

Report for Resolution

Report to Norwich Highways Agency Committee
24 March 2011

Report of Head of city development services

Subject Terms and conditions for parking permits and
dispensations

Item
10

Purpose

The purpose of the report is to revise the terms and conditions for parking permits and dispensations.

Recommendations

The committee is recommended to approve and adopt:

- (1) the revised terms and conditions for parking permits as set out in appendix 1;
and
- (2) the business rules and conditions of use for parking dispensations as set out
in appendix 2.

Financial Consequences

The changes to the terms and conditions for parking permits are not expected to have any direct financial implications. The effects of the changes to parking dispensations is harder to predict; while the cost of the dispensations is rising, the intention of the scheme is to see a reduction in the number of dispensations used. Overall it is anticipated that there will be a negligible effect on the income generated by the sale of dispensations.

Strategic Priority and Outcome/Service Priorities

The report helps to meet the strategic priority “strong and prosperous city – working to improve quality of life for residents, visitors and those who work in the city now and in the future and the service plan priority of administering the civil parking enforcement scheme

Contact Officers

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Background Documents

None

Report

Background

1. In recent months work has taken place to look at the number of Penalty Charge Notices (PCN) for parking violations that have been waived on appeal. As part of this it the need to make the terms and conditions for the use of parking permits clearer has been identified.
2. Additionally at your meeting in September 2010 you agreed that the scheme for parking dispensations that are currently used by drivers working within Controlled Parking Zones (CPZ) should be amended. In order to implement this, a set of clearly defined business rules and terms and conditions of use is needed.

General Parking permits

3. The main source of confusion in the current terms and conditions for parking permits is the use of the phrase “bona fide”; e.g. bona fide visitor, bona fide business user etc. It is suggested that the definitions for each type is made explicit.

Visitor Permits

4. For visitors there are 2 main problems encountered; defining what a genuine visitor is and the visitor permit being used by a resident of the property that the visitor permit was issued in respect of.
5. It suggested that a visitor is defined to be someone who is visiting the property that the permit was issued for, or someone who is the company of a resident of that property, other than at their place of work or education or an overnight stay away from the property. This will make it clear to permit holders that they cannot give their visitor permits to friends, family members or colleagues to use to park when they are at work, college or university, or when they go away on holiday.
6. The use of a visitor permit by a resident is a particular problem in the city centre CPZ as residents are only entitled to purchase one residential permit. The idea of a visitor permit is that it is used on an occasional basis, not continually. When it is being used on a regular basis by a resident it adds to the pressure for on street spaces, and is unfair to the residents who have made alternative provision for second and subsequent vehicles. It is suggested that terms and conditions explicitly exclude this type of use.
7. There is also an issue of defining when a regular visitor to a property becomes a resident. For the purposes of council tax a resident is defined as someone who regularly spends four or more nights a week at a property. It is suggested that a similar approach is adopted for parking permits.

Business Permits

8. For business permit holders the intention was that the permit was used for operational purposes only, not for all day parking by workers at the business premises. By making this clear to permit holders, it may help alleviate the problems experienced in the Queens Road and railway station areas where there are significantly more business permits issued than in other areas.
9. Complaints have been raised about business vehicles being parked on street when the business is closed. It is therefore proposed that business permits should only be valid during the operating hours of the business to which the permit is allocated.

Community Carer permits

10. The main problem experienced with the community carers permits, which are available to those who perform caring duties for residents within CPZs, is that they are often used by the permit holder to park near their office or close to facilities such as the courts. It is therefore proposed to tighten the definition of when a community carer permit can be used to limit it to when the carer is performing a caring duty in the home of a resident located within a CPZ.
11. When misuse of a permit is suspected, and this is usually as the result of a complaint from the public, the civil enforcement officers monitor the use of the permit over a period of time. If the pattern of use indicated that the permit is being misused the permit holder is written to and asked to provide an explanation of the use within 14 days. If they fail to respond or do not give a satisfactory explanation they are advised that the permit will be cancelled after 7 days if it is continued to be misused. Once cancelled the permit holder must wait for 3 months before applying for a replacement permit.
12. There will always be legitimate uses of any permit that do not fit exactly with the uses described above. In those cases it is suggested that the permit holder be asked to apply for an exemption. This would be granted by the head of city development services, or their nominated representative.
13. A list of the full set of terms and conditions is attached as appendix 1.

Dispensation Vouchers

14. When members considered the change to dispensation vouchers in September 2010 it was agreed that the price should be increased and that the vouchers should only be available to legitimate users. For the avoidance of doubt it is suggested that the business rules and conditions of use detailed in appendix 2 are formally adopted.

Appendix 1

Conditions of Use for Parking Permits

General Conditions for All Permits

- The permit must be displayed clearly on the windscreen so that it can be read from the outside of the vehicle
- The issuing of a permit does not guarantee a parking space. If no parking spaces are available it is not a justification for causing a parking contravention elsewhere
- Permits are not valid for use on vehicles with an un-laden weight over 3.5 tonnes
- Permits are only valid for use on the dates shown on the permit
- The use of all permits is monitored, and where evidence is found that the permit may be being used outside of these terms and conditions the permit holder will be given the opportunity to provide a satisfactory explanation of the circumstances or to agree actions to rectify the situation. The permit will be withdrawn if no satisfactory response is received by the council

General Conditions for On Street Permits

- The permit is only valid for use in on street permit parking spaces of the Parking Zone it is issued for – this can be determined either by the pre-fix letter of the serial number on the permit e.g. A, B, C etc or by the name printed on the permit e.g. St Giles, Cathedral etc. The signs adjacent to each permit parking bay will identify the parking zone.

General Conditions for Housing Parking Permits

- The permit is only valid for use in the Housing Residents car park it is issued for – this can be determined by the pre-fix letter of the serial number on the permit e.g. BCR, BCT etc. The entry signs to the car park and the signs adjacent to each permit parking bay will identify the housing car park.

Specific Conditions for both On Street and Housing Residents Parking Permits

- The permit is only valid for use on the vehicle it was issued to, unless otherwise stated. Please contact us if you need to transfer your permit to a different vehicle

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Specific Conditions for both On Street and Housing Visitor Permits

- The permit is only valid when displayed on the vehicle of a visitor who is in the property that the permit was issued in respect of, or remains in the company of a permanent resident of that property, that resident not being at their place of work or education or away from the property on an overnight stay
- Use of the permit by one visitor/vehicle for a period exceeding 4 out of 7 days in any 14 day period is not permitted without the prior agreement of the Council; please contact us if you feel you have reason to use the permit outside of these restrictions.
- The permit is not valid when displayed on a vehicle owned, or being used on a regular basis, by a person who is resident at the property the permit was issued in respect of

Appendix 1

Specific Conditions for On Street Business Users Permits

- The permit is only valid when displayed on the vehicle of a person visiting the business premises of the permit holder, or for employees of that business who need to use their vehicle through the course of their business.
- The permit must not be used for all day commuter parking without prior consent of the City Council
- Permits are only valid during the operational hours of the business that the permit was issued for.

Specific Conditions for On Street Community Carer Permits (also known as “QC” permits)

- The permit is only valid when displayed on the vehicle of a person whilst they are performing a direct caring duty in the home of a client who lives within a Controlled Parking Zone

Specific Conditions for On Street Statutory Duty Permits (also known as Q permits)

- The permit is only valid when displayed on the vehicle of a person who has a statutory duty or genuine business reason to enter a property within a Controlled Parking Zone when they are in that property.

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Car Park Season Tickets and Contract Parking

- Please refer to the separate terms and conditions enclosed with your permit

Penalty Charge Notices may be issued by the Council to any vehicle found to be parked in contravention of any of the above conditions of use. The council reserve the right to cancel, suspend or withdraw any parking permit issued.

A copy of these terms and conditions is available on our website – www.norwich.gov.uk

For further information please contact our customer contact team using the details overleaf.

Please note – These are the generic terms and conditions that are printed on the back of all permit letters issued by the city council. The references to housing permits are outside the remit of NHAC.

Appendix 2

Business Rules for Dispensation Vouchers

Purpose of the voucher

To enable people who need regular access to their vehicle while carrying out work on or at a property within a controlled parking zone (CPZ).

Vehicles vouchers can be used on

A voucher may be used for any van or lorry that is used in conjunction with a voucher holder's business or work.

Vouchers may be used on cars that carry the livery of a business which is owned by or employs the user of the voucher.

Persons entitled to purchase vouchers

The owner, sole trader or employee of any business that has a legitimate reason to park in a CPZ is entitled to purchase vouchers. This includes, but is not exclusive to, builders, repairers, window cleaners, cash collectors, shop fitters, utility companies.

Proof of entitlement

The following will be accepted as proof that a person is entitled to purchase vouchers:

- Headed company / sole trader note paper
- Proof of VAT number
- Works order showing the location of work to be within a CPZ
- Company / sole trader cheque
- Purchase order from the company

Cost and methods of payment

The cost of an individual voucher is £5. A book of 5 vouchers may be purchased at a cost of £20. No more than 4 books of 5 vouchers (or 20 individual vouchers) may be purchased at any one time or in any 7 day period, per business (not per employee). If more vouchers are required this must be agreed in advance by the Head of city development services or his representative.

Vouchers may be applied for in person, by post or by telephone, and applications must be accompanied by payment. Payment is by cash, debit card, credit card or cheque made payable to Norwich City Council. The vouchers can be collected or posted to a business address.

Unused vouchers are non-refundable and non-transferable.

Appendix 2

Conditions of use:

Vouchers can only be used in commercial vehicles or liveried cars

Vouchers are only for use by people working from or needing access to the vehicle throughout the time it is parked. Return visits at least once every 20 minutes are needed to meet this requirement.

The voucher can be used to park in limited waiting bays, on street pay and display bays, permit parking bays, and on yellow lines outside the time of any loading restriction. Their use in pedestrian areas must be agreed in advance with the City council.

Parked vehicles must not cause an obstruction to either vehicles or pedestrians.

Vouchers can be used on no more than three vehicles working at any one premise at the same time.

Vehicles displaying vouchers must be moved if requested by a police officer, civil enforcement officer or a authorised employee of the city council.

A voucher does not guarantee the holder a space to park.

The city council reserves the right not to issue a dispensation voucher when it has reason to believe that there is not a genuine need for it to be used in the location where the vehicle is parked

Instructions for use

On the day the voucher is used a panel from each of the sections to show the day, date, month and year must be scratched out. If any box is incorrectly completed the voucher is invalid

The voucher must be filled in with all required information in pen.

It must be displayed from at all times when parked, face up and clearly visible in a prominent position on the dashboard.

THIS VOUCHER IS NOT TRANSFERABLE AND NON-REFUNDABLE