



BLACKBURN
with
DARWEN
BOROUGH COUNCIL

Residents' Parking Scheme
Policy

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1. INTRODUCTION

- 1.1. This document sets out the Council's policy towards the provision of residents parking schemes on the local road network within the borough.
- 1.2. This policy is designed to help ensure that:
 - Requests for the introduction of a Residents' Parking Scheme are dealt with in a fair, consistent and transparent way.
 - Schemes that are introduced have passed the criteria detailed in the policy and have been through a vigorous localised consultation and engagement process
- 1.3. A residents' parking scheme is introduced by way of a Traffic Regulation Order ("TRO"). It is one of many means of controlling on-street parking, through the issue of parking permits to individual persons for the use of specified vehicles. It is not a means of controlling access to certain areas as short term parking by any vehicle should ideally be accommodated within the area.

2. Background

- 2.1. The main purpose of the highway is for the movement of traffic. Neither residents nor other vehicle owners have a legal right to park on the highway. However, parking is generally allowed where it doesn't impinge on the movement of traffic; where it does not create a safety hazard; where it does not obstruct access for emergency vehicles or access to property, nor causes damage to the fabric of the highway.
- 2.2. Parking restrictions may be introduced for a variety of reasons including highway safety and access; traffic management or for environmental reasons in protecting residential or other sensitive areas.
- 2.3. Householders are often resentful when others park outside their homes, even where the householder does not actually have the use of a car. Some residents even believe, incorrectly, that they actually have rights to park on the road outside their property.
- 2.4. Residents' Parking Schemes provide formal parking arrangements (through the introduction of a legal Order) and can be used in certain circumstances to prioritise the available parking space in a road or area. Schemes can help in situations where residents regularly find it difficult to park near their own home because a large proportion of spaces are taken up by other road users.
- 2.5. Schemes are most often requested and introduced in residential areas near to town centres or where other major sources of parking demand occur, e.g. hospitals, factories and further education establishments. Schemes do not guarantee a parking space, but rather aims to return the area to the situation prior to the extra demand from outside in order to provide better opportunity for residents to park within vicinity of their home.

3. Pro's and Con's

Is a Residents' Parking Scheme the answer?

- 3.1. The introduction of a Residents' Scheme is only one of a number of options available to address a parking problem on a road by road or area wide basis. Other, more effective options may be suitable depending on the root cause of the parking problem, e.g. residents parking is unlikely to be a solution where parking spaces are being taken by parents dropping off or collecting children from school. If parking problems arise because of existing restrictions then resolution might be achieved by reviewing those restrictions and changing them where they are no longer appropriate.

What are the advantages of a Residents' Parking Scheme?

- 3.2. Better management of limited parking space can be achieved through the introduction of a Residents' Parking Scheme. A scheme can help ensure that space is provided, as far as possible, for those residents that require it. The benefits of a residents' parking scheme may include improved traffic flow, better access for emergency vehicles and servicing of premises for disabled parking, taxis and other public transport. There may also be improved safety for road users, including pedestrians and cyclists.

What are the disadvantages of a Residents' Parking Scheme?

- 3.3. To accommodate marked spaces for residents it may be necessary to prevent parking on the opposite side of the street and at junctions to ensure clear passage for vehicles. This can have the effect of reducing the overall parking capacity available and so might result in a worsened situation for those needing to park than if the scheme had not been implemented.
- 3.4. Schemes may also create problems by displacing non-residents' vehicles and lead to the inefficient use of on-street parking space. For these reasons the Council will usually only consider their introduction on an area wide basis with schemes for individual streets only being considered in exceptional circumstances.

4. Key Principles

Can a scheme be introduced anywhere?

- 4.1. Residents' Parking Schemes are not suitable for all areas. Before a scheme is implemented an assessment is made to make sure that introducing a scheme is technically and financially feasible; that it provides the most effective way of addressing existing parking problems; that it will not create new or displaced parking problems, that it represents good value for money and is broadly self-supporting financially.
- 4.2. Only Schemes which are assessed as feasible and meet the criteria (set out in section 4) may be implemented.

How does a Residents' Parking Scheme work?

- 4.3. Residents' Parking Schemes are achieved by introducing a Traffic Regulation Order within the provisions of the Road Traffic Act 1984. The Order restricts parking but exempts permit holders (residents and if appropriate other groups) from those restrictions. Schemes can take different forms e.g. exclusive use of bays by resident permit holders or where the bays are shared with other short term parkers who would be subject to a time limit of typically 1, 2 or 3 hours.
- 4.4. With such permit schemes the street or area is divided into prohibited and permitted parking and in order to park where permitted a valid permit or paid for parking ticket must be displayed. Permit categories can vary and are usually made available to residents, their visitors and health care workers and may include other users, dependent on highway capacity. Any vehicles found parked without a valid permit or paid for ticket are subject to a Penalty Charge Notice (PCN).
- 4.5. Residents' Parking Schemes are designed by taking into account a number of factors, including the problems experienced, demand for residents' day time and overnight parking, road safety and available space for parking. Residents and other affected parties are given opportunity to provide feedback on draft proposals as part of the consultation process before they are formally published or implemented.
- 4.6. For a scheme to work, a pro-active enforcement regime is required to ensure that the terms of the Order are upheld. Availability of enforcement resources will be taken into account when considering the viability of a scheme.

How much does a scheme cost?

- 4.7. The costs associated with Residents' Parking Schemes fall into two main categories: firstly, set-up costs (including technical surveys, public engagement and consultation; changes to/introduction of the signing and lining of the areas concerned and the preparation and publication of Traffic Regulation Orders) and secondly, on-going (permit issue, administration and enforcement) costs. For full details of the necessary work involved refer to paragraph 4.8.
- 4.8. As schemes are, by their nature, of a direct benefit to a small and localised group of residents, the general principle will apply that Residents' Parking Schemes are set up and run on a cost-recovery basis i.e. schemes are self-funding.
- 4.9. On-going costs are recovered through the charges made to residents within the areas of benefit together with any income from enforcement. In this way those who directly benefit from the schemes contribute to the costs incurred for ongoing administration and enforcement. The charge made for permits will be set at a level aimed to recover costs. It is recognised that there may be a surplus or a deficit in funding of residents' schemes and this will be taken into account when permit fees are reviewed annually.

How much will a permit cost?

- 4.10. The ongoing management and enforcement costs of the schemes are recovered from residents that the schemes are designed to help by charging for permits. Residents will be informed of how much permits will cost before any scheme is implemented.

5. Criteria for Residents' Parking Schemes

- 5.1. To ensure that resources are used effectively all requests for the introduction of a Residents' Parking Scheme will be assessed using the criteria described in this policy. A request for a scheme will not be progressed if it fails to meet the specified criteria.

There must be a genuine need for the Residents' Parking Scheme

- 5.2. It is widely accepted that a scheme can help when parking problems caused by presence of vehicles parked by non-residents are regularly experienced by the residents of the area. Where problems are created by an over-demand for on street parking from residents in relation to the space available a scheme with a reduced allocation of permit(s) for each dwelling may be helpful.

A Scheme will **only** be considered where:

- There is limited or no off-street parking
 - Residents are unable to park near to where they live because 40% or more of the available space is regularly taken by other road users and;
 - There is not enough space to accommodate either residents' needs or residents' and non-residents' day time parking needs; and
 - The majority of residents have a need for on street parking (60% or more in the proposed area).
- 5.3. Where a request for a scheme does not fulfil the criteria above its introduction will not be considered unless:
- The introduction of a scheme will be the most effective and appropriate way to address existing road safety problems or access needs;
 - The scheme is necessary to address the adverse impact from new development in a residential area;
 - The scheme is to be introduced as part of a wider integrated traffic or parking management scheme or to encourage use of alternative facilities such as off-street parking or park and ride schemes
 - The scheme is required to deal with considerable inconsiderate, indiscriminate but transient parking problems such as around Ewood Park or Witton Park during live events.

The majority of the community should support the Scheme

- 5.4. A scheme will not be imposed upon a community. Its purpose is to improve the quality of life for those residents who require on-street parking and its success will rely on the support and cooperation of the residents living in the proposed Parking Scheme area. For this reason a scheme will only be considered (and implemented) where there is clear support from residents affected by the scheme. Therefore, a scheme will only be considered where an initial request for the introduction of a Scheme is supported by at least 10 households (or representatives from 25% of households) from the road or area experiencing problems.
- 5.5. Where it is determined that there is a genuine need for a scheme, it will be implemented only where the majority (at least 70%) of households in the proposed

area agree to its introduction. The level of support for a Scheme will be determined through consultation with residents.

Prioritisation of requests for Schemes

- 5.6. Requests for schemes will be considered annually during a defined period. Potentially viable schemes will undergo a feasibility test according to the criteria described in paragraphs 4.1 to 4.3 above. If the proposed scheme fails the assessment it will not be progressed any further.
- 5.7. At times it may not be possible to progress all requests for feasible schemes e.g. where demand exceeds available resources. Where it is not possible to accommodate all requests they will be prioritised using the assessment factors below. Any requests left over after prioritisation has taken place will be placed on a waiting list.
- Frequency of the problem (i.e. how often residents parking is taken by nonresidents);
 - Existing accessibility problems for emergency vehicles and public transport;
 - Number of properties affected

Process for introducing a Residents' Parking Scheme

- 5.8. A number of steps are involved from the initiation to the implementation of a Scheme including:
- Feasibility study to assess demand and availability of spaces;
 - Public engagement and consultation with residents and other local interests
 - Drafting and publication of a Traffic Regulation Order
 - Statutory consultation for the Order in the local press and with key stakeholders and consideration of objections)
 - Work on the road to lay markings and put up signs
 - Processing permit applications and issuing permits.
- 5.9. During the initial stages, work will be carried out to assess the area under consideration including measuring available kerb-side space and carrying out a survey to establish the type of parking that occurs and the residents demand. Only if this assessment indicates that a scheme is feasible will a request progress.
- 5.10. Where the road space available for a residents" parking scheme falls below that required to issue one permit per household, a scheme will not be pursued. This will often be the case along narrow streets as rationalising parking to introduce a residents" parking scheme can often reduce the current available parking spaces by 50%. (- see 6.2(b) for Allocation of Permits)
- 5.11. The next stage (when a scheme is assessed as feasible) involves engagement with local residents to identify support for or objections against a scheme. Where consultation reveals majority support from residents needing on street parking facilities for the scheme a formal process is started by publication of Traffic Regulation Orders. All objections received will be considered and referred to Planning & Highways Committee for approval of the recommendation to the Executive Member for Regeneration who will make the final decision. Before any scheme is activated,

road markings and signing of the scheme area are required and permit applications processed and permits issued. Once a scheme goes 'live' enforcement of the restrictions is carried out by the Council's Civil Enforcement Officers.

6. General terms and conditions

6.1. Each Resident's Parking Scheme will be designed to suit the needs of the community where the scheme is being introduced e.g. a community experiencing problems from commuters during the week is likely to need a different solution than a community with problems on a football match day.

6.2. General terms which apply to all schemes are given below.

a) Types of Permit

When a scheme is designed the types of vehicle allowed to park will be defined. Vehicle types will vary according to area e.g. residents permits, visitor permits, health carer permits or business vehicle permits may or may not be required or be appropriate. When a scheme is drafted and consulted upon it will include details of proposed permitted vehicles.

For more detailed information on Permit types refer to Appendix A.

b) Allocation of Permits

The allocation of permits per dwelling or household will be decided based upon the number of dwellings requiring on-street parking during the daytime and the length of kerb space safely available in each road for parking purposes. They will vary from 1 permit per household where space is limited to 3 per household where road space is widely available. Permit allocation may be reduced prorata for each off street parking space available to each dwelling. (It should be noted that purchase of a permit does not guarantee a parking space)

c) Eligibility for a Resident's Permit

To qualify for a resident's permit an individual must permanently reside at an address within the road or scheme area where off-street parking for the appropriate number of vehicles is not available (but need not be the property owner) and should own or have the use on a regular basis of a vehicle, i.e. a company car, of the type permitted to park in the Residents' Parking Scheme area.

d) Permanent Resident

Proof of residency at an address within the relevant Residents' Parking Scheme area must be provided in order for an application for a permit to be considered.

Acceptable forms of proof include:

- Current (within last 3 months) utility bill
- Driver's licence
- Mortgage/rent agreement for at least 3 months
- Current Council Tax Bill

- e) **Ownership/Use of vehicle**
Proof of ownership or the regular use of vehicle must be provided in order for an application for a permit to be considered. Acceptable forms of proof include vehicle registration document (Form V5C) and a valid vehicle insurance certificate.
- f) **Blue Badge Holders**
Blue Badge Holders are not allowed to park in a Residents' Parking Bay unless a valid permit is displayed.
- g) **Transfer of Permits**
Permits cannot be transferred from one vehicle to another. When a resident changes their vehicle they should apply for a new Permit if they wish to park that vehicle within the Residents' Parking Scheme.
- h) **Householders without a vehicle**
Householders living within a Residents' Parking Scheme who do not own or have regular use of a vehicle are not eligible for a Residents' Permit. However, provision is usually made in each scheme to accommodate parking by visitors to a resident e.g. friends, relatives, carers, regardless of whether the resident has a permit themselves.
- i) **Renewals**
Residents' permits are subject to annual renewal. It is the responsibility of the permit holder to ensure that they apply to renew their permit. Existing permit holders will usually be invited to renew their permit, and subject to meeting the eligibility criteria, will be issued with a new permit. In any scheme where permits are restricted, where a resident fails to renew their permit before the expiry date it will be assumed that the resident does not wish to renew. In these cases, after a period of 10 working days from the expiry date, the permit will be made available to other residents.
- j) **New applications**
Residents living within a Residents' Parking Scheme area may request a permit by submitting an application to the Council at any time. Each scheme will be designed to accommodate a certain level of permit provision per dwelling, i.e. 1, 2 or 3 as detailed above.
- k) **Refunds**
Where a resident no longer requires their permit they should return the permit to Parking Services in order to receive a refund. Refunds will be made for any full months remaining on the permit after an administration fee¹ has been deducted. Refunds will not be given in relation to any permits which have been defaced or tampered with.
- l) **Lost/stolen Permits**
Where a permit is lost or stolen a resident can obtain a replacement by applying to the Parking Team. A replacement permit will be issued subject to an administration fee² and provided that the resident still meets the eligibility criteria.
- m) **Moving home**
Where a resident moves out of the Residents' Parking Scheme area they should return their permit to the Council in order to receive a refund. Refunds will be made for any full months remaining on the permit after an administration fee³ has been

deducted. Refunds will not be given in relation to any permits which have been defaced or tampered with.

n) Misuse

The Council reserves the right to revoke any permits issued to individuals who abuse the Residents' Parking Scheme system e.g. tampering with permits or supplying permits to others who are not entitled to use them. The Council may refuse to provide a permit to individuals who have failed to comply with the terms of a Residents' Parking Scheme.

o) Scheme Area

This is the road or geographic area described in the Traffic Regulation Order which introduces restricted parking and allows parking with a permit.

p) Allocation of Permits

When a scheme is designed, details of how permits will be allocated will be included, for example, the number of permits available per household.

q) Variations to existing Schemes

Requests for changes to existing schemes will be considered by applying the general principles outlined in this policy document. Significant changes e.g. those that require a change to the Traffic Regulation Order will always require public consultation.

r) Household

Where a building is made up of separate, self-contained dwellings (e.g. flats) each separate dwelling will be treated as a separate household.

s) Off-street Parking

In case of dispute over whether off street parking is adequate the space will be considered as adequate if the following dimensions are met:

2.4 metres x 4.8 metres (or if flanked by a wall on one or both sides 2.5 metres x 4.5 metres)

Where a garage is used for off street parking it will be considered adequate if it is at least 2.5 x 4.5 metres.

t) Waiting lists

In cases where permits are restricted and all available permits have been allocated new applicants will be placed on a waiting list. As permits become available (e.g. as existing permit holders no longer require their permit when they move out of the area) those on the waiting list will be invited to apply for that permit based on the length of time on the waiting list.

¹ £20 in 2016 but the fee will be subject to inflation and other possible rises and will be published in the Council's Fees & Charges going forward

² As endnote 1

³ As endnote 1

Appendix A

Residents' permit

To qualify for a permit you must:

- Permanently reside at an address within the relevant parking zone
- Own or have the regular use of a vehicle

Visitor permits

Visitor permits are available throughout the scheme in all of the parking zones. Any household in the zones may purchase books of two hour or all day permits every four weeks.

- 20 no. two hour permits⁴
- Ten no. all day permits⁵

Visitor permits must only be used by vehicles visiting the property of the permit holder.

Health/Service Provider permits

There are 2 types of permit in this category, to qualify for these you must either be a medical professional or a carer for a resident within a scheme. Evidence will be required and there will be an annual charge.

Type 1 – To qualify for this permit you must be a health/medical professional who is required to visit patients/clients in the community to provide carer and/or medical support i.e. GPs, Nurses, Home Help etc and be employed by a recognised professional body. These permits are:

- Issued to a specific vehicle registration number (max of 2)
- Valid in **all** resident parking areas
- Time restricted (max 2/3 hours)

Type 2 – To qualify for this permit you must be a relative that provides carer and/or medical support to a resident within a scheme. These permits are:

- Issued to a specific vehicle registration number (max of 2)
- For a specific scheme and cannot be used elsewhere
- Restricted to households who do not hold any other permits
- time restricted (max 2/3 hours)

Lost permits

Lost or damaged permits will be replaced at a cost of £20 per permit.

Business Permits

Businesses will generally be eligible for the same number of permits as residents unless they can justify a requirement for extra permits; it should be noted that limited waiting spaces will normally be incorporated into any scheme at the design stage in order to cater for business's customers.

Disabled badge holders

Disabled badge Holders are not permitted to park in resident's parking areas without displaying a valid parking permit. They may however be eligible to apply for a residential disabled parking bay and, notwithstanding this; the removal of extraneous traffic from the area should increase their chance of parking closer to their property.

⁴ £20 in 2016 but the fee will be subject to inflation and other possible rises and will be published in the Council's Fees & Charges going forward

⁵ £30 in 2016 but the fee will be subject to inflation and other possible rises and will be published in the Council's Fees & Charges going forward