempt Vehicles

The following vehicles are considered to be exempt from parking restrictions in the circumstances described:

- Police, Fire and Rescue Services Vehicles (including RNLI and Coastguard with official livery) and Ambulances whilst attending emergencies.
- Vehicles that at the relevant time are being used or appropriated for use by HM forces.
- Vehicles that belong to, or at the relevant time are being used or appropriated for use by visiting forces (such as the United States Visiting Forces).

- Local Authority Vehicles (or those of their contractual agents), whilst being used to carry out statutory and common law duties and powers (i.e. Refuse Collection, Street Cleansing, Highway Maintenance), or whilst carrying out duties that require the vehicle to be in close proximity (i.e. Verge Grass Cutting), including CEO Vehicles.
- Post Office and other vehicles engaged in the delivery of postal packets (i.e. Courier companies such as UPS). – This does not include private vehicles used by postmen/women whilst carrying out letter deliveries. The enforcement authority will expect such vehicles to be parked in compliance with any parking restriction.
- Electricity Board, Gas Board, Water Authority, British Telecom or other telecommunications (and/or their appointed contractors), whilst actively laying or undertaking repairs to pipes, cables or other apparatus in the highway.
- Vehicles involved in building, excavating and demolition work **whilst lawfully and actively engaged on those duties in the highway**. General parking is not acceptable.
- Vehicles displaying valid disabled permits (see section on Disabled Drivers/Passengers).

#### 6.42 Fire-fighters and RNLI Crew on Call

'Fire-fighter and Lifeboat Crew on Call' placards are issued to fire-fighters and RNLI crew to display in their own private vehicles. The placard is meant to be a way of informing members of the public that the vehicle belongs to a fire-fighter or crew member and that the vehicle should not be obstructed in case the driver needs to report on duty at a nearby station. However, this does not allow the vehicle to park in contravention of any parking regulations, and any PCNs issued to vehicles displaying these placards will be enforced, unless the vehicle was being used in connection with an emergency (see section on Emergency Duties)

#### 6.43 Footway Parking

Parking partially or wholly on a footway should not take place unless signs permit it. Driving on the footway and obstruction of the footway are endorsable offences and may be enforced by the Police.

**It should be noted that most waiting and loading restrictions cover the relevant half of the highway – centre line to boundary and this includes all footways and verges.**

PCNs will be issued for contravention of restrictions even if the vehicle is parked wholly behind the yellow line(s).

PCNs may also be issued by CEO's as follows:

- Where there is a TRO specifically restricting parking on the footway.
- To LGVs parked on the footway irrespective of whether there are any waiting or loading restrictions at that location.

#### 6.44 Foreign Registered Vehicles

PCNs will be issued to Foreign Registered Vehicles if they are parked in contravention of parking restrictions.

Any Foreign Registered Vehicle that is believed to have been in the UK for more than 6 months will be reported to the Driver and Vehicle Licensing Agency (DVLA) and may be removed as an unlicensed vehicle.

#### 6.45 Formal Representation against Issue of PCN

The registered keeper of a vehicle is given the opportunity to make a Formal Representation against a PCN once the Notice to Owner (NtO) is sent to him/her by the enforcement authority. This

representation must be made within 28 days of receipt of the NtO. Formal Representation can only be made on the following grounds:

- The Contravention did not occur.
- The Penalty exceeded the relevant amount (currently £50/£70 depending on the level of contravention).
- The Traffic Order was invalid
- The person receiving the NtO was not the owner/keeper of the vehicle at the time that the contravention occurred.
- The vehicle had been taken without consent.
- The NtO was received by a hire firm which can supply the name of the person hiring the vehicle at the time that the contravention occurred.

#### **6.46 Funerals & Weddings**

Vehicles belonging to mourners or wedding guests will not be able to park in contravention of any parking restriction unless prior dispensation has been obtained (See 'Dispensations and Suspensions'). Any PCN issued to vehicles associated with a funeral or wedding, however, will be considered with due respect.

#### **6.47 Garages – Vehicles Left Unattended**

When a garage employee parks a vehicle in contravention of a parking restriction, whilst maintenance of the vehicle is being carried out (i.e. to facilitate vehicle movement within the workshop) any PCN issued will be the responsibility of the vehicle owner. Garages have no right to utilise the highway in such a manner and PCNs will always be enforced in such cases.

#### **6.48 Government Department Vehicles**

Unless there were exceptional reasons for parking in a restricted area, PCNs issued to vehicles owned or operated by Government Departments will be enforced. They are not exempt purely because they are operated by a Government Department. If the vehicles are involved in activities such as surveillance by Customs & Excise or the Benefits Agency, evidence to support this in the form of a written statement from a senior manager on headed notepaper should be supplied. Wherever possible Government Agencies involved in such activities are encouraged to give the enforcement authority advance notice and details of the vehicle(s) involved.

#### **6.49 Grace Periods (non-mandatory)**

Non mandatory grace periods relate to pay and display bays on-street and to car parks, i.e. where a motorist has to obtain and display a ticket to enable the vehicle to be parked.

The grace period allows a few minutes to locate a machine and to obtain a pay and display ticket or to return to the vehicle and can avoid allegations of unfairness and claims that PCNs are issued as soon as a vehicle has parked or a pay and display ticket has expired.

The grace period also allows for any slight discrepancy in the time shown on the CEO's hand-held computer and the time shown on the pay and display machine.

#### **6.49a Grace Periods (mandatory)**

A mandatory grace period has been stipulated by changes in government legislation and applies to pay and display and time limited parking bays, both on street and in local authority managed car parks. The grace period of 10minutes will be applied after the expiry of paid for time or the end of permitted waiting in a free bay before a PCN is issued.

## **6.50 Hackney Carriages / Private Hire Vehicles (PHV)**

Hackney Carriages and PHV operating within Norfolk are licensed by the relevant District Council and carry a numbered license plate that must be displayed on the rear of the vehicle. Unlike Hackney Carriages, PHV are not allowed to ply for hire on the street or display a “TAXI” sign.

Hackney Carriages licensed by local authorities are not allowed to ply for hire within another local authority area. Hackney Carriages and PHV, like all vehicles, may stop to allow passengers to board or alight for as long as is reasonably necessary for the purpose. It is not an exempted activity to assist passengers into premises and to leave the vehicle unattended.

If a licensed Hackney Carriage or PHV is left unattended for more than 10 minutes it is liable to receive a PCN. When considering representations it will be borne in mind that when a Hackney Carriage or PHV is called to an address to pick up passengers, the driver should be allowed time to announce their arrival.

(See also **Dropping Off/Picking up Passengers and Taxi Ranks**)

## **6.51 Hazardous Chemicals / Substances**

The delivery or collection of toxic or dangerous substances will be given careful consideration. If a PCN is issued for a parking contravention it can be established from the CEO’s notes whether loading was taking place. If loading activity was not taking place the PCN will be enforced. There is no reason, in this case, to differentiate between toxic and non-toxic deliveries as it is the driver’s responsibility to ensure that the vehicle is moved immediately after the loading / unloading activity is complete. (See definition of Loading / Unloading). Ideally if there are serious Health and Safety concerns the enforcement authority should be notified prior to the delivery.

If a PCN is issued for contravention of a loading restriction, the CEO’s notes will help determine whether loading was taking place. If so, consideration will be given to the cancellation of the PCN in view of the Health & Safety of the public. Any such representation to the enforcement authority should be accompanied by documentary evidence showing the nature of the goods being delivered.

**Heavy Equipment: see Loading / Unloading.**

## **6.52 Hired Vehicles**

Responsibility for a PCN issued to a hired vehicle should fall on the hirer of the vehicle at the time. Consequently, the responsibility will not rest with the hire company, providing they make satisfactory representations to the enforcement authority once the Notice to Owner is received.

This representation must be accompanied by a copy of the relevant hire agreement. In all cases this agreement must clearly state the name and address of the hirer, the start and finish dates for the hire period and include the hirer’s signature. It must also include a statement regarding the hirer’s liability for any PCNs incurred during the hire period.

Should any of the foregoing be unclear, missing or not cover the date / time of issue of the PCN, the representation will be rejected and the PCN will be enforced against the hire company.

## **6.53 Holidays**

Vehicles are often left parked in one place whilst the owner is away on holiday. In such cases a PCN could be issued for being parked in a suspended on-street parking place or for failing to display a valid visitor’s permit in an on-street residential parking zone:

Suspended bay (see also Dispensations and Suspensions (Waivers):

- The County Council has the power to suspend parking within a designated parking bay. In such cases advance notices are placed alongside the bay and are distributed to nearby properties giving the date, times and length of the suspension.
- If these notices have been posted and distributed after the owner departed on holiday then any PCNs issued will normally be cancelled. Evidence must be provided showing departure date and time (i.e. flight tickets etc.). This should be compared with records relative to the display and distribution of the notices. In essence the suspension cannot operate retrospectively.

Residential zone parking using a visitor's permit (see also **Residents' Parking (On-Street)**):

- It is sometimes the case that friends, holidaying together, will use one vehicle and the second vehicle is parked for the duration of the holiday. This can result in a vehicle belonging to a non-resident being left in a residential parking zone displaying a visitor's permit.
- Visitor's permits are designed for visitors to a resident's property and are valid for one day only. Display of permits completed in advance is considered to be invalid and PCNs will be issued for this reason.
- The County Council considers these vehicles belong to people who are not visiting the residential property and, therefore, the PCNs will be enforced.

#### **6.54 Intervention in Challenge and Representation Processes by Members and other Enforcement Authority Officers**

The process of dealing with challenges and representations against the issue of PCNs is well documented and the enforcement authority will carry out these duties in a fair and unbiased manner. These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator (Traffic Penalty Tribunal).

#### **6.55 Legislation**

The statutory acts governing parking enforcement are: The Traffic Management Act (2004), The Road Traffic Regulation Act (1984), The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015 and The Civil Enforcement of Parking Contraventions (England) General (Amendment No. 2) Regulations 2015. Any queries about the legislation will be answered in simple terms, without specific references unless especially requested.

When such a request is made, the enforcement authority will refer to specific, relevant paragraphs and will quote them verbatim within any correspondence. The enforcement authority will not supply full copies of the relevant acts, which can be obtained from the HMSO or accessed via the internet.

If a motorist queries the authority behind a specific restriction, reference will be made to the relevant Traffic Regulation Order held by the County Council. Prior to any correspondence this Order will be checked to ensure the validity of the PCN. If any doubt exists, the PCN will be cancelled and the motorist advised accordingly.

#### **6.56 Loading / Unloading**

Vehicles will be permitted to park in contravention of waiting restrictions, including Resident Parking Zones, whilst loading or unloading, provided that:

Loading / Unloading involving the vehicle, is observed by the CEO whilst the vehicle is parked. The observation period shall be for at least five minutes for a private vehicle and 10 minutes for a commercial vehicle, and a PCN shall only be issued if no activity is seen during this period.

- The goods being delivered or collected comply with the definition of goods (please see 'Definitions' below).
- 10 minutes will be allowed for the driver of a goods vehicle to complete delivery paperwork.

- Where a PCN is issued, a representation will be considered if supported by evidence confirming that the driver was delayed or was involved in moving heavy goods.

See also **Section 7.8 (Goods Definition of When Related to Loading / Unloading)**

### **6.57 Location – Incorrect**

When a PCN is issued the location of the vehicle is stated on the PCN. If this is recorded incorrectly then this is deemed to be a material error and the PCN will be cancelled.

### **6.58 Lost Keys**

Where car keys have been lost, stolen or locked in a car thus preventing removal of the car from a parking area which in turn resulted in the issue of a PCN, then due consideration will be given to its cancellation. The representation should be accompanied by any supporting evidence from the police, motoring organisations or relatives. The following issues will also be considered by the enforcement authority:

- If the vehicle was parked in a pay & display car park, did the loss of the keys prevent purchase of additional parking time?
- If the vehicle was parked on a yellow line, should it have been parked there in the first place?

### **6.59 Medical Considerations**

If a motorist provides proof of a medical condition, temporary or permanent, that is consistent with the situation described or, if the CEO has made notes to support the motorist's representation, the enforcement authority may accept the representation and cancel the PCN. If a motorist cannot provide proof of a medical condition or other evidence contradicts the motorist's claim, the enforcement authority may reject the representation. Each case will be treated on its individual merits and the enforcement authority will take into account any previous PCNs issued to the same motorist.

### **6.60 Misspelling of Owner's Name**

The misspelling of the registered keeper's name and/or address on the Notice to Owner does not invalidate it or discharge the liability of the person receiving it. The onus is still on the registered keeper to deal with the matter. Such names and addresses are, in most cases, obtained from the DVLA and are supplied by the registered keepers who are responsible for ensuring that they are correct. If any misspelling is discovered then alterations must be made immediately to ensure that future notices are sent out correctly. When the misspelling is severe and is radically different from the correct spelling, consideration will be given to the cancellation of the PCN.

### **6.61 Mitigating Circumstances**

Each case will be treated on its individual merits and particular circumstances are referred to elsewhere within this document. However, the following guidelines apply:

- Delays: Delays due to queues at shops, banks etc., meetings taking longer than expected, caught up in crowds etc., are not considered as valid reasons to cancel a PCN. Motorists should allow for such delays when purchasing parking time as they are a regular occurrence and part of normal life. (See emergencies below). A mandatory grace period will be observed at the expiry of paid for time or the end of the permitted waiting period in a free parking space before a PCN is issued. See 6.49a.
- Children / elderly people: Delays caused by accompanying young children or elderly people, will not be considered as a reason to cancel a PCN because allowance should be made for this when purchasing parking time. (See emergencies below). PCNs issued whilst children are being dropped-off or collected from schools etc. will not be cancelled unless a reasonable amount of time was not allowed by the CEO. The normal five minute observation period will normally be enough time in such circumstances.

- Emergencies: An emergency is an unforeseen situation that prevented the motorist from moving the vehicle. They are usually of a medical nature and leniency will be exercised where it can be seen that the driver could not have foreseen the situation. Wherever possible such claims should be supported by independent evidence.

### **6.62 Mobile Phones**

Motorists parked in contravention of any parking regulation whilst using a mobile telephone will only be allowed the relevant observation period in order to complete the call prior to the issue of a PCN. The relevant observation period is dependent on the parking contravention being committed and the type of vehicle - whether it is a private or commercial vehicle.

### **6.63 Motorist Not the Owner/Keeper, or Had Sold the Vehicle at the Time of the Contravention**

The enforcement authority may accept representations made against the issue of a PCN if:

- The current registered keeper provides proof that the vehicle was disposed of before the contravention, i.e. a bill of sale, registration documents, insurance documents or a letter from the DVLA; and/or
- If the current registered keeper provides the full name and address of the person to whom they disposed of the vehicle along with the date of disposal.
- If the current registered keeper provides proof that the vehicle was purchased after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or
- If the current registered keeper provides the full name and address of the person from whom they obtained the vehicle along with the date of acquisition.

### **6.64 Notice of Rejection or Acceptance of Formal Representation**

Within 10 working days of receipt of a formal representation from the registered keeper of the vehicle the enforcement authority will endeavour to send out a written Notice of Acceptance or Rejection:

- Notice of Acceptance: This will confirm that the representation has been accepted and that the person's liability for the PCN has been cancelled.
- Notice of Rejection: This will formally reject the representation and will give detailed reasons why the enforcement authority has come to this conclusion. The rejection will be accompanied with the necessary forms and instruction on how a further representation can be made to the independent Traffic Penalty Tribunal. – This representation must be made within 28 days of receipt of the notice of rejection.

### **6.65 Observation Period - Prior To Issue Of PCN**

Prior to the issue of a PCN, CEOs will, for most contraventions, allow a period of at least 5 minutes for a private vehicle, 10 minutes for a commercial vehicle, to elapse between first observing the vehicle illegally parked and the issue of the PCN. The details of the vehicle will be entered into the CEO's Hand Held Computer (HHC) when first seen and the computer will prevent issue of the PCN within 5 minutes of that time.

The CEOs will be able to continue with their patrols, as long as the contravening vehicle is kept in view, and then return to the contravening vehicle. The observation time and the PCN issue time will appear on the face of the PCN itself and will be recorded by the enforcement software system.

In circumstances where there is a mandatory grace period (6.49a) this will be used instead of the observation period.

## 6.66 Parking Outside Bay Markings

- On-street - A PCN will only be issued to a vehicle if two or more wheels are outside the bay markings or if one wheel is substantially outside the markings and the vehicle is causing a possible obstruction.
- Off-street - Vehicles parked with one or more wheels outside the marked bay in a car park will normally be issued with a PCN.

In all cases, the issue of the PCN will be supported by a sketch in the CEO's pocket book showing the bay and/or the appropriate photograph(s).

## 6.67 Pay & Display Tickets

Many council operated off-street car parks are Pay & Display which requires the purchase of a ticket at the time of parking for the amount of time required. All tickets display the expiry date and time along with the fee paid and car park. The car park fee tariff is clearly displayed adjacent to each machine.

Pay & Display Tickets must be:

- Clearly displayed whilst the vehicle is parked.
- For the date shown.
- Un-expired.
- For the car park indicated.
- For the vehicle indicated – where applicable.

Pay and Display tickets should be displayed on the vehicle in a conspicuous position on the dashboard, windscreen or the front side windows of the vehicle, so that the all the details printed on the ticket can be easily read by the CEO.

Full instructions for use will be found on the ticket itself or on the pay and display machine. However, if the CEO can read the pay and display ticket, and it is valid, even if it is not displayed exactly in accordance with these provisions, a PCN will not be issued.

PCNs will be issued for:

- Failing to display a valid ticket.
- Displaying a ticket that has expired.
- Purchasing additional Pay & Display tickets in order to extend the stay beyond that initially purchased (only applicable in some car parks where the contravention is clearly signed).

More than one pay and display ticket should not be displayed at any one time. If more than one ticket is displayed, the CEO may issue a PCN.

Representations made because the motorist failed to correctly display a valid ticket even though one was held will normally be rejected as it is incumbent upon the driver to ensure that the ticket is clearly displayed throughout the time that the vehicle is parked. Representations made because the motorist did not have change will normally be rejected.

## 6.68 Pay & Display Ticket Machines – Did Not Realise There Was One There

Motorists' claims that they did not see or realise that they had to use a meter or pay & display machine will be dismissed provided that the machines are clearly sign posted.

## 6.69 Pay & Display Ticket Machines – Not Working

Motorists' claims that a machine is not working will be cross-referenced to the maintenance records, the CEO's notes and the machine test records. If it is confirmed that the machine was not working at the time then consideration will be given to cancelling the PCN. If there was an alternative machine in working order, and in close proximity, then the enforcement authority expects the motorist to use that machine.

## **6.70 Pedestrian Crossings**

If a vehicle is parked on a pedestrian crossing or crossing area marked by zigzags, CEO's will normally issue a PCN. However, if the CEO notes that a Fixed Penalty Notice (FPN) has already been issued by the Police the CEO will not issue a PCN.

## **6.71 Penalty Charge Notice – Discount Period**

If a PCN is paid within 14 days of issue a discounted payment of 50% of the original PCN value will be accepted in full settlement.

Following the rejection of an initial representation made within 14 days of issue of the PCN, a further 14 days for the payment of the PCN at the discounted rate will be allowed. This information will be included within the Notice of Rejection.

If the representation is received more than 14 days from issue of the PCN the discount period will not apply and full payment will be required in the event of the representation being rejected.

If a Notice to Owner (NtO) is sent to a registered keeper who subsequently claims that they have not received a Penalty Charge Notice they may make a written statement to that effect. If accepted, the discounted sum can be paid within 14 days.

## **6.72 Penalty Charge Notice - Early Issue Of**

The issue of PCNs is controlled by handheld computers carried by each CEO. These computers have in built clocks. Where appropriate the CEO will either allow a five-minute observation period for private vehicles, and a ten-minute observation period for commercial vehicles, or will observe the mandatory grace period prior to issuing a PCN. These times will appear on the PCN.

## **6.73 Penalty Charge Notice – Incorrect Vehicle Location**

Claims that a vehicle was not parked in the location at the time and on the date alleged on the PCN will receive careful consideration.

Following consideration of all available evidence the enforcement authority may accept representation against the issue of a PCN if:

- The motorist provides clear verifiable evidence that the vehicle could not have been parked in that location at that time.
- If it is proven that the vehicle was elsewhere at the time of the contravention and no error made in its issue then the number plate should be reported to the police as cloned for further investigation.

The representation will normally be rejected if:

- The photographic evidence obtained by the CEO at the time of the contravention proves that the vehicle was parked in the location specified on the PCN.
- There is no evidence presented or the evidence presented does not support the claim or is inconclusive.
- There have been previous unsubstantiated claims made by the same motorist.

## **6.74 Penalty Charge Notice – Removed from Vehicle / Not Received**

Liability remains with the registered keeper of the vehicle even if the PCN is subsequently removed by, for example, by the weather, or by an unauthorised person. It is an offence under the Traffic Management Act 2004 for any unauthorised removal or interference with a Penalty Charge Notice once it has been affixed to a vehicle.

If a Notice to Owner (NtO) is sent to a registered keeper who subsequently claims that the PCN was not received, the notice processing system will be interrogated to determine whether:

- The photographic and other information recorded by the CEO confirms that the PCN was attached to the vehicle.
- There is any corroboration that the PCN may have been removed by third parties or otherwise.
- Previous such claims have been made by the same person.

If the claim is accepted, the discounted sum (see **Penalty Charge Notice – Discount Period**) can be paid within 14 days.

### **6.75 Penalty Charge Notice – Time to Pay / Instalment Payments**

As a general rule the enforcement authority will neither offer an extended time in which to pay a PCN nor will it enter into instalment payment arrangements. Exceptions to this are only made in cases of demonstrated, genuine financial hardship. The enforcement authority will not consider such arrangements if an Enforcement Agent warrant has been issued for recovery of the amount due although the Enforcement Agent may enter into such an arrangement.

- Application for extended time to pay or an instalment arrangement must be in writing and will be responded to within 8 working days.
- The application must contain a payment proposal and be accompanied by any evidence supporting the claim of financial hardship.
- The enforcement authority will accept or reject the proposal.
- A rejection will be accompanied by the enforcement authority's counter proposal which will be the final offer based on:
  - Where the debt involves multiple PCNs the enforcement authority will expect the settlement of at least one per month.
  - Payments will be applied to the oldest PCN first thereby preventing the payment of discounted PCNs first.
  - The enforcement authority will maintain a separate active file for each arrangement reached, which will be reviewed each month.

### **6.76 Penalty Charge Notice – Vehicle Driven Away Prior to PCN Being Served**

If the CEO's pocket notebook and computer notes confirm that the vehicle was driven away after the issue of the PCN had begun, i.e. whilst being printed or written, but before the PCN could be served, i.e. handed to the driver or affixed to vehicle, the PCN will be served on the registered keeper of the vehicle by post after obtaining details from the DVLA.

### **6.77 Persistent Evaders**

A persistent evader is defined by the Department for Transport as 'a vehicle owner who has three or more recorded contraventions for the vehicle and those PCNs have not been paid, represented or appealed against within the statutory time limits, or their representations or appeals have been rejected but they have still not been paid'.

### **6.78 Picking Up / Dropping Off Passengers**

Motorists may stop to pick up or drop off passengers on yellow lines, or in a parking bay. It is generally accepted that the maximum time allowed for this activity is about two minutes in the case of able-bodied passengers but there may be exceptions if the motorist must accompany a child (for example at a school gate) or elderly/disabled person away from the vehicle, or if there is luggage to be set down. A PCN will not be issued where it is obvious that this activity is taking place.

### **6.79 Plumbers, Electricians, Gas Fitters**

Plumbers, Electricians and Gas Fitters will be exempt from parking restrictions when on emergency call out duties, as long as they are not causing an obstruction or parking unsafely. An emergency is considered to last as long as it takes to make premises safe. Any vehicle should then be moved to a permitted parking place before any subsequent repairs are undertaken.

### **6.80 Police Officers on Duty**

PCNs will not be issued to marked police vehicles when on official duty. Requests for cancellation of any PCN issued to an unmarked police vehicle must be made by the officer's area Inspector or equivalent. They should contain confirmation that the officer was on official business and that it was inappropriate for the vehicle to be parked elsewhere.

PCNs issued to unmarked police vehicles regularly parked outside a police station will not automatically be cancelled as this can be deemed to be parking at a place of work and therefore, not exempt.

### **6.81 Police Officer Gave Permission to Park**

Police Officers and CEOs should not give drivers permission to park in contravention of parking restrictions, for longer than the signed time in a limited bay or beyond the duration of a valid ticket in a Pay and Display bay.

Police Officers and CEOs can give permission to stop on restrictions in exceptional circumstances (e.g. where the road ahead is blocked and continuing would be impossible or dangerous). In such circumstances, and where a PCN is issued, the details of the officer involved should be provided as mitigating information and confirmation sought prior to cancellation of any PCN.

### **6.82 Pregnancy – Parents with Young Children**

Delays caused by pregnancy or young children should not normally lead to the cancellation of a PCN as mandatory grace periods or observation periods will be applied prior to a PCN being issued.. However, this is a sensitive area and each request for cancellation will be treated on its merits e.g. if the delay was short (up to 10 minutes) or was caused by a minor medical emergency, child being sick or pregnant women feeling unwell. If the delay was caused by the motorist not allowing additional time enough to deal with young children or their own condition, the PCN will normally be enforced.

### **6.83 Prevention of Service of a PCN**

A CEO who has been physically or verbally threatened and prevented from issuing a PCN, will complete a witness statement, detailing the incident. Any details of police assistance will also be included.

The PCN details will be added to the system and a postal PCN sent to the owner of the vehicle. Additionally, criminal proceedings may be instigated by the enforcement authority

### **6.84 Previous Records of Parking Contraventions (Persistent Evaders)**

All parking contravention records are stored within a notice processing system. All records of previous parking contraventions will be consulted before making any decision on representations received.

### **6.85 Private Property**

Private landlords, residents etc can impose any reasonable restriction on their own property i.e. the need for permits, clamping etc. Enforcement of such restrictions, however, is also their responsibility although it may be sub-contracted to other companies. Any person querying such an area will be referred to the relevant landlord or resident.

## 6.86 Public Service Vehicles (PSVs)

- In service PSVs may stop anywhere to allow passengers to board the vehicle (unless there are specific restrictions in place)
- Out of Service PSVs are not permitted to park in contravention of any waiting restrictions and will be treated the same as any other vehicle.
- Touring Coaches are permitted to park in order to allow passengers to board / disembark the vehicle. However, they are not permitted to park in contravention of any waiting restriction for any length of time prior to, or after, passengers have boarded / disembarked.

## 6.87 Public Utility Vehicles

Refer to Emergency Duties and Exempt Vehicles.

## 6.88 Registered Owner<sup>2</sup> Liability

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 outlines that, except where a vehicle is hired from a vehicle hire firm under a hiring agreement, the PCN shall be payable by the person who was the owner of the vehicle involved at the time that the contravention occurred<sup>3</sup>

## 6.89 Requests for Enforcement

From time to time members of the public may approach a CEO requesting enforcement of a particular restriction.

Where a CEO is approached whilst patrolling an area, providing that the request relates to a neighbouring road or the same road and will not involve the CEO leaving the allocated beat, the CEO will comply with the request. If complying with the request would mean that a CEO would have to travel a considerable distance or leave the beat, the CEO will relay the request to base for further instruction.

## 6.90 Residents' Parking (On-Street)

Resident permits:

- A resident permit must be clearly displayed on the windscreen of the vehicle. Permits are only valid in the zones indicated on the permit, for the vehicle registration number allocated to the permit and until the printed expiry date.
- Failure to display a resident permit when required is a contravention and will result in a PCN being issued which will not be cancelled unless there are mitigating reasons why the permit was not displayed.
- Use of a permit in a zone other than as specified on the permit, on a vehicle other than that indicated on the permit or after its expiry date is also a contravention for which a PCN will be issued. The PCN will not be cancelled unless there are mitigating circumstances that account fully for the contravention.

Visitor permits:

- Visitor permits may be obtained by residents for issue to visitors to their homes. Full instructions on how to use and display them are printed on the permits. A permit is valid only within the indicated zone(s).
- Failure to display a visitor permit when required is a contravention and will result in a PCN being issued which will not be cancelled unless there are mitigating reasons why the permit was not displayed.

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<sup>2</sup> The vehicle owner is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered

<sup>3</sup> The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (Statutory Instrument No.3483) Part 2 Regulation 5 for the imposition of penalty charges in respect of road traffic contraventions and the collection of payment from them

- Use of a permit, in a zone other than as specified on the permit, on a vehicle other than that indicated on the permit and on a date other than that indicated on the permit is also a contravention for which a PCN will be issued. The PCN will not be cancelled unless there are mitigating circumstances that account fully for the contravention.
- Visitor permits are not available in all residents' parking zones.

Limited waiting:

- It may be possible in a residents' parking zone for a vehicle to park for a limited time. The signs in these areas should be checked for the permitted duration.
- Vehicles exceeding this duration and not displaying a permit will be issued with a PCN after the mandatory grace period has been observed.

Business permits

- Business permits are available in all permit zones but types and durations vary so the local enforcing authority should be consulted.
- Business dispensations can also be obtained from the enforcing authority.

### 6.91 Road Signs / Markings – Missing, Obscured or Broken

1. Yellow lines:

- A PCN will be cancelled if it is confirmed that the motorist could not establish if the restriction was in operation. Where the lines can be clearly seen, even though they may be partially worn, the PCN will be enforced.

2. Kerb markings: (Loading Restrictions) as per yellow lines above.

3. Obscured signs:

- A PCN will be cancelled if it is confirmed that a sign was obscured and could not be read (eg. graffiti, weather, and overhanging trees). If the sign can easily be read, the PCN will be enforced. Photographic records from the CEO will be consulted.

4. Missing signs:

- A single missing time plate will not normally be considered sufficient reason to cancel a PCN. No Waiting At Any Time restrictions do not require sign plates.

5. Restriction marked after vehicle parked:

- A PCN may be cancelled if records confirm that signing/lining/placement of cones or suspension notices is likely to have taken place after the vehicle was parked.

### 6.92 Royal Mail and Other Delivery Vehicles

Vehicles being used for the collection or delivery of postal packets are exempt from the regulations as long as they can be seen to be actively involved in such activity. Vehicles parked for more than 10 minutes with no activity observed are subject to the same restrictions as ordinary motorists and a PCN will be issued. Cancellation of a PCN will only be considered if written confirmation is received from the area manager that the vehicle was actively involved in the collection / delivery of mail.

### 6.93 Security

The Police can, at any time, suspend the use of a parking space for up to 28 days where such suspension is considered necessary for maintaining security in adjacent premises. PCNs issued for contravention of such suspensions will always be enforced.

## 6.94 Security Vans

Secure cash vans are occasionally required to park close to premises, for the safe delivery or collection of cash. PCNs issued under such circumstances will be cancelled upon receipt of a representation from the security company confirming such an activity at the time, unless it is considered that the vehicle was parked for longer than was necessary.

Security vans involved in the delivery of mail or other low value items are expected to comply with parking restrictions.

## 6.95 Schools

CEOs will observe vehicles parked on single yellow lines adjacent to schools without loading restrictions. If these vehicles are not causing an obstruction, the CEO will allow 10 minutes observation before issuing a PCN. **(An obstruction is defined as a full or partial blockage of the footway or line of sight for vehicles turning into junctions).**

This extended observation time only applies during the time of day when children are picked up and dropped off. Vehicles must not cause an obstruction, inconvenience or danger to other road users, including pedestrians and cyclists. In practice this will allow parents time to pick up or drop off their children. At all other times, normal observation periods apply.

**This concession does not apply to vehicles parked on double yellow lines, School Keep Clear zigzag markings (see note below), or where loading restrictions are in force.**

Where parents park in marked parking bays (Time limited, pay and display, loading, blue badge, etc.), standard observation and mandatory grace periods will be applied prior to issuing a PCN.

## 6.96 'School Keep Clear' Zigzags

The yellow School Keep Clear zigzag markings are placed outside schools for the safety of children. A Traffic Regulation Order is no longer required, but the signs and lines must accord with the *Traffic Signs Regulations and General Directions (2016)* for enforcement to take place. It is a contravention to stop on the zigzag area, even just to board or alight passengers. As such, there will be no period of observation before the issue of a PCN to any vehicle, including school coaches and taxis that stop on the zigzags outside a school.

## 6.97 Second and Subsequent PCNs

Legally, a vehicle may only receive one PCN for a contravention committed by a single act of parking on a particular day. However, midnight is treated as the cut-off point for that day and therefore, if a vehicle is left overnight, a further PCN can be issued on each following day if it is still parked in contravention.

## 6.98 Skip Licences

Once a skip licence has been granted by the relevant council, the company providing the skip must apply for a suspension of the relevant bay through the County Council. Infringements will be reported by CEO's.

## 6.99 Special Events

Where there are special events taking place which may affect the parking situation in the area, e.g. football matches, religious festivals, the County Council and/or the Police may make special arrangements. In these situations, enforcement may be changed or varied and CEOs will work under the direction of the police if the special arrangements are under police control.

### **6.100 Stolen Vehicle**

The enforcement authority will cancel a PCN upon confirmation from the police that the vehicle was reported stolen at the time the PCN was issued. The owner will be asked to provide a valid police crime report including the crime reference number.

### **6.101 Street Traders**

Street traders' vehicles such as mobile kitchens and ice cream vans will not be permitted to park in contravention of any restrictions unless a valid dispensation has been obtained.

If a street trader's vehicle is seen to be parked in contravention of a TRO the person appearing to be the driver of the vehicle will be advised to move the vehicle by the CEO. If the vehicle is not moved after advice from the CEO, a PCN will be issued.

### **6.102 Tariff; Rises in Parking Charges not Publicised**

The enforcement authority may accept representations made against the issue of a PCN if the owner of the vehicle can provide proof that statutory notices were not erected in accordance with procedures.

### **6.103 Taxi Ranks**

A notice is displayed at each rank showing its limits, how many Hackney Carriages may stand on it and any special regulations applicable. Vehicles, other than Hackney Carriages, (including Private Hire Vehicles) parked in such ranks will be issued with a PCN. Any vehicle, including a Hackney Carriage, parked outside the rank and in contravention of a parking restriction will be issued with a PCN.

### **Refer also to Hackney Carriages / Private Hire Vehicles (PHVs)**

### **6.104 Time/Date Calibration of Handheld**

Prior to commencement of each shift, CEOs will check their handheld computers to ensure that they reflect the correct time and date.

### **6.105 Traffic Regulation Order - Invalid**

The enforcement authority will accept representations made against the issue of a PCN if the Traffic Regulation Order which describes the restriction is found to be legally flawed.

### **6.106 Trunk Roads**

Trunk roads (A11, and A47 in Norfolk) are the responsibility of Highways England (HE). The enforcement of parking regulations on these roads remains the responsibility of the Police.

### **6.107 Unauthorised Use of a Vehicle**

Unauthorised use of a vehicle, for example by another family member or a friend is difficult to substantiate and under these circumstances a PCN will be enforced unless it can be demonstrated that the matter was reported to the police prior to or just after the issue of the PCN. Subsequent reports will not lead to the cancellation of the PCN.

### **6.108 Uniforms - CEOs**

CEOs are required to wear uniforms when exercising prescribed functions in accordance with the appropriate guidance<sup>4</sup>. The uniforms must be readily distinguishable from those worn by the police and will include the following:

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<sup>4</sup> Civil Enforcement Officers (Wearing of Uniforms) (England) Regulations 2007 and should comply with chapter 8 of the Guidelines, specifically the Road Traffic Regulation Act 1984 and Traffic Management Act 2004, section 76(3)(a)

- Clear identification that the wearer is a CEO.
- Clear identification of the enforcement authority on whose behalf the CEO is acting.
- A personalised number to identify the CEO, which may contain letters as well as numbers.

### **6.109 Vandalised Vehicle**

When a vehicle has been vandalised to an extent that prevents it from being safely moved, a PCN will be cancelled providing acceptable supporting evidence is provided. This evidence should be from either:

- The Police - quoting the recorded crime number.
- Motoring organisation / garage service who removed the vehicle from site.

The CEO's observation will also be considered providing that it clearly states the extent of the damage. Failure to provide supporting evidence or the absence of a CEO's observation will lead to the PCN being enforced.

### **6.110 Visitor to Britain**

A PCN issued to a vehicle displaying foreign registration plates will automatically be recognised by the processing system as the registration number will not be in DVLA format. Any payment received will be accepted in the normal way. Any correspondence and representations will be dealt with in the normal way.

If a PCN is issued to a UK registered vehicle, which has been borrowed or driven by a foreign resident, the PCN will be enforced against the vehicle owner.

### **6.111 Voluntary Patient Transport Vehicles**

The display of a "Voluntary Patient Transport" placard does not automatically exempt the holder from parking restrictions. However, representations or challenges against the issue of a PCN will be given due consideration which will extend to:

- Allowing sufficient time to enable the driver to make his/her presence known to the passenger(s).
- Allowing sufficient time to assist the passenger(s) between the vehicle and their home(s), bearing in mind that they may be elderly, infirm, disabled or unwell. This may well involve sufficient time to ensure that the passenger is comfortably settled within his or her own home prior to departure by the driver.

Representations should be accompanied by documentary evidence giving the date, time, the pick-up and drop-off locations for the trip and, wherever possible, a description of the passenger (i.e. elderly, disabled, post-operative etc).

### **6.112 Waivers**

See **Dispensations and Suspensions (Waivers)**

### **6.113 Weddings**

See **Funerals and Weddings**

## 7. Definitions

The following are definitions of terms commonly used in conjunction with parking enforcement.

### 7.1 Charge Certificate

A Charge Certificate is issued:

- 31 days after a Notice to Owner (NtO) is issued and no formal representation is received.
- 31 days after a Notice of Rejection to a formal representation is sent where no appeal has been made to the Traffic Penalty Tribunal.
- 18 days after any appeal to Traffic Penalty Tribunal is withdrawn (i.e. withdrawn before hearing)
- 31 days after the rejection of an appeal by the Traffic Penalty Tribunal.

When a Charge Certificate is issued the amount of the penalty is increased by 50%. PCNs issued at the £70 rate will increase to £105. PCNs issued at the £50 rate will increase to £75. The Charge Certificate is sent to the debtor requiring payment within 14 days of the full increased amount.

### 7.2 Commercial Vehicle – Definition of

The definitions of commercial vehicles for the purpose of this procedure are as follows:

- Buses
- Hackney Carriages
- Large Goods Vehicles
- Vans - a van may look like a private motor car but will have some, if not all, of the rear windows blanked out.

### 7.3 Debt Registration

- This is done at the TEC (Traffic Enforcement Centre) at Northampton County Court electronically on or after 18 days from the issue of a Charge Certificate.
- The enforcement authority must confirm issue of the Charge Certificate to the court and there is a fee, from the court, of £5 for each registration. This is added to the amount owed to the enforcement authority.

### 7.4 Debt Registration – Notice of

- Once the debt has been registered at TEC an Order for Recovery and Witness Statement Form is sent to the debtor advising him/her that they have 21 days in which to pay the amount owed or swear a witness statement.
- Failure to do either will lead to a Warrant of Execution being applied for by the enforcement authority at TEC.
- Once issued this will enable the enforcement authority to instruct Enforcement Agents to collect the debt on their behalf.

### 7.5 Dispensation

- Formal permission given by a Local Authority for a vehicle to park in contravention of a waiting or loading restriction - i.e. to allow maintenance to be carried out to adjacent property.

### 7.6 Driver & Vehicle Licensing Agency (DVLA)

- The Government Centre responsible for maintaining records of all vehicles, their registered keepers and Driving Licenses.

## 7.7 Enforcement Agents (Bailiffs)

In accordance with DfT guidelines, certificated bailiffs are used by the enforcement authority to ensure that evaders are correctly pursued for outstanding debt. Failure to do so would undermine parking enforcement as the public would think that PCNs were not pursued by the local authority. The general concept of using bailiffs is that they are used to pursue debt from motorists who generally refuse to pay, rather than those who cannot pay.

Assuming no challenges are received to the PCN at any time in the process described in Figure 4.1, the debt is passed to the enforcement authority's bailiffs who will recover the debt following an approved code of practice.

## 7.8 Goods – Definition of When Related To Loading / Unloading

- In claims of loading / unloading, permitted 'goods' are deemed to be any that are of sufficient bulk and/or weight that requires the vehicle to be parked adjacent to the point of collection or delivery.
- If a delivery is being carried out to a trade or business premises by a commercial vehicle this will be seen as compliant with the above.
- The delivery / collection of small individual portable items to or from a private vehicle will not constitute loading, though dispensation may be granted for small high value items at commercial premises where personal safety of the vehicle occupant will be considered.
- Unloading of passengers is not compliant unless an elderly, disabled or infirm person is involved and enforcement of the restriction would cause hardship.
- Collection/dropping off children at school is not considered to be loading/unloading
- In all cases the vehicle should never be parked for longer than is necessary but allowance should be made for delivery notes etc., to be signed.

## 7.9 Mandatory and Advisory Parking Bays

- Where restrictions apply to a particular bay (e.g. Disabled bay, doctor's bay etc.), which is covered by a Traffic Regulation Order, it is said to be mandatory (obligatory). In this case there must be a time plate above the bay displaying the restrictions.
- When the bay is not covered by a Traffic Regulation Order, it is deemed to be 'advisory'.
- If in doubt the existence of a relevant Traffic Regulation Order should be checked.

## 7.10 Non-Fee Paying Enquiry & Response to DVLA – VQ4 & VQ5

- When a PCN remains unpaid for 28 days the enforcement authority will make an enquiry to DVLA (VQ4) to ascertain the identity of the owner (registered keeper) of the vehicle. This enquiry is made electronically via the enforcement authority's parking enforcement system.
- The response (VQ5) from DVLA is also electronic and is automatically fed into the enforcement authority's system. Responses are usually received within 3 days of enquiry.
- DVLA will confirm the response by forwarding a paper copy of the relative VQ5.

## 7.11 Notice to Owner (NtO)

- If a PCN remains unpaid for 28 days the enforcement authority will make an enquiry with DVLA to ascertain the identity of the registered keeper. Once this is done a legal Notice to Owner will be sent to the registered keeper advising that the relative PCN remains unpaid.
- The notice will contain full details of the PCN issued and requests payment within 28 days of receipt. It also provides the opportunity to make a formal representation against the issue of the PCN, which also must be done within 28 days of receipt.

## 7.12 Penalty Charge Notice (PCN)

Issued at the time of the alleged contravention and must be affixed to the vehicle within a sealed plastic carrier, handed to the driver, or issued by post (in the case of a vehicle driven away before the PCN was served, or where a CEO has been prevented from serving the notice to the driver).

The PCN will identify:

- The date when the notice is served;
- The name of the enforcement authority;
- The registration mark of the vehicle involved in the alleged contravention;
- The date & time at which the alleged contravention occurred;
- The grounds on which the CEO serving the notice believes that a penalty charge is payable;
- The amount of the penalty charge;
- That the penalty charge must be paid before the end of the 28-day period;
- That if the penalty charge is paid before the end of 14 days beginning with the date of service of the notice, the penalty charge will be reduced by the amount of any applicable discount;
- The manner in which the penalty charge must be paid;
- That if the penalty charge is not paid before the end of the 28-day period, a notice to owner may be served by the CEO on the owner of the vehicle;
- That the person on whom the notice to owner is served will be entitled to make representations to the enforcement authority against the penalty charge and may appeal to an adjudicator if those representations are rejected;
- That, if representations against the penalty charge are received at such address as may be specified for the purpose before a Notice to Owner is served those representations will be considered;
- If a Notice to Owner is served representations against the charge notice must be made in the form, manner and within the specified time stated on the Notice to Owner.

## 7.13 Registered Keeper

The person or organisation who is registered at DVLA as being legally responsible for the vehicle - The Registered Keeper is not necessarily the owner or the driver of the vehicle.

## 7.14 Suspension of Parking Bay

This is defined as the suspension of parking within a designated parking bay(s). This is notified by the display of Notices on adjacent signs and Notices sent in advance to nearby properties.

## 7.15 Traffic Enforcement Centre (TEC)

The TEC is located in Northampton and is a branch of the County Court, which specifically deals with motoring contraventions. All communication with TEC is carried out electronically either by fax or on-line link via a parking enforcement computer system.

## 7.16 Traffic Penalty Tribunal (TPT)

- An independent body supported by subscriptions from local authorities by means of a levy on each PCN issued.
- Once a formal representation against a PCN has been rejected, the owner of the vehicle is given the opportunity to appeal to the TPT within 28 days of the rejection.
- The TPT will review the case and make an independent decision as to the validity of the ticket based purely on its legality. The TPT will not take mitigating circumstances into account but will, realistically, expect an enforcement authority to do this prior to the matter being sent to them. If they feel that mitigating circumstances do apply they will not uphold the appeal but will make their view known to the enforcement authority.
- The TPT decision is final and binding on both parties.

## 8. Abbreviations

|           |   |
|-----------|---|
| CEA       | Civil Enforcement Area                                |
| CEO       | Civil Enforcement Officer                             |
| CPE       | Civil Parking Enforcement                             |
| CPZ       | Controlled Parking Zone                               |
| CV        | Commercial Vehicle                                    |
| DfT       | Department for Transport                              |
| DPE       | Decriminalised Parking Enforcement                    |
| DVLA      | Driver and Vehicle Licensing Agency                   |
| DYL       | Double Yellow Lines                                   |
| ECN       | Excess Charge Notice                                  |
| FCO       | Foreign and Commonwealth Office                       |
| FPN       | Fixed Penalty Notice                                  |
| HE        | Highways England                                      |
| HHC       | Hand Held Computer                                    |
| HMSO      | Her Majesty's Stationary Office                       |
| CIHT      | Chartered Institute of Highways and Transportation    |
| LTP       | Local Transport Plan                                  |
| NPP       | Norfolk Parking Partnership                           |
| NoR       | Notice of Rejection                                   |
| NtO       | Notice to Owner                                       |
| NVQ       | National Vocational Qualification                     |
| NWAAT     | No Waiting At Any Time                                |
| P&D       | Pay & Display   |
| PCN       | Penalty Charge Notice                                 |
| PCSO      | Police Community Support Officer                      |
| PMC       | Private Motor Car                                     |
| PNR       | Private Non-Residential                               |
| PPA       | Permitted Parking Area                                |
| PSV       | Public Service Vehicle                                |
| RNLI      | Royal National Lifeboat Institute                     |
| RPS       | Residents' Parking Scheme                             |
| RTA 1991  | Road Traffic Act 1991                                 |
| RTRA 1984 | Road Traffic Regulation Act 1984                      |
| SEA       | Special Enforcement Area                              |
| SLA       | Service Level Agreement                               |
| SPA       | Special Parking Area                                  |
| SYL       | Single Yellow Line                                    |
| TEC       | Traffic Enforcement Centre (Northampton County Court) |
| TMA 2004  | Traffic Management Act 2004                           |
| TPT       | Traffic Penalty Tribunal                              |
| TRO       | Traffic Regulation Order                              |
| VED       | Vehicle Excise Duty                                   |

## 9. STANDARD CONTRAVENTION CODES AND OBSERVATION TIMES: (Version 6.5.1)

### On-Street

| Code | Observation Time          | Mandatory Grace Period   | General Suffix(es) | Description  | Differential Level |
|------|---------------------------|--|--------------------|--|--------------------|
| 01   | CV 10 min*,<br>PMC 5 min* | --   | eoyz               | Parked in a restricted street during prescribed hours  | Higher             |
| 02   | 0 mins                    | --   | aejo               | Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force   | Higher             |
| 04   | --                        | --   | cs                 | Parked in a meter bay when penalty time is indicated   | Lower              |
| 05   | 0 mins                    | 10 mins  | cpsuv              | Parked after the expiry of paid for time   | Lower              |
| 06   | 0 mins                    | --   | cipv               | Parked without clearly displaying a valid pay & display ticket or voucher  | Lower              |
| 07   | 0 mins                    | --   | cmprsv             | Parked with payment made to extend the stay beyond initial time  | Lower              |
| 08   | --                        | --   | c                  | Parked at an out-of-order meter during controlled hours  | Lower              |
| 09   | 0 mins                    | --   | ps                 | Parked displaying multiple pay & display tickets where prohibited  | Lower              |
| 10   | --                        | --   | p                  | Parked without clearly displaying two**** valid pay and display tickets when required  | Lower              |
| 11   | 0 mins                    | --   | u                  | Parked without payment of the parking charge   | Lower              |
| 12   | 5 mins                    | --   | rstwxy             | Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place | Higher             |
| 14   | --                        | --   |                    | Parked in an electric vehicles' charging place during restricted hours without charging  | Higher             |
| 16   | 0 mins                    | --   | bdhqstwxzy         | Parked in a permit space without displaying a valid permit   | Higher             |
| 18   | 0 mins                    | --   | bcdhmpsv           | Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited                                 | Higher             |
| 19   | 0 mins                    | --   | irswxyz            | Parked in a residents' or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay & display ticket           | Lower              |
| 20   | CV 10 min*,<br>PMC 5 min* | --   |                    | Parked in a loading gap marked by a yellow line  | Higher             |
| 21   | 0 mins                    | --   | bcdhjlmpqsuv       | Parked in a suspended bay/space or part of bay/space   | Higher             |
| 22   | 0 mins                    | --   | cflmnopsv          | Re-parked in the same parking place or zone within one hour* of leaving  | Lower              |
| 23   | 0 mins                    | --   | bcdghjklprsv       | Parked in a parking place or area not designated for that class of vehicle   | Higher             |
| 24   | 0 mins                    | --   | bcdhmpqrsv         | Not parked correctly within the markings of the bay or space   | Lower              |
| 25   | CV 10 min*,<br>PMC 5 min* | --   | jn                 | Parked in a loading place during restricted hours without loading  | Higher             |
| 26   | 0 mins                    | --   | e                  | Vehicle parked more than 50 centimetres from the edge of the carriageway and not within a designated parking place                                       | Higher             |
| 27   | 0 mins                    | --   | jo                 | Parked adjacent to a dropped footway   | Higher             |
| 30   | 0 min                     | 10 mins –<br>vehicles in<br>time limited<br>parking bays<br>only | fnou               | Parked for longer than permitted   | Lower              |
| 34   |                           | --   | j0                 | Being in a bus lane  | n/a at present     |

**On-Street**

| Code | Observation Time | Mandatory Grace Period | General Suffix(es) | Description   | Differential Level |
|------|------------------|------------------------|--------------------|---|--------------------|
| 35   | 0 mins           | --                     |                    | Parked in a disc parking place without clearly displaying a valid disc  | Lower              |
| 40   | 0 mins           | --                     | n                  | Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge | Higher             |
| 41   | 0 mins           | --                     | j                  | Parked in a parking place designated for diplomatic vehicles  | Higher             |
| 42   | 0 mins           | --                     | j                  | Parked in a parking place designated for police vehicles  | Higher             |
| 45   | 0 mins           | --                     | n                  | Parked on a taxi rank   | Higher             |
| 46   | 0 mins           | --                     | jn                 | Stopped where prohibited (on a red route or clearway)   | Higher             |
| 47   | 0 mins           | --                     | jn                 | Stopped on a restricted bus stop/stand  | Higher             |
| 48   | 0 mins           | --                     | j                  | Stopped in a restricted area outside a school   | Higher             |
| 49   | 0 mins           | --                     | j                  | Parked wholly or partly on a cycle track  | Higher             |
| 55   | 0 mins           | --                     |                    | A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban                  | Higher             |
| 56   | 0 mins           | --                     |                    | Parked in contravention of a commercial vehicle waiting restriction   | Higher             |
| 57   | 0 mins           | --                     |                    | Parked in contravention of a coach ban  | Higher             |
| 61   | 0 mins           | --                     | 124cgj             | A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways           | Higher             |
| 62   | 0 mins           | --                     | 124cgj             | Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)            | Higher             |
| 63   | 0 mins           | --                     | c                  | Parked with engine running where prohibited   | Lower              |
| 99   | 0 mins           | --                     | jo                 | Stopped on a pedestrian crossing and/or crossing area marked by zig-zags  | Higher             |

- \* Or other specified time
- \*\* Or voucher
- \*\*\* Sometimes applies during term time only
- \*\*\*\* Or other number

**Off-Street**

| Code | Observation Time          | Mandatory Grace Period | General suffix(es) | Description  | Diff. level | Notes   |
|------|---------------------------|------------------------|--------------------|--|-------------|---|
| 70   | CV 10 min*,<br>PMC 5 min* | --                     |                    | Parked in a loading area during restricted hours without reasonable excuse   | Higher      | Off-street loading areas  |
| 71   | --                        | --                     |                    | Parked in an electric vehicles' charging place during restricted hours without charging  | Higher      | Off-street car parks  |
| 73   | 5 mins                    | --                     | u                  | Parked without payment of the parking charge   | Lower       | Off-street car parks  |
| 74   | 0 mins                    | --                     | prs                | Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited           | Higher      | Off-street car parks  |
| 80   | 0 mins                    | 10 mins                | u                  | Parked for longer than the maximum period permitted  | Lower       | Off-street car parks  |
| 81   | 0 mins                    | --                     | o                  | Parked in a restricted area in a car park  | Higher      | Off-street car parks  |
| 82   | 0 mins                    | 10 mins                | puv                | Parked after the expiry of paid for time   | Lower       | Off-street car parks  |
| 83   | 5 mins                    | --                     |                    | Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock                           | Lower       | Off-street car parks  |
| 84   | 0 mins                    | --                     | u                  | Parked with payment made to extend the stay beyond initial time  | Lower       | Off-street car parks  |
| 85   | 0 mins                    | --                     | btrw               | Parked in a permit bay without clearly displaying a valid permit   | Higher      | Off-street car parks  |
| 86   | 0 mins                    | --                     | prs                | Not parked correctly within the markings of a bay or space   | Lower       | Off-street car parks  |
| 87   | 0 mins                    | --                     |                    | Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner | Higher      | Off-street car parks  |
| 89   | 0 mins                    | --                     |                    | Vehicle parked exceeds maximum weight or height or length permitted in the area  | Higher      | Off-street car parks  |
| 90   | 0 mins                    | --                     | psuv               | Re-parked in the same car park within one hour after leaving   | Lower       | Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period" |
| 91   | 0 mins                    | --                     | cg                 | Parked in a car park or area not designated for that class of vehicle  | Higher      | Off-street car parks  |
| 92   | 0 mins                    | --                     | o                  | Parked causing an obstruction  | Higher      | Off-street car parks  |
| 93   | 0 mins                    | --                     |                    | Parked in car park when closed   | Lower       | Off-street car parks  |
| 94   | 0 mins                    | --                     | p                  | Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required                      | Lower       | Off-street car parks. "two" may be varied to another number or "multiple"                             |
| 95   | 5 mins                    | --                     |                    | Parked in a parking place for a purpose other than the designated purpose for the parking place                                    | Lower       | Off-street car parks  |
| 96   | 0 mins                    | --                     | c                  | Parked with engine running where prohibited  | Lower       | Off-street car parks - occurs in certain coach bays.  |

## Suffixes

(Suffixes are added to a contravention code in order to provide a more detailed description of why the PCN has been issued)

### General suffixes:

- |  |                             |                                |                  |
|--|-----------------------------|--------------------------------|------------------|
| a) temporary traffic order               | b) business bay             | c) coach parking only          | d) doctor's bay  |
| e) double parked/obstruction             | f) free parking bay         | g) motor cycle bay             | h) hospital bay  |
| i) wrong type of voucher                 | j) camera enforcement       | k) ambulance bay               | l) loading place |
| m) parking meter                         | n) red route                | o) blue badge holder           | p) pay & display |
| q) market traders' bay                   | r) residents' bay           | s) shared use bay              |                  |
| t) voucher/P&D ticket used in permit bay |                             | u) mobile phone parking        | v) voucher       |
| w) wrong parking zone                    | x) incorrect VRM            | y) obscured / illegible permit |                  |
| z) out of date permit                    | 0) local buses / trams only |                                |                  |

### Footway parking (codes 61, 62) only:

- |                         |                      |                          |
|-------------------------|----------------------|--------------------------|
| 1) one wheel on footway | 2) partly on footway | 4) all wheels on footway |
| c) on vehicle crossover | g) on grass verge    |                          |

\*CV = Commercial Vehicle.

\*PMC = Private Motor Car including estate cars.

*An instant ticket is issued after the minimum observations to ensure no loading is taking place*

**NB:**

*- An 'instant' PCN may always be issued in circumstances where the CEO concerned has evidence, other than a period of observation, which supports the action of issuing the PCN without observing the vehicle for the minimum periods indicated.*

*- Visitors are not permitted time to obtain change away from the immediate area of the P&D machine or car park. CEOs should observe queues at ticket machines and/or pedestrians who may be seeking change or returning to the vehicle in question, before issuing a PCN.*

# Norfolk Parking Partnership Joint Committee

|                                   |  |
|-----------------------------------|--|
| <b>Report title:</b>              | <b>Review of parking management</b>  |
| <b>Date of meeting:</b>           | <b>4 October 2018</b>  |
| <b>Responsible Chief Officer:</b> | <b>Tom McCabe – Executive Director, Community and Environmental Services</b> |

## Strategic impact

Whilst the current civil parking enforcement (CPE) arrangements have been recently reviewed to ensure they are financially sustainable, there is scope to expand on-street controls and exploit more technology. The County Council is looking to develop CPE in Norfolk as a positive intervention to ensure that traffic management meets the expectations of business, residents and visitors. We are about to commence a wide-ranging review of the current arrangements in order to:

1. Deliver the statutory duties of traffic management, air quality management and equalities legislation.
2. Meet public expectations for better parking experiences and travel options through improved technology.
3. Address the key concerns for Norfolk people such as the effects of parking on congestion and the impact on communities of un-controlled parking on the highway.
4. Support growth and economic productivity to help local businesses develop and create more prosperous high streets.
5. To the extent arising from pursuance of the above objectives, to reduce the overall cost of transport service provision, by a better use of the asset, including savings under the Medium Term Financial Strategy (£0.5M 2019-2021).

## Executive summary

Norfolk's councils' Leaders and Chief Executives agreed in March 2018 to sponsor a review of parking management including:

1. Agree to work together to review the current parking principles document to produce and agree something across the county and all districts.
2. Consider the introduction of on and off-street parking charges in market towns and coastal resorts to complement the charging within the main urban areas.
3. Agree that management of on and off-street parking should seek to balance the need to boost the economic vitality of an area alongside the need to progress local improvement schemes.
4. Agree to work in partnership and share data and information relating to parking that would help to further improve parking management.
5. Agree to review the CPE arrangements as part of a broader programme of work.
6. Agree to seek early interventions to address some of the pressing concerns which Districts and Boroughs have raised about parking management arrangements.

A new post of Better Parking Strategy Manager has been recruited to ensure that the focus on implementation is maintained over the next 2 years as we bring forward the current changes in parking arrangements.

**The Joint Committee should:**

- 1) Note and comment on the County Council's review of the current arrangements for CPE in Norfolk and the appointment of a new post to support implementation of changes to current arrangements.**
- 2) Note the on-going discussions of Norfolk's Leaders and Chief Executives.**
- 3) Agree to take any items which the Leaders and Chief Executives pass to the NPP for action or consideration.**
- 4) Agree to meet quarterly in order to receive updates on the progress of the review work and take decisions when required to meet programme timescales, until the review is completed.**
- 5) Note and comment on the potential schemes in Appendix B.**
- 6) Ask officers to continue to develop proposals and bring a Forward Programme for approval as part of the Partnerships budget-setting process.**
- 7) Note this report and the need to develop links between parking management, congestion and the roles that key players and technology can have.**
- 8) Ask the Better Parking Strategy Manager to attend future meetings to update the Joint Committee on progress with the Better Parking project.**

**1. Proposal**

- 1.1. The County Council is looking to develop the existing CPE arrangements in Norfolk as a positive intervention to ensure that traffic management meets the expectations of business, residents and visitors. We are about to commence a wide-ranging review of the current arrangements in order to:
  1. Deliver the statutory duties of traffic management, air quality management and equalities legislation.
  2. Meet public expectations for better parking experiences and travel options through improved technology.
  3. Address the key concerns for Norfolk people such as the effects of parking on congestion and the impact on communities of un-controlled parking on the highway.
  4. Support growth and economic productivity to help local businesses develop and create more prosperous high streets.
  5. To the extent arising from pursuance of the above objectives, to reduce the overall cost of transport service provision, including savings under the Medium Term Financial Strategy (£0.5M 2019-2021).
- 1.2. A new post of Better Parking Strategy Manager has been recruited to ensure that the focus on implementation is maintained over the next two years as we bring forward the current changes in parking arrangements. Funding of the post is included in the £200k allocation in the County Council's capital programme for a Better Parking project.
- 1.3. In January 2012, the Environment, Transport and Development Scrutiny Panel received a report on draft parking principles for Norfolk. Members endorsed the Parking Principles (see Appendix A) and it was suggested that they should be reviewed at some future stage to ensure they were working.
- 1.4. Norfolk's councils' Leaders and Chief Executives agreed in March 2018 to sponsor a review of parking management including:
  1. Agree to work together to review the current parking principles document

- to produce and agree something across the county and all districts.
  - 2. Consider the introduction of on and off-street parking charges in market towns and coastal resorts to complement the charging within the main urban areas.
  - 3. Agree that management of on and off-street parking should seek to balance the need to boost the economic vitality of an area alongside the need to progress local improvement schemes.
  - 4. Agree to work in partnership and share data and information relating to parking that would help to further improve parking management.
  - 5. Agree to review the CPE arrangements as part of a broader programme of work.
  - 6. Agree to seek early interventions to address some of the pressing concerns which districts have raised about parking management arrangements.
- 1.5. Currently the Joint Committee meets twice a year to deliver the remit of the Norfolk Parking Partnership. In order to support the review work, and any related decisions about parking management arrangements it is proposed that the Joint Committee should meet quarterly over the duration of the review.
- 1.6. While recognising that a one-size-fits-all solution would not be appropriate for local circumstances or address the complex picture of charging across the county, there should be a clear strategy for managing congestion and parking to which all the local councils are signed up, and which represents a fair treatment of all areas with regard to the costs and levels of enforcement provided.
- 1.7. The Leaders of Norfolk's seven District and Borough councils, together with the County Council will in due course determine the mechanisms to be used to carry out this work, and the forums for decision-making and governance.
- 1.8. In the meantime, there have been further discussions at officer level within the Norfolk Parking Partnership to promote a new Forward Programme for CPE based on funding from external sources, and new approaches to community engagement and scheme development. These are set out this report.

## **2. Evidence**

- 2.1. Forecasts show traffic and congestion are on the increase, and if not managed effectively there will be pressure on growth targets and economic productivity, and problems of air quality, health and quality of life will worsen.
- 2.2. In addition, the County Council as local highway authority receives many requests for enhanced parking management schemes, to address a range of concerns. In some places local communities have indicated a strong desire to see further parking management schemes introduced, and the County Council is working with district and parish councils in partnership to promote these where they accord with the Parking Principles. A list of the current locations under consideration for improvements is attached at Appendix B.
- 2.3. All the schemes listed would need to be funded from external sources during the initial stages of development. It may be appropriate, based on the impact on the Business Model, for the Joint Committee to consider contributions to the costs of implementing final schemes, once these have been determined.
- 2.4. At present barriers exist which prevent Local Authorities doing more to tackle congestion, and some of these will require stronger support from Government to overcome. More discretion on funding and powers to act on inconsiderate behaviour e.g. pavement parking, use of polluting vehicles, etc. Even then we will not be able to achieve the outcomes without strong engagement with other

players in the transportation and digital sectors.

- 2.5. Increasing the roll out of technological solutions, e.g. cashless payments for P&D, virtual permitting, etc. delivered as invest to save initiatives, will make savings on for example, back office function and money handling services. Over time the use of technology can add to customer experience through on-line access and better information about where parking is available.
- 2.6. Managing new forms of mobility can no longer be seen as the sole preserve of local highway authorities. Key players going forward will be technology firms, national, regional and local government organisations, transport network or systems operators, investors, developers and strategic land-owners, and researchers.
- 2.7. Parking is a key area but it shouldn't be considered in isolation. Operational guidance and plans need to work across the arc of travel-planning, active travel, inclusive mobility etc. to ensure that arrangements are pragmatic but also work to promote the behaviour change needed. We also need to address needs of electric vehicles (EV), innovative modes and walking and cycling, including through a review of the priorities for managing scarce 'kerbside' resource.
- 2.8. Parking outside schools is an emotive issue, parent parking during pick up/drop off causes issues directly outside schools, impeding the flow of traffic and can create a hazardous environment for pedestrian crossing movements. Similarly parking in streets adjacent to schools is perceived as a nuisance to local residents who may find access to property blocked.
- 2.9. Strategies should aim to address behaviour change, and must accept that organisational culture change is needed. This will have to be expressed in both off-street and on-street management principles.
- 2.10. Enforcement outside schools is undertaken sparsely, especially in rural county locations. Deployment of CEOs can be problematic as the issues caused are often of short duration and there are many sites to cover across the county. Dealing with the issues of CPE at school sites has proved highly complex and is likely to require a strategic approach including the deployment of technology and the participation of schools. It has not been possible to resource this approach under the current arrangements for parking management and enforcement.
- 2.11. The government is at present (Jan – Mar 2018) consulting on widening the eligibility for the Blue Badge scheme, this would include more conditions, sometimes called hidden conditions. If this proposal is taken forward then there will be an increase in the number of Blue Badges in circulation. This would be likely to increase the pressure on the available Blue Badge parking bays and the level of parking on double/single yellow lines that occurs.
- 2.12. Together with the current trend of increasing numbers of Blue Badges in use, the County Council will be under pressure to provide more Blue Badge parking opportunities, and we may face network management issues due to parking on restrictions becoming more frequent. The Blue Badge misuse and fraud case load could increase requiring more officer time. The implementation of an increased level of on-street P&D could alleviate this as they would be time restricted.

### **3. Financial Implications**

- 3.1. A wide-ranging review of parking management arrangements is expected as the current financial business model has not performed as first envisaged. This is expected to involve a strategic 'invest to save' project to meet our MTFs savings whilst ensuring the priorities in the County Council's strategy are achieved, and will take account of the changing nature of national funding for local authorities in combination with the Norfolk Futures strategy.

3.2. Any impacts on the current business plan for the NPP will be identified and will require the approval of the Joint Committee.

#### 4. Issues, risks and innovation

4.1. None to be reported.

#### 5. Background

5.1. Norfolk County Council has endorsed the Parking Principles as a basis for making decisions related to parking management in Norfolk. When making orders to control and/or restrict parking, officers use the principles as a guide when framing proposals, in conjunction with the different local circumstances that exist in particular places.

5.2. The Joint Committee may wish to note the provision within the County Councils Medium Term Financial Strategy (MTFS) agreed at Full Council on 12 February 2018 to include the following proposal arising from improved management of on-street car parking.

Table 1 – New Savings Proposals

| <b>Proposal</b><br>Note: Income shown as a negative figure | 2019-20<br>£m | 2020-21<br>£m | <b>Total<br/>2018-22<br/>£m</b> | Risk<br>Assessment |
|--|---------------|---------------|---------------------------------|--------------------|
| Improved management of on-street parking                   | -0.150        | -0.350        | <b>-0.500</b>                   | Red                |

The additional income in Table 1 was included in the proposals set out in a report to EDT Committee on 19 January 2018. The report stated that the MTFS and the budget-setting process is to be closely aligned with the County Council Strategy and Norfolk Futures.

5.3. However, it is essential to note that the County Council's powers to set and vary parking charges exist in the context of the legislation concerned with traffic regulation. Court decisions have confirmed that the powers to introduce and set charges are not intended to provide a general revenue raising power. They must be exercised for traffic management purposes, such as meeting the costs of provision of on-street and off-street parking and the cost of enforcement, the need to 'restrain' competition for on-street parking, encouraging vehicles off-street, securing an appropriate balance between different classes of vehicles and users, and selecting charges which reflect periods of high demand. The Council must not set charges for the primary or secondary purposes of raising revenue, although it may be that an incidental result of setting charges for legitimate traffic management purposes is a surplus. The income target referred to above is subject to the above context and to be read accordingly. Any operating surplus will be committed to direct services to support the safe and efficient use of the highway network.

#### Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

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If you need this report in large print, audio, braille, alternative format or in a different language please contact 0344 800 8020 or 0344 800 8011 (textphone) and we will do our best to help.

## Parking Principles

### Introduction

Car parking is a key determinant affecting a range of factors including the economic buoyancy of town centres and how people choose to travel. The availability and pricing of car parks, together with how long people are allowed to park for affects economic vitality, growth, traffic demand, sustainable transport, mode shift and air quality. It is widely recognised that the parking end of a private vehicle trip is one of the strongest factors affecting private vehicle trip decision making and usage. The parking principles recognise that in a largely rural area like Norfolk, account needs to be taken of the fact that, for many trips, travel by car will be the only realistic option.

This note sets out draft parking principles that can be used, together with consideration of the particular local circumstances that exist, as a guide to assist the county council in decision-making:

- How the county council plans, provides and controls provision of car parking (numbers of spaces, charging regimes, lengths of stay, etc...)
- About when, or if, changes will be made to parking restrictions, setting out that major parking management schemes would be undertaken only where they will be fully funded or are self-financing across the area (eg costs met from permit or other parking charges). Residents parking will only be introduced where it is fully funded or self-financing as a stand-alone scheme, ie it does not require ongoing financial support from the County Council. In both cases the funding includes the cost of design and implementation, and any ongoing revenue issues like upkeep of equipment.
- To put car parking provision in the context of facilitating effective delivery of other services and objectives (to ensure economic vitality, encourage people to travel sustainably, consistency of policy in relation to CPE operation).

The intention is to have a clear set of principles that can be applied consistently across the county with the aim of supporting the economic vitality of the county.

The principles do not provide a green light that parking will be amended in accordance with the guidance in the principles. Changes will only be made where there is a strong, well supported case for which funding can be found. This will mean that many proposals could only be taken forward if external funding is forthcoming (or the proposals are self-financing). This funding would need to take into account not only the design and implementation costs but also any ongoing revenue issues like upkeep of equipment.

### Background to parking provision

Public parking facilities covered include parking on-street and in off-street car parks. On-street, parking is not a right but is permitted (provided it is safe and doesn't cause an obstruction) unless there is a traffic regulation order specifying otherwise. A traffic regulation order may prohibit parking (shown by yellow lines), or restrict it (e.g. applying a time restriction). The county council

is responsible for managing on-street car parking, although in Norwich this is carried out by Norwich City Council on behalf of the county council.

Off-street public parking is generally provided in car parks, operated by district councils or private companies. Most car parks in Norfolk are operated by the district councils except in Norwich where a substantial amount of the off-street stock is run by private car park operators alongside some city council car parks. Regulations applying to off-street car parks are covered in off-street parking orders and set out for motorists through signing at the car park.

### **What the principles cover**

These parking principles cover parking for which the county council is responsible: on-street provision and off-street Park and Ride facilities. They do not cover the numbers of spaces at new development. Norfolk County Council's Parking Standards and district councils' development management policies and car parking standards will be used for this purpose. Additionally, they do not cover parking provided for individual premises like supermarket car parks or that which is publicly available (e.g. in a public car park).

The parking principles do not cover public transport facilities like bus stops, coach dropping-off facilities or taxi ranks. These facilities are important and are part of the general provision that local authorities make, usually on-street. Although they would have to be considered as part of general consideration of the different competing demands for kerb space, they are not considered as part of this guidance.

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  - 2.3 Parking provision in other areas
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- 6: Parking for people using public transport
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- 10: Motorbike parking

### **General Principles**

- 11: Maintenance
- 12: Quality of parking provision
- 13: Information about and signing to facilities

## Core principles – amount and location of parking

### Whole settlement parking management

1 Parking management forms part of a wider set of complementary traffic management measures that affect places, including how they perform economically and how they feel to people who live there or visit. It is important that the context of the whole settlement is taken into account when thinking about parking, rather than simply considering what to do with parking at an individual location. This will allow consideration of factors including how parking (or the control of it) might affect the economic vitality of an area, and how changes in one location might have knock-on effects elsewhere in the settlement.

2 Whole settlement parking management plans should take into account, amongst other things, relevant Local Development Documents, *Connecting Norfolk* (the county's 3<sup>rd</sup> Local Transport Plan) and any detailed transport implementation plans that may have been produced. If restrictions are to be introduced, removed or changed, consideration will have to be given to how effective enforcement of any restrictions can be carried out and to how the changes might affect parking revenues (for example if charges are to be introduced or curtailed).

3 There will clearly be a cost to undertaking a parking study or plan, and this may be relatively large across towns or urban areas. Such studies should only be undertaken where external funding can be found, or the proposals across the area will be self-financing (eg from permit or other parking charges), including the cost of design and implementation, and any ongoing revenue issues like upkeep of equipment.

#### **Parking Principle 1: Whole settlement parking management**

Parking management will be considered across the whole settlement taking into account, amongst other things: economic vitality, parking demand and supply, displacement of parking demand, sustainable transport and highway safety. Changes to restrictions should consider how effective enforcement of any restrictions can be carried out and to how the changes might affect parking revenues.

Whole settlement parking management plans will only be undertaken where funding can be identified or the proposals across the area will be self-financing including the cost of design and implementation, and any ongoing revenue issues like upkeep of equipment.

### Amount and location of parking within settlements

Note: In the following principles:

**Urban areas** are defined as:

1. Norwich built-up area
2. King's Lynn town and the adjacent built up area
3. Great Yarmouth and Gorleston built-up area.

**Towns** are defined as:

|                                |               |                        |               |
|--------------------------------|---------------|------------------------|---------------|
| Acle                           | Attleborough  | Aylsham                | Blofield      |
| Bradwell                       | Brundall      | Caister-on-Sea         | Cromer        |
| Diss                           | Dereham       | Downham Market         | Fakenham      |
| Harleston                      | Hethersett    | Hingham                | Holt          |
| Hoveton                        | Hunstanton    | Loddon/<br>Chedgrave   | Long Stratton |
| Poringland/<br>Framingham Earl | Reepham       | Sheringham             | Stalham       |
| Thetford                       | North Walsham | Wells-next-the-<br>Sea | Watton        |
| Swaffham                       | Wroxham       | Wymondham              |               |

**Time periods** are defined as:

- Short Term: less than 2 hours
- Medium Term: 2- 5 hours
- Long Term: more than 5 hours.

### ***Urban areas***

4 Controlled provision and availability of car parking can play an important part in ensuring the economic buoyancy of areas by enabling people to gain access. It is also one part of a wider set of measures to manage urban traffic congestion and encourage people to use alternative forms of transport. Restricting the number of spaces or limiting the availability of long-stay car parking can have a significant effect on traffic volumes, providing that these measures are complemented by the provision of adequate alternative options, such as park and ride.

5 Given this, it might be considered that there is a 'right' amount of parking to serve the centre of urban areas. This amount of parking would need to take account of the nature of the individual settlement as it is now, and also consider the amount of growth planned in the area. It would be appropriate for consideration of all of these factors to lead to a guideline on the amount of parking that might be appropriate within each of the urban areas. Within Norwich, this is already established, with the guideline amount being expressed as a maximum number of spaces. Whilst a maximum might not be appropriate in the other urban areas, a steer on the overall quantum would be a helpful guide. For Great Yarmouth, the demands for the town centre and the seafront would need to be considered as two distinct, but overlapping, issues.

6 Park and ride can provide alternative long-stay parking provision for urban areas, reducing congestion and emissions from transport. Norwich is currently served by six Park and Ride sites. The Norwich Area Transportation Strategy Implementation Plan (NATSIP) identifies possible expansion of Postwick as park of Postwick hub. It also identifies in the longer term that a further possible site at Trowse could be provided if long term parking provision in the city centre is further reduced. The existing parking balance in Norwich is the controlling factor which dictates that park and ride is currently working as a subsidised service. Park and ride has also been suggested for King's Lynn

and Great Yarmouth, amongst other places. However, in the short term at least, further expansion of existing park and ride systems, or new systems, will be not implemented unless the costs of provision and ongoing operation can be met, e.g. they operate on a purely commercial basis.

7 Parking for local residents / businesses, through a residents parking scheme may be appropriate in the urban areas, if supported by the local community and identified through the whole settlement parking work (Principle 1). In such cases, a residents parking scheme would be undertaken only where funding can be secured from outside sources or the scheme is self-financing; i.e. it does not require ongoing financial support from the County Council. This funding requirement includes feasibility, design and implementation, and ongoing revenue. Where such schemes are implemented, the provision of one disabled parking space (which couldn't however be assigned to an individual user or property) per street should be considered.

8 Within urban areas, it has become common practice to sell space in car parks for contract parking. This normally allows companies to buy space in car parks – at a discount – for commuter parking. In some cases this means that parts of urban centre car parks, which according to these principles should favour short-medium stay demand, are being used for long-stay commuter parking. It would be appropriate to limit or restrict this practice, although the limitations would need to be considered on a case-by-case basis, taking into account factors such as the ability of the firms who buy this space being able to attract employees and the overall demand for car park spaces in the urban centre.

### **Towns**

9 The issues within the towns are similar to those described above for urban areas, except that park and ride would not be appropriate due to the size of the settlements and contract parking is not normally an issue. Exceptionally, residents parking might be appropriate only in the larger towns or honeypot / coastal towns as part of a settlement wide parking management scheme designed to deal with problems caused by a surplus of demand for car parking over its provision. Guidance on the overall quantum of parking in the settlement might be appropriate for the larger towns.

### **Out of town developments**

10 The above principles generally relate to parking for the centre of towns and urban areas. However, there are some places on the edge of settlements that attract parking demand, such as out of town retail parks, supermarkets, leisure centres or business parks. Most will have their own off-street provision provided as part of the development. This will have been thought about as part of the planning process and is covered in other advice; principally District Councils' *Development Management Policies* and the County Council's *Parking Standards*.

11 It might be appropriate to consider parking restrictions, including residents parking in the urban centres, to manage parking demand where

there are evidenced problems relating to safety, maintaining or managing traffic flow, or amenity reasons.

***Hotspots including coastal villages***

12 At hotspots, where demand for parking could exceed available parking supply, restrictions on parking may be appropriate for the purposes of safety, maintaining or managing traffic flow, or amenity reasons.

***Rural areas, including villages***

13 The demand for car parking is generally lower once outside the urban areas, towns and hotspots like coastal villages. There is often no need for car parking provision over and above what is available on-street and off-street in facilities dedicated for use by visitors to individual premises (eg offices or supermarkets). In most cases there will be no problem with parked vehicles – either the need for more parking, or from vehicles parking badly on the road. Furthermore, restrictions on parking in more remote areas will be difficult to enforce and is unlikely to be effective in controlling parking.

14 In these locations, the presumption will be that on-street parking restrictions would not be introduced unless there was an evidenced safety problem.

**Parking Principle 2: Parking provision (amount and location)**

**2.1 Parking provision in urban areas**

Guidance on the overall quantum of car parking provision for the centre of urban areas (and Great Yarmouth seafront) should be agreed. A guide to the amount of parking will be determined in the context of the whole settlement parking management, and in conjunction with district councils taking into account, amongst other things: the likely future demand for car parking given planned levels of growth; availability of public transport services, walking and cycling; and the total quantum of parking available including such as provided by Park and Ride.

In the centre of urban areas on -street parking should favour short and medium stay demand. Long-stay provision should be provided at edge-of-centre locations or, in the case of Norwich, Park and Ride.

The preference for long-stay parking provision for Norwich city centre is Park and Ride. Further expansion will be considered only where its provision can be fully funded and where the ongoing running costs of operation can be fully met eg from passenger revenue.

For King's Lynn and Great Yarmouth Park and Ride will be supported in policy terms but promoters would need to show how its provision and ongoing costs would be met (both construction and operation in the long-term).

**2.2 Parking provision in towns**

Guidance on the overall quantum of car parking provision for the centre of towns may be appropriate for the larger towns.

In the centre of towns, on -street parking should favour short and medium-stay demand. Long-stay provision should be provided at edge-of-centre locations.

**2.3 Parking provision in other areas**

Public parking provision over and above what is available on-street would not generally be provided elsewhere (including locations in towns and urban areas away from the centre/edge of centre, in villages, and in rural areas). In such locations, parking should be limited to that associated with individual developments (e.g. at business parks) agreed through the development management and planning processes. However, additional parking provision may be appropriate at hotspots including coastal villages or where a town serves a large rural hinterland. In such cases demand for parking may regularly exceed available parking supply and provision may be appropriate. This could be charged.

On-street parking would normally be unrestricted away from areas where waiting and loading restrictions are required for highway safety reasons.

**Parking Principle 3: Parking provision (time periods and charges)****3.1 Urban areas**

The expectation would be that on-street car parking in the centre of urban areas (and Great Yarmouth seafront) is charged. This charge should be set at a premium to local scheduled bus services or park and ride services.

On-street parking should be restricted to shorter-stays than off-street and at a higher charge (where appropriate).

It may be appropriate to consider residents parking schemes in the urban areas where there is a proven need and local support. Residents parking schemes would be implemented only where funding for design, implementation and ongoing revenue costs is available. There would be an expectation that the funding comes external sources and / or the proposal will be self-financing.

**3.2 Towns**

On-street parking charges in, especially the larger, towns may be appropriate, particularly in the centre of towns where demand exceeds supply, and there are adequate alternatives (in the form of sustainable transport opportunities).

On-street parking should be restricted to shorter-stays than off-street and at a higher charge (where appropriate).

It may be appropriate to consider management of parking in residential areas adjacent to the town centres to avoid problems of overspill parking in these areas. In exceptional cases, residents parking schemes may be appropriate.

### **3.3 Other areas**

Outside of the towns and urban areas on-street parking restrictions would not normally be introduced unless there was an evidenced safety problem.

At hotspots including coastal villages, where demand for parking regularly exceeds available parking supply and is causing a demonstrable problem, on-street parking restrictions may be appropriate for the purposes of maintaining or managing traffic flow, safety, or amenity reasons. This parking provision could attract a charge. The needs of people with disabilities will need to be considered (see Parking Principle 5).

### **Alternative pricing structures**

15 The Local Transport Plan for the county, *Connecting Norfolk*, recognises that many trips in Norfolk will continue to be undertaken by car because of the lack of viability of other travel choices for many trips, or simply because people's lifestyles are built around car travel and these habits will be difficult to change. However, car travel can lead to problems including poor air quality and carbon emissions. These problems could be mitigated at least in part by encouraging a greener vehicle fleet, and this can be done through provision of appropriate infrastructure or other mechanisms such as differential charging mechanisms. Differential charging may be more appropriate in situations where people purchase parking over a long period of time; for example residents' parking permits, car park season tickets.

16 The county council is a partner in Evalu8, the east of England arm of government's Plugged in Places initiative, to roll-out charging points for electric vehicles. Charging points provided under this initiative benefit from a central administration function that includes, amongst other things, a user-booking system for the posts. Charging points installed for general public use should be incorporated into this network, branded as Source East.

### **Parking Principle 4: Alternative pricing structures**

#### **4.1 Complementary infrastructure**

Complementary infrastructure like charging posts for electric vehicles is appropriate in locations where parking is permitted. Public electric vehicle charging facilities should be part of the Source East network.

#### **4.2 Differential control mechanisms**

Differential mechanisms are appropriate to encourage more efficient vehicles. These mechanisms could include differential charging regimes based on recognised categories of vehicle classification (e.g. CO2 emissions).

## Provision for individual user-groups

### Facilities for people with disabilities

17 Around one in five people have a disability. One in seven has an impairment that affects mobility. The National Travel Survey shows that access to a car is one of the most important factors in the amount of travelling people do, with many relying on cars to get about. Whether as a driver or passenger, the ease with which people can reach their destination is nearly always determined by where the car can be parked.

18 Government guidance suggests that parking for people with disabilities should not be ~~no~~ any further from places like a bank, post office or large store than ~~as little as~~ 50 metres for people who use a stick.

19 However, although it is important to consider facilities for people with disabilities, there will be other competing demands for spaces, especially on-street, including loading and unloading, bus stops, etc... This will need to be considered in the round. Where there is an absolute need to keep the road free from stopped vehicles, loading restrictions might be appropriate to prevent stopped / parked vehicles (including goods vehicles or blue badge holders' cars) disrupting traffic flow.

#### **Parking Principle 5: Parking facilities for people with disabilities**

Dedicated on-street parking for people with disabilities should be provided at locations close to services and facilities. The amount of parking will need to be considered on a case-by-case basis taking into account factors such as demand, other competing demands for kerb space, alternative off-street facilities and safety.

Consistent standards across the county should be aimed for.

### Parking for people using public transport

20 Parking at bus and rail stations is useful, even in urban centres where sustainable transport might provide viable travel options, as it encourages people to use the bus or train for the lengthier part of their journey. The amount of parking will need to be assessed in the light of demand and other factors including land availability and other travel options. Such provision will usually be provided by the train operators. This section gives guidance about how the county council would work with providers in relation to parking at interchange facilities.

21 The expectation is that in the urban areas at least, parking for both bus and train interchanges (where provided) would be charged (i.e. people would have to pay for it). The assessment would need to consider how charges might affect people's choices including whether they would be discouraged from using public transport and whether charges were likely to result in displacement of vehicles to nearby streets.

22 Charges may be appropriate at interchanges in other locations, but would need to be considered in relation to the whole-settlement parking management in the area: for example whether charges or restrictions applied in other on and off-street provision. Whole-settlement parking management is covered in more detail in Principles 1, 2 and 3.

23 Parking for train services (and airports) normally attracts a charge, especially since much of this provision is provided by train / airport operators who customarily charge. Drivers are therefore likely to expect car parking charges and it would not be unreasonable that all such facilities are charged, where provided, although consideration will need to be given to whether this might displace parking onto nearby streets.

24 At bus interchanges, car parking will not normally be required since most people will be using public transport for the whole of their trip. However, there is experience that in some market towns, drivers are taking advantage of free public car parking facilities in order to leave their car at that town in order to catch the bus into (especially) Norwich. By doing this they can avoid having to drive into Norwich and find, and pay for, car parking during the day. In such cases, it may be appropriate to consider parking controls to avoid commuters to urban areas using the parking facilities that have been designed for visitors to the market towns. These controls need to be carefully thought through in order to avoid commuters choosing to drive the whole way into the urban area rather than using public transport for part of the trip. An alternative to parking control might be to provide dedicated parking facilities for bus users.

25 There is limited capacity for people to carry bikes on trains and so at rail stations secure cycle parking should be provided in order that people can cycle to and from the station. A separate county council document, *Design Spoke*, covers cycle parking in detail and should be referred to when looking at cycle parking provision.

## **Parking Principle 6: Parking for people using public transport**

### **6.1 Rail stations in urban areas**

Car parking at stations in urban areas may be appropriate. Provision will need to be assessed in the light of demand and other factors including land availability and other travel options. Picking up / dropping off facilities should be provided. There is an expectation that parking will be charged.

Secure cycle parking should be provided to meet demand. A proportion of this should be in the form of bike lockers.

### **6.2 Rail stations in rural areas or in towns**

Long-stay parking provision at stations may be appropriate, particularly in areas where public transport services are not so good. There should be provision of picking up / dropping off facilities. There is an expectation that parking will be charged, although an assessment would need to consider any

knock-on effects such as displacement of all-day parking into other nearby areas.

Secure cycle parking should be provided to meet demand. A proportion of this should be in the form of bike lockers.

### **6.3 Bus stations in urban areas**

Car parking at bus stations/interchanges in urban areas may be appropriate. Provision will need to be assessed in the light of demand and other factors including land availability and other travel options. Picking up / dropping off facilities should be provided. There is an expectation that parking will be charged.

Secure cycle parking should be provided to meet demand. A proportion of this should be in the form of bike lockers.

### **6.4 Bus interchanges in towns**

In some towns where there is evidence that people use free parking facilities in the town in order to commute onwards by bus into the urban centres, there may be a need to consider the provision of car parking facilities for the bus interchange / services.

Secure cycle parking, with a proportion in the form of bike lockers, may be appropriate.

## **Coach and bus parking and facilities in major towns and at tourist hotspots**

26 Many visitors arrive in the urban areas by coach. Coach parties may be visiting the town itself or visiting a particular attraction. Coaches will need access into the town with a dropping-off / pick-up point close to, or at, the attraction they are visiting. As well as needing dropping-off facilities close to these attractions, the coaches will need a place to park longer-stay before returning to pick up their passengers. These parking areas will ideally include facilities such as restrooms. In the Norwich area longer-term coach parking at a designated park and ride site is being progressed to overcome the lack of suitable long stay coach parking within Norwich city centre.

## **Parking Principle 7: Coach and bus parking**

### **7.1 Coach parking**

Parking for long-distance buses and coaches is appropriate for major centres or other areas attracting large numbers of coaches. Parking should be conveniently located to, but not necessarily at or adjacent to, dropping-off areas and include facilities such as restrooms.

**Cycle parking**

27 *Connecting Norfolk* aims to secure a modal shift to more sustainable forms of transport such as cycling. However, people are only likely to cycle if they are confident that there are adequate facilities to put their bikes at, or close to, their destinations. Hence it is important that cycle parking is available at places including transport interchanges, workplaces, shopping centres or visitor attractions. The standard and quality of provision at each of these will be dependent on a number of different factors including how long people will leave their bikes for.

28 A separate county council document, *Design Spoke*, covers cycle parking in detail and should be referred to when considering cycle provision. Parking at interchanges is covered in Parking Principle 6.

**Parking Principle 8: Cycle parking**

Sufficient bicycle parking, both covered and uncovered, should be provided to meet demand. A proportion of this should be secure cycle storage accessible to both casual and long term commuter users, and the remainder of the Sheffield stand type, meeting minimum spacing requirements.

**Facilities for Heavy Goods Vehicles**

29 Heavy Goods Vehicles (HGVs) which operate from within the county have to operate from licensed premises; this is generally where HGVs are stored / parked overnight or when not out on business. The county council provides transport advice to the traffic commissioner on HGV operator licensing proposals, which includes an assessment of the adequacy of the site for the number of HGVs (tractor and trailer units) proposed. These facilities are provided by the operator.

30 In addition to this, there may be some HGVs which, whilst on business in the county need to stop overnight. There is some limited evidence of vehicles using laybys. Generally this does not cause a problem, although it's unlikely there will be wash facilities or toilets for the drivers. However, in some cases, it might cause a worry to adjacent residents or a nuisance if the unit has a generator going overnight for refrigeration purposes. Some district councils have secured local bylaws which prevent overnight parking in some lay-bys. The county council would not usually introduce parking restrictions in such cases due to the practical enforcement issues this would create.

31 Although in principle, subject to consideration of the detail, dedicated overnight / rest facilities for HGV drivers are supported, there will be an issue about the cost of constructing and ongoing running of the facilities. Local authorities would not generally provide or run the facilities.

### **Parking Principle 9: Facilities for Heavy Goods Vehicles**

#### **9.1 HGV Layover / rest facilities**

Facilities for HGVs would in principle be supported provided there is evidence of need and the costs of provision and ongoing running can be met. These will include appropriate facilities such as toilets and shower facilities.

#### **9.2 HGV loading / unloading facilities in towns and urban areas**

Adequate loading facilities either on or off-street within town and urban centres should generally be provided, although consideration will need to be given in each case to the competing demands for kerb space (or off-street facilities).

### **Motorbike parking**

32 Although motorbikes (including mopeds) currently form a small proportion of the vehicles on the roads, they nevertheless provide a travel choice for people who don't want to use, or can't afford to run a car. This might include young people who are able to run a moped before being able to drive a car.

### **Parking Principle 10: Motorbike parking**

Facilities for motorbike parking are appropriate either on-street or off-street in the centres of market towns and urban areas. Provision will need to take account of factors such as demand and other competing demands for kerb space.

## **General Principles**

### **Adequate maintenance of signs, lines and orders**

33 It is important that it is clear to the public the restrictions that are in place. For this reason alone, the signs, lines and traffic regulation orders should be kept in good order and up to date. In addition, *Connecting Norfolk* identifies maintaining the existing asset as a priority whilst, as part of taking on powers for civil parking enforcement (CPE) a review of Traffic Regulation Orders and signing has been undertaken to ensure that they are all in order and that parking restrictions are able to be enforced. In the future the county council will be adopting map-based schedules for traffic regulation orders, which will be an important part of the effective ongoing management of traffic regulation orders.

### **Parking Principle 11: Maintenance**

The county council will endeavour to ensure that signs and road markings for on-street waiting and loading restrictions are inspected in accordance with the Transport Asset Management Plan, and that Traffic Regulation Orders are maintained, accurate and up to date.

### Quality of parking provision

34 Parking provision needs to be perceived as safe and secure in order that people feel confident using it, and customers will expect a certain quality of provision, particularly where they have to pay to use the facility. These principles do not set out quality standards as it's considered that this should be decided on a case-by-case basis. However, in the design of parking provision, consideration should be given to, amongst other things, lighting, ease of use of pay machines, including for people using a wheelchair or with other disabilities, whether it's necessary to cover the facility with CCTV, whether the facility should be staffed, the quality of information including about charges or time restrictions, and condition of the car park surfacing.

#### **Parking Principle 12: Quality of parking provision**

All parking provision should be of an acceptable quality, easy for everyone to use and designed and maintained to give users the confidence that it is safe and secure.

### Information about and signing to facilities

35 The amount of parking and the restrictions imposed can be an important factor in determining how people choose to travel and consequently the environment within the town or city centre. Drivers circulating around town centres trying to find parking, or trying to find free (no-cost) parking spaces, can cause congestion. This can be particularly aggravated where drivers queue on the road for car parking, blocking the free circulation of other traffic.

36 Providing drivers with information about car parking can be helpful to address the issues. This information can take many forms including: static direction signs to parking facilities; variable message signs indicating how many spaces are available at car parks, on a real-time basis; or web-based information. Signing is useful, particularly as part of a settlement-wide plan.

#### **Parking Principle 13: Information about and signing to facilities**

Adequate signing and information about car parking facilities should be considered where this will help motorists and traffic management within the settlement.

### Parking for events and occasions

37 Special events like the Royal Norfolk Show, football matches, firework displays or even Christmas shopping can attract large numbers of motorists within a very short time period. It is very important that events like this are properly co-ordinated and managed to avoid road safety or congestion issues. In Norwich for example traffic marshals are employed at peak Christmas shopping periods to manage car park queues and avoid queuing vehicles blocking the road network.

**Parking Principle 14: Parking for events and occasions**

Where events or occasions will attract large numbers of motorists within short periods of time, event management plans will need to be worked up and agreed to manage traffic flows and maintain safety.

**Timing of restrictions – including seasonal restrictions**

38 Many on-street restrictions apply only to busier periods when there is a need to manage the traffic. Typically, this will apply in towns and urban areas when restrictions have been implemented during daytime hours to keep them free of parked cars and hence keep traffic moving. During the quieter evening and night time periods parking may be acceptable to meet demand from, especially, residents. The periods of these restrictions will vary from place to place dependent on the local circumstances. (Typically, restrictions might apply from 8am to 6pm, or 7am to 7pm.) Although the time period might vary from town to town, care should be taken to ensure that restrictions apply consistently across the whole town (i.e. the time period is the same on different roads across the area). This will avoid motorists being confused about which time period applies to different streets and will make enforcement more practicable. However, it is accepted that different time restrictions may be necessary to cater for the different parking demand characteristics of a town centre compared to the seafront areas of coastal towns and villages.

39 Similarly, where seasonal waiting restrictions apply, the time period (e.g. 1 April – 30 September) should be consistent across a town or urban area to avoid confusion.

**Parking Principle 15: Timing of restrictions – including seasonal restrictions**

The time period of daytime only on-street waiting restrictions should be the same across the town or urban area (e.g. 8am-6pm). However, the times may be different for different towns, and time periods for seafront areas may be different from the town centre areas of a coastal town or village.

The time period of any seasonal waiting restrictions should also be consistent across a town or urban area (e.g. 1 April-30 September).

**Parking around schools**

40 Parking around schools is a particularly problematic issue. It may generally be appropriate to manage this parking through on-street waiting restrictions and school-keep-clear markings. However, the restrictions introduced will be dependent on the particular circumstances, to be decided in conjunction with the local community and the school.

**Parking Principle 16: Parking around schools**

On-street parking restrictions and school-keep-clear markings may be appropriate around schools. The measures will be dependent on the individual circumstances and decided in conjunction with the local community and the school.

### Proposals for Forward Programme Schemes

| Location            | Problems & Issues  | Funding  |
|---------------------|--|--|
| Cringleford         | Working with the community to address issues of overspill parking from the Norfolk and Norwich Hospital. This needs to be co-ordinated with the Norwich City work on the university area issues                  | SNDC/Parish Council joint funding for initial scheme development |
| Great Yarmouth      | Review following the introduction of year-round on-street charging, reflecting the Towns emerging winter tourist season.   | Potential funding from LEP Sustainable Transport budget.         |
| Holt                | Overspill parking from visitors in residential neighbourhoods. Measures should maintain vitality of the High Street  | None identified – on-going discussions with Local Member         |
| Hunstanton          | Impacts of uncontrolled long-stay parking (“invasion parking”) on residents and town centre access   | Explore KLWNBC capital funding.                                  |
| Trowse              | Working with the community to address issues of commuter/ football parking and congestion  | SNDC/Parish Council joint funding for initial scheme development |
| Wells-Next-The- Sea | Now becoming a year-round tourist destination, recognising parking pressures occur at all times. Locally driven changes to Traffic Regulation Orders (TRO) and an ambition to introduce a resident permit scheme | Town Council have some funding available.                        |