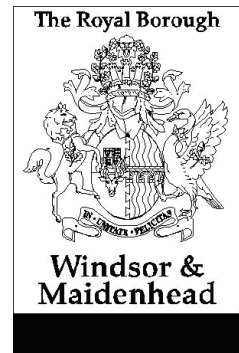


Report for: ACTION



<b>Contains Confidential or Exempt Information</b>	No - Part I
<b>Title</b>	Parking Strategy
<b>Responsible Officer(s)</b>	Simon Fletcher, Strategic Director of Operations, 01628 796484
<b>Contact officer, job title and phone number</b>	Craig Miller, Head of Community Protection & Enforcement, 01628 683598
<b>Member reporting</b>	Cllr Cox, Lead Member for Environmental Services & Parking
<b>For Consideration By</b>	Cabinet
<b>Date to be Considered</b>	October 2016
<b>Implementation Date if Not Called In</b>	Immediately
<b>Affected Wards</b>	All
<b>Key Words</b>	Parking, strategy, permit, enforcement

## REPORT SUMMARY

This report introduces a new document setting out the policy principles the Royal Borough of Windsor & Maidenhead will use in planning, maintaining, expanding and enforcing its on and off street car parking over the next 20+ years.

Cabinet's steer on parking provision has been clear for some time; the Council will seek to prioritise the parking needs of local residents and businesses through the operation of its parking services and in doing so will remain an owner of public parking and in control of pricing levied for the activity. These features are a key foundation to the strategy document.

## If recommendations are adopted, how will residents benefit?

Benefits to residents and reasons why they will benefit.	Dates by which they can expect to notice a difference.
Residents will benefit because parking availability, and the conditions that apply to parking will be improved.	Short term additional parking will be found which will benefit residents during peak times. Initial changes will be made in early 2017

## 1. DETAILS OF RECOMMENDATIONS

### RECOMMENDATION: That Cabinet:

- i) **Approves the Parking Strategy, including the revised Parking Enforcement Strategy and authorise implementation.**

## 2. REASON FOR RECOMMENDATION AND OPTIONS CONSIDERED

- 2.1. A parking strategy needs to resolve difficult and potentially controversial choices, so must be both technically and procedurally robust. It should:
    - Be consistent with and respond to national and regional guidance and objectives.
    - Reflect and contribute to the vision for the area, for example, as expressed in the Council's Corporate Plan.
    - Be well rooted in relevant local policies and contribute to wider community objectives, both transport and non-transport related.
    - Respond to local circumstances and public concerns with clear objectives.
    - Make the right connections with related strategies, for example, for economic regeneration, crime prevention, streetscape enhancement.
    - Show how adequate levels of parking enforcement will be provided; and
    - Have a realistic implementation timetable.
  - 2.2. It is important that as the strategy is developed key elements receive strong political and local support. Gaining support should be easier if proposals focus on locally acknowledged problems and it should be accepted that support for the principles of the strategy will not necessarily, and should not need to translate into support for individual schemes or policies. Nevertheless, support for the strategy is vital to facilitate the approval of contentious local details (such as driving long-stay parkers out of central off-street car parks).
  - 2.3. Our Borough is at an exciting period of change as regeneration and development plans start to become a reality and the Council looks to build a Borough for everyone. In Maidenhead in particular, real progress is being made and is plain to see with Chapel Arches, Maidenhead Waterways and the demolition of the council offices in the York Road Opportunity Area. Alongside this, development of The Landings, Nicholsons shopping centre and key sites in and around the town centre are all at exciting stages of planning.
  - 2.4. The town is already well connected by road, rail, river and air but the arrival of the new Elizabeth Line (Crossrail) in 2019, increasing connectivity to London's business centre and increasing the potential for businesses to relocate from London to Maidenhead – will further benefit all parts of the Borough.
  - 2.5. Replacement, additional and improved parking provision is essential to maintaining the attractiveness of the Royal Borough, our retail centres and tourist attractions; and our ability to support the regeneration of Maidenhead town centre in particular.
- Background**
- 2.6. Our previous Parking Strategy (2004) set the Council's objectives and vision for parking within the borough for a period of 10 years and was revised

following the Decriminalisation of Parking in 2008. Prior to 2008, RBWM directly operated and maintained 52 off street car parks throughout the Borough and delivered on-street parking (paid for) in Windsor, Eton and Datchet. Since then, the Royal Borough has had responsibility for all on and off Street parking in the Borough.

- 2.7. Over the last 10 years the parking situation in Windsor has changed very little. There still remains a need for additional residential parking at peak times and a significant unmet demand for visitor parking as the town's reputation and quality as a tourist destination continues to grow. The proposals set out in the attached Statement of Parking Principles address these issues, and others.
- 2.8. Contrary to Windsor the parking situation in Maidenhead has changed significantly over that period, with more significant change expected over the next five years, which a refreshed look at parking needs to address. A number of existing car parks are identified in the Area Action Plan (AAP) for development including Hines Meadow, Grove Road and West Street. The Elizabeth Line (Crossrail) is due to commence in 2019 and will have a significant impact on long-stay parking around Maidenhead Station.
- 2.9. Office space in Maidenhead is growing as we become a location of choice for big brand businesses and with it the demand for public parking is also increasing, thus reducing the available day time spaces available in the town centre, to virtually zero. The capacity of short-stay parking too is under real pressure, with a number of short stay car parks now identified as key parts of sites to be developed over the next 3-5 years.
- 2.10. In addition, the council reviews approx. 150 parking schemes every year with the number of new permits schemes increasing from four in 2008, to 23 in 2016. It is envisaged the number of schemes will continue to grow over the next five years, with each new scheme creating additional pressure on public parking in the surrounding areas.

### **Parking Strategy**

- 2.11. The new Parking Strategy for the Royal Borough of Windsor and Maidenhead. will guide the development of parking across the Borough over the next 20+ years, albeit it will be reviewed again annually during that time to ensure it continues to do so.
- 2.12. The strategy seeks to address a number of key parking issues such as:
  - short and long term parking provision across the Borough,
  - regeneration and development impact on parking,
  - our approach to pricing,
  - parking hierarchy and,
  - our approach to enforcement.
- 2.13. It also provides the option to explore innovative and alternative service delivery models and facilitates potential opportunities to enhance services by working with private sector service providers. We do this through three distinct strategic aims; a) Commercial Viability, b) Parking provision and c) Parking quality and a series of supporting objectives.

- 2.14 The background and definition for each of the strategic aims is set out in section 5, of appendix A: Parking Strategy. From our understanding of the key features and issues associated with parking across the Borough, we have developed a series of 20 Policy Principles, each of which should assist us to achieve our strategic aims.
- 2.13. Finally, our Policy Principles are converted into actions, and these are set out in the action plan in section 6 of the document.

<b>Option</b>	<b>Comments</b>
(a) adopt the Parking Strategy <b>This option is recommended</b>	(a) Adoption of the strategy will provide clear objectives for parking within the borough, taking into consideration current and future requirements
(b) reject the Parking Strategy. <b>This option is not recommended</b>	(b) This is not recommended because without it, there will continue to be no strategic, agreed approach to responding to parking issues across the Royal Borough.

### 3. KEY IMPLICATIONS

<b>Defined Outcomes</b>	<b>Unmet</b>	<b>Met</b>	<b>Exceeded</b>	<b>Significantly Exceeded</b>	<b>Date they should be delivered by</b>
Urgent priority actions (from the strategy) achieved	Not Achieved	April 2017	March 2017	January 2017	April 2017
High priority actions achieved	Not Achieved	October 2019	October 2018	October 2017	October 2019

### 4. FINANCIAL DETAILS

#### Financial impact on the budget

#### 4.1. Revenue Funding

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	Revenue £'000	Revenue £'000	Revenue £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

## 4.2. Capital Funding

	<b>2015/16</b>	<b>2016/17</b>	<b>2017/18</b>
	Capital £'000	Capital £'000	Capital £'000
Addition	£0	£0	£0
Reduction	£0	£0	£0

4.3. Approval of the Parking Strategy itself requires no additional funding, however, individual actions set out in Section 6 may require some funding, which will be requested, if necessary, before implemented.

## 5. LEGAL IMPLICATIONS

5.1. The Parking Strategy has no legal implications however a number of the options and the method of delivering them may require significant legal and procurement advice.

## 6. VALUE FOR MONEY

6.1. Efficient use of the councils parking stock will ensure the maximum level of income from existing and future parking can be realised.

## 7. SUSTAINABILITY IMPACT APPRAISAL

7.1. Additional parking will reduce the levels of congestion and will support and promote sustainable transport and integrate with air quality policies.

## 8. RISK MANAGEMENT

Risk	Uncontrolled Risk	Controls	Controlled Risk
Proposals for improving and increasing parking in the short, medium and long term are not met	High	Securing a Commercial Partner will greatly reduce the financial implication of the proposed options, therefore enabling short, medium and long term options to be met	Low
Failure to provide the additional parking spaces (225) as part of The Landings	High	Securing a Commercial Partner will greatly reduce the financial implication of the proposed options, therefore enabling short, medium and long term options to be met	Low

## **9. LINKS TO STRATEGIC OBJECTIVES**

- 9.1 One of the key strands of the “Residents First” strategic objective in the corporate strategy is to improve the environment, economy and transport. The council’s ambition is “To continue investing in infrastructure and support the regeneration of our towns while protecting the character of the Royal Borough.”
- 9.2 Adopting the Parking Strategy will set the framework against which we are able to improve parking infrastructure required to deliver important aspects of this strategic objective. Without an adopted Parking Strategy, our ability to meet the short, medium and long term opportunities and challenges would be severely inhibited.

## **10. EQUALITIES, HUMAN RIGHTS AND COMMUNITY COHESION**

- 10.1. An updated Parking Strategy benefits all those wishing to park.

## **11. STAFFING/WORKFORCE AND ACCOMMODATION IMPLICATIONS**

- 11.1. None.

## **12. PROPERTY AND ASSETS**

- 12.1. The approach set out within this report seeks to improve the current Parking stock and maintain the parking asset in accordance with good practice.

## **13. ANY OTHER IMPLICATIONS**

- 13.1. N/A

## **14. CONSULTATION**

- 14.1. The report will be considered at the Highways & Transport Overview & Scrutiny Panel meeting on 25th October with comments reported to Cabinet for consideration.
- 14.2. The draft strategy was circulated to all Members, Windsor and Maidenhead Town Partnerships, Chambers of Commerce, PROM and Thames Valley Police, as well as officers in Planning and Regeneration and CMT. Comments received, with a response are set out in full in Appendix B.

## **15. TIMETABLE FOR IMPLEMENTATION**

October 2016	Cabinet decision
April 2017	Temporary (additional) short/long-stay car parking capacity introduced in Windsor and Maidenhead
January 2019	Commercial Partner appointed

## 16. APPENDICES

Appendix A – Statement of Parking Principles - Parking Strategy

Appendix B – Responses to Consultation

## 17. BACKGROUND INFORMATION

None.

## 18. CONSULTATION (MANDATORY)

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
<b>Internal</b>				
Cllr Cox	Cabinet Member for Environmental Services (including Parking)	27/09/16	28/09/16	Some amends policies agreed.
Simon Fletcher	Strategic Director of Operations	28/09/16	29/09/16	Re-write
Alison Alexander	Managing Director/ Strategic Director Adults, Children and Health	29/9/16	1/10/16	Questions throughout
Russell O'Keefe	Strategic Director Corporate and Community Services			
Mark Lampard	Finance Partner			

## REPORT HISTORY

<b>Decision type:</b>	<b>Urgency item?</b>
For information	No

Report author	Job title	Full contact no:
Neil Walter	Parking Principal	01628 796485



THE ROYAL BOROUGH OF  
WINDSOR AND  
MAIDENHEAD

# **Royal Borough Windsor & Maidenhead Statement of Parking Principles – Parking Policy**

**September 2016**



**“The Royal Borough of Windsor & Maidenhead is a great place to live, work, play and do business supported by a modern, dynamic and successful Council”**

**Our vision is underpinned by four principles:**

*Putting residents first*

*Delivering value for money*

*Delivering together with our partners*

*Equipping ourselves for the future*

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### Frequently used acronyms / Definitions

<b>RBWM:</b>	Royal Borough of Windsor and Maidenhead (Royal Borough)
<b>Short stay parking:</b>	Defined as less than 2 hours in duration.
<b>Public parking:</b>	That which is available to any member of the public to use on a first come, first served basis.
<b>Commuter parking:</b>	Defined as over 5 hours in duration.
<b>Private Non Residential (PNR) parking:</b>	Associated with a specific development such as an office, and as such only available to employees or visitors to that development.
<b>Residential parking:</b>	A mixture of on-street and off-street, depending on the nature of the properties. While the Council does not have a duty to provide on-street parking, in some residential areas it may prioritise this through resident permit schemes.

## **1. INTRODUCTION**

- 1.1 Car travel is possibly the most prevalent form of transport in the Royal Borough. The attractiveness of the Royal Borough, our retail centres and tourist attractions; and our ability to support the regeneration of Maidenhead town centre in particular, are all impacted by the competing demands for a sufficient supply of parking for residents, commuters, retail, leisure, tourist and business needs - whilst keeping congestion and its related problems in check.
- 1.2 Around 8,000 cars per day use the Royal Borough's public car parks, equating to around 3 million visits a year. We know that parking issues are different in different parts of the borough but a constant theme is an increasing pressure on parking and parking capacity. This document seeks to tackle parking matters of most importance to residents and businesses based on a comprehensive investigation of parking issues in the borough, incorporating consultation undertaken with Councillors in January this year and the latest parking research and best practice. It sets out our overarching strategic aims for parking, supported by objectives and detailed parking principles with an action plan for the next three years.
- 1.3 The document does not seek to cover all aspects of parking in detail or to report on specific operational matters or performance. A full picture of how the Council manages its parking assets, its income streams, enforcement performance etc. is provided through the quarterly Integrated Performance Management Report and other sources.
- 1.4 Likewise, the document does not seek to address the complex issue of parking standards – that is the maximum levels of car parking the council will permit for various types of development in different areas across the borough. This is an issue which will be addressed through a Supplementary Planning Document as part of the Local Borough Plan. This strategy sets the future development of parking in the borough, ensuring a consistent and well-founded approach which meets the needs of visitors, local residents and businesses.

## **2. POLICY CONTEXT**

### **Why we need a plan, a parking strategy**

- 2.1 There are various influences that have a material impact on the level of parking provision for the public and residents. The Council has to seek to comply with relevant national, regional and local statutory duties and look to manage any parking provision proposed in order to ensure sustainability improvements across the authority and limit exposure to potential risks associated with the provision and design of parking.
- 2.2 There is a significant amount of anecdotal evidence, opinion and speculation over the relationship between car parking provision and town centre prosperity. This ranges from arguments suggesting that 'greater accessibility for cars on the high street will increase the viability of town centres by improving trading for businesses' to 'restricting accessibility for cars will increase the viability of town centres by cutting congestion and pollution whilst making the high street more pedestrian friendly and increasing dwell time'.
- 2.3 The Royal Borough of Windsor and Maidenhead is a unique borough, made up of two major urban conurbations Windsor and Maidenhead, smaller urban areas such as Ascot, Sunningdale and Sunninghill, small villages or hamlets and a significant area of the borough which could be defined as rural. We have both vibrant visitor destinations, where congestion is a live issue and demand for parking is unmet and growing towns, with

excellent transport links to London, so significantly attractive to commuters; where town centre regeneration is a key strategic priority and avoiding congestion is a must.

- 2.4 Shaping parking provision can contribute to achieving many objectives including economic and environmental objectives but parking policy can be a stimulant or brake on local economic activity as places seek a competitive advantage. A strategic approach to parking provision and management in the Royal Borough is needed but must recognise the unique nature of the Borough and should be flexible enough to consider those differing requirements across it. This strategy recognises that parking here is a service to the public, residents and visitors alike, as well as being a mechanism to support businesses as part of our economic regeneration strategy but that it also has a role to raise revenue for and to protect our local services.

### The Royal Borough Context

- 2.5 The Royal Borough's supply of parking includes both on-street and off-street parking. On-street spaces are controlled by the council, and off-street parking is provided by a combination of private operators, company car parks and council operated car parks.

Table 1: shows the extent of the council's control over the borough's parking stock.

Category	RBWM responsibility	Means of control
On-street: regulated by Traffic Regulation Order	Yes	Civil Enforcement Officers (plus Community Wardens) – TRO
On-street: not regulated by Traffic Regulation Order	N/A	Obstruction offence notices can be issued by the police.
Council car parks (Inc. multi storey car parks)	Yes	Civil Enforcement Officer – enforcement of pay and display
Private car parks	No	Private operators
Private non-residential	No	Private
Residential off-street	No	N/A

## 3. Managing parking in the Royal Borough

- 3.1 The Council has a number of ways to manage its on-street and off-street parking. These include are set out in table 2:

Table 2

- **Hierarchy of Parking** - what type of parking is prioritised at each location
- **Pricing of Parking** – how much people pay for parking at a given location for a given period
- **Length of Stay** – how long people are permitted to park at a given location
- **Enforcement of Parking** - ensuring that people park both safely and legally

### Hierarchy of Parking

- 3.2 The Council's user hierarchy for parking is presented in Table 3 below. This hierarchy is the starting point for considering how parking is managed across different areas of the borough. However, it is not meant to be prescriptive in nature and the way it is applied in a particular part of the borough will generally be influenced by the characteristics of an area and the nature of parking demand and pressures/issues present.

- 3.3 For example, Maidenhead town centre has a very different set of parking requirements compared with residential areas in Ascot and the Sunnings. It is therefore not practical to define a single parking hierarchy across the whole borough. The hierarchy needs to be applied with regard to evidence of demand and pressures in specific areas; consideration of the potential impacts of different control mechanisms on users in an area (e.g. residents and businesses); and more widely upon local travel patterns and travel choices.

Table 3

On-street hierarchy	Off-street hierarchy
<ul style="list-style-type: none"> <li>• Blue Badge Holders</li> <li>• Residents</li> <li>• Essential Business Users</li> <li>• Short-Stay Shoppers &amp; Visitors</li> <li>• Long-Stay Shoppers &amp; Visitors</li> <li>• Commuter Parking</li> <li>• Employee Parking</li> </ul>	<ul style="list-style-type: none"> <li>• Blue Badge Holders</li> <li>• Short-Stay Shoppers &amp; Visitors</li> <li>• Long-Stay Shoppers &amp; Visitors</li> <li>• Commuter parking</li> <li>• Employee Parking</li> </ul>

### Pricing of Parking

- 3.4 Pricing of parking can significantly influence demand. So, changes in parking tariffs can act as a powerful tool in managing parking. The Council has reviewed the pricing of its parking stock in different locations in order to understand the relationship between pricing and the availability and turnover of spaces. The evidence gathered through this review has informed the actions in this strategy.

### Length of stay

- 3.5 How long somebody is able to park in a particular location can be a powerful tool in influencing how parking is used and for what purpose. In areas where there is need to support shoppers, such as town centres and areas immediately adjacent to the centre, restricting the time that people are allowed to park before they have to vacate a parking space or pay a charge, or a higher tariff, can help keep spaces turning over and be available to shoppers over the course of the day. This can be helpful to businesses which rely on a steady flow of customers during core trading hours.
- 3.6 Restricting the length of stay to a period that is less than a typical working day also reduces the amount of long stay parking available to commuters. This encourages travellers to consider sustainable modes for daily travel, helps reduce congestion and pollution.
- 3.7 Controlling the length of time people can park can be used in conjunction with pricing parking to encourage a greater turnover of short stay parking in areas where there may be both long stay and short stay demand. This may also facilitate occasional longer stay parking by non-commuters such as visitors, long stay shopping trips and occasional business use.

### Enforcement of parking

- 3.8 Illegal parking creates problems with the operation of the highway network including impacting on the ability of public transport to run smoothly and for people to be able to use 'active modes' such as walking and cycling safely and confidently. It affects the safety of other road users, and causes a nuisance for local residents and businesses. Illegal parking can affect the enjoyment and facility of local areas and detract from them as good places to live and work.

- 3.9 Enforcement is used to ensure compliance with regulations in order to keep the highway network and public transport working, tackle dangers to other road users from illegal parking and ensure parking bays are used for parking and not for other purposes e.g. for illegal trading.
- 3.10 The Council's mobile teams of Civil Enforcement Officers (CEO) and Community Wardens (CW) provide a responsive service to deal with parking problems on the highway or Council-owned land. The role of CEO / CW is a key one in ensuring the borough remains accessible, and that parking on our streets is undertaken both legally and safely.
- 3.11 CEOs and CWs also have a unique advantage in being 'on-street' and are important ambassadors for the delivery of efficient parking across the borough, working alongside technology to deliver a high quality parking service for both residents and people who visit the Royal Borough.
- 3.12 The Council's approach to civil parking enforcement is set out in detail in Appendix 1.

## 4. STRATEGIC AIMS

- 4.1 This document sets out how parking management in the Royal Borough should progress over the short to longer term. In particular the strategy addresses the following issues:
1. **Commercial Viability:** How we achieve a commercial approach to parking provision and promote appropriate arrangements with the private sector to ensure adequate provision and enable the Council-owned car park stock to become self-financing and/or reinvestment in improvements to parking facilities, roads and other transport modes.
  2. **Parking provision:** How the Borough will make better use of the parking stock and ensure adequate provision, ensuring that spaces are available at locations that maximise the potential for achieving transport, social, economic and environmental goals, while also achieving a balance between supply and demand for both on-street and off-street parking.
  3. **Parking quality:** How we ensure the borough's parking stock is designed to ensure personal and property security, accessibility by all users, better road safety and traffic management and the physical impact of parking areas and buildings is minimised. This quality approach will extend to routes to and from parking areas and the major defined destinations in urban areas.
- 4.2 Our strategy also has the following objectives:
1. To seek to ensure, as far as possible, the needs of local residents and businesses are prioritised over other parking requirements.
  2. To provide a consistent and clear approach for different types of parking permits and priority users.
  3. To be comprehensive, including consideration of charging regimes, on-street controls and parking guidelines.
  4. To support the economic viability of the towns and local centres.
  5. To provide a clear policy for enforcement, ensuring the Council deals with parking issues fairly and consistently and ensuring an efficient and effective enforcement function.
  6. To be co-ordinated and compatible with our neighbouring authorities where necessary.
  7. To consider parking management's contribution to environmental agendas.

8. To ensure parking policy is consistent with the Council's overarching strategic policies and where appropriate highlights potential linkages with other policies.

## 5. PARKING POLICY PRINCIPLES

Table 4: sets out RBWM's parking policy principles.

Strategic Aims	Background / Key features / Issues	Policy Principles
<p><b>Commercial Viability</b></p>	<p>The demand for parking within the Royal Borough will continue to increase as the Council implements its regeneration programme and work to enhance the economic viability of the area.</p> <p>Improving existing parking provision and developing new car parks requires significant investment. The Council recognises that opportunities exist to work in partnership with the private sector and to access private capital funds to reduce the impact of future development and improvements in parking infrastructure on the public purse. Current market intelligence suggests that the Council would be in a strong position should it wish to procure a commercial partner to operate, manage (and extend if necessary) its parking portfolio.</p> <p>Tariff setting and location of the parking offer are important factors in creating successful and prosperous towns and villages. It is important therefore that the Council retains control of this function. Developing a commercial approach to tariff setting including benchmarking will enable the Council to ensure town centres and villages have competitive and relevant tariffs that reflect the parking demands and needs of an area and place them well against the offer of competing destinations.</p>	<p><b>PP1: The Council will remain an owner of public parking and will seek to maximise the effectiveness of the parking service, while ensuring value for money for council tax payers, in the short and long term by:</b></p>
		<p><b>(Across the borough)</b></p> <ul style="list-style-type: none"> <li>a) Considering entering into a commercial partnership with the private sector for the long term (&gt;25 years) management, operation, development and extension of car parking across the borough;</li> <li>b) Continuing to maintain control over tariff setting for all car parks, including those potentially operated on our behalf by private sector, to ensure we can maintain advantage card and other offers to residents and shoppers across the borough.</li> <li>c) Undertaking and financing the redevelopment and extension of Nicholsons Multi-Storey Car Park ourselves, in keeping with the Landings and Nicholsons shopping centre development plans;</li> </ul>
		<p><b>PP2: In considering the level of parking charges across the borough, the Council will have regard to changes in the retail price index, rises in the cost of public transport, the charges made by private parking operators and those levied in other LA areas and vibrancy of town centres where appropriate.</b></p>

<p><b>Parking provision</b></p> <p>The Council owns and operates 46 car parks (both surface and multi-storey) across the Royal Borough. The car parks cater for both long and short stay uses. Charges are applied in 26 of the 46; in Maidenhead (8), Windsor (14), Eton (2) and Datchet (2).</p> <p>We also manage a substantial on street parking provision much of which is controlled by permit parking for residents, businesses, specials (Inc. Disabled) etc., currently provided at no charge, but enforced.</p> <p>Discount schemes (Advantage card holders) obviously have a major impact on the level of revenue return that any car park provides, especially in Maidenhead which is currently “local” dominant.</p> <p>The Council’s Advantage Card Scheme has been in place for more than 10 years and we are aware of intermittent issues with cards being recognised. The Council is committed to maintaining this scheme for residents going forward.</p> <p>The concentration of development and nature of our main town centres means that it is difficult to accommodate all of the demands for parking. Housing numbers are expected to increase over the lifetime of the emerging Local Borough Plan, adding to this pressure.</p> <p>It is important for the Council to continue to ensure that a level of provision is maintained for those who need it most.</p> <p><b>Maidenhead</b> The town has between 3000 and 3100 spaces in the Councils control across the weekday and weekend. In addition to these there are around another 200 and 350 spaces in private control across the weekday and weekend. Parking requirement in the town is for Commuter / Business / Shopping uses.</p> <p>The car parks in the Councils control are assessed to be occupied 89% of the time on weekdays and 61% at weekends and generate approximately</p>	<p><b>PP3: The Council will ensure it meets the statutory requirements, in undertaking its parking functions, in the most efficient and effective way, and contribute to the Council’s objectives, by:</b></p>
	<ul style="list-style-type: none"> <li>a) Considering the consequences of changes in the operation of parking on the Council’s statutory duties;</li> <li>b) Ensuring, where possible, that any adverse impacts are addressed through changes in proposed projects and initiatives, and;</li> <li>c) Taking steps to ensure an appropriate balance is struck between competing objectives when conflicts arise;</li> <li>d) Periodically reviewing enforcement deployment plans for non-town centre locations e.g. Cookham, the Sunnings etc. to ensure they remain proportionate and adequately reflect the need of the area;</li> <li>e) Reviewing resource deployment plans for major events (e.g. Royal Ascot) in order to ensure appropriate resource is maintained for the event and for normal operations across the remaining parts of the Borough.</li> </ul>
	<p><b>PP4: The Council will seek to prioritise the parking needs of local residents and businesses through:</b></p>
	<ul style="list-style-type: none"> <li>a) The nature and operation of its parking charges and services;</li> <li>b) The approach it takes to the allocation of parking facilities and the creation of new or modification of existing; parking restrictions;</li> <li>c) Ensuring the right mix of both long and short stay parking, at all times;</li> <li>d) The management of public and privately operated public parking where appropriate.</li> </ul>
	<p><b>(In Maidenhead)</b></p> <p><b>PP5: The Council will continue to ensure the appropriate provision of secure, high quality, publicly available off-street parking in the town centre, local centres, and at other appropriate destinations which meet priority needs, by:</b></p> <ul style="list-style-type: none"> <li>a) Introducing temporary steel framed parking structures in Maidenhead</li> </ul>



	<p>£2 million a year in Maidenhead.</p> <p><b>Features of parking in Maidenhead are:</b></p> <p><b>Weekday</b></p> <ol style="list-style-type: none"> <li>1. Dominance of Weekday Commuter Based parking;</li> <li>2. Significant level of contract parking limits public spaces;</li> <li>3. Conflict created by demand for public parking and contract parking both being for town centre spaces;</li> <li>4. Future permanent loss of some short term parking spaces to town centre development and regeneration;</li> <li>5. Loss of small amounts of long term parking controlled by Network Rail;</li> <li>6. Significant loss of parking during redevelopment / regeneration.</li> </ol> <p><b>Weekend</b></p> <ol style="list-style-type: none"> <li>7. Town centre primary location for retail parking demand - not edge of town;</li> <li>8. Surplus parking and heavily underutilised car parks;</li> <li>9. Less demand at weekend, so any weekday replacement may be over provision.</li> </ol> <p>Over the next 2-3 years, and as development and regeneration activities are forthcoming, it is predicted we will lose between 800 and 1000 spaces across the town. This equates to approx. 25% of weekday provision.</p> <p>Car Parks fully or partially removed include:</p> <ul style="list-style-type: none"> <li>• Hines Meadow,</li> <li>• West Street,</li> <li>• Grove Road,</li> <li>• Railway Station,</li> <li>• Magnet Centre</li> <li>• Town Hall</li> <li>• Nicholsons (redevelopment)</li> </ul> <p>On-street parking in the town centre is not charged, but uses limited waiting restrictions. Many of the streets outside the immediate town centre experience issues with commuters,</p>	<p>town centre to counter the anticipated loss of short stay car parking spaces to regeneration and redevelopment plans for the town (&lt; the next 36 months);</p> <ol style="list-style-type: none"> <li>b) Considering making it a requirement of town centre development sites in Maidenhead to include public parking spaces as part of their design;</li> <li>c) Working with private sector commercial partner(s) to extend the provision of off-street parking in Maidenhead, sufficient to respond to the extension of Crossrail to Reading by 2019, ensuring Maidenhead can become the location of choice for commuter parkers.</li> </ol> <p><b>PP6: The Council will consider updating / replacing systems to enable discounted parking for Advantage Card holders.</b></p> <p><b>PP7: The Council will continue to protect access to time limited 'free' parking in our town centres.</b></p> <p><b>PP8: The Council will use town centre off-street car parking charges to discourage long-stay parking but encourage its use over on-street spaces where appropriate.</b></p> <p><b>PP9: The Council will look at innovative schemes to discourage on-street commuter parking (i.e. to address the impact of commuter 'long-stay' parking in town centres and on residential streets). This will be subject to wide consultation before any decision is taken to implement.</b></p>
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	<p>parking to avoid charges in long stay car parks.</p> <p>Maidenhead is currently at capacity for long stay parking with over 1,000 season tickets issued. New office development and the approach of Crossrail will increase the demand for additional long stay parking.</p>	<p><b>PP10: The Council will consider the (temporary) use of cleared development sites for parking in town centres, where it offers a viable, value for money solution to short term loss of off-street spaces.</b></p>
	<p><b>Windsor</b></p>	<p><b>(In Windsor)</b></p>
	<p>Windsor has around 1800 and 2400 spaces in the councils control across the weekday and weekend. In addition to these there are around another 750 to 1000 spaces in private control across the weekday and weekend. Parking requirement in the town is for Visitor / Leisure / Shopping uses.</p> <p>The car parks in the Councils control are assessed to be at 95% capacity across peak weekday and at weekends and generate approximately £3 million a year of income for the Council.</p> <p>Windsor is not predicted to witness any major loss in parking due to development and regeneration activities. However, the Council has extensive knowledge of parking issues including the demand for parking and pressures on parking space in different areas of the town, often in residential areas, built up over many years.</p> <p>The Council must consider the future of its own assets such as the Coach Park and other town centre high value sites. Taxi ranks and waiting bays, both during the daytime and in the night time economy are issues which must be addressed.</p>	<p><b>PP11: The Council will continue to ensure the appropriate provision of secure, high quality, publicly available off-street parking in the town centre, local centres, and at other appropriate destinations which meet priority needs, by:</b></p> <ul style="list-style-type: none"> <li>a) Introducing temporary steel framed parking structures in Windsor town centre to extend supply and ensure demand for parking can be met in the short term (&lt; the next 36 months);</li> <li>b) Working with private sector commercial partner(s) to maximise opportunities to permanently extend the provision of long and short-stay parking in Windsor, sufficient to respond to demand;</li> <li>c) Considering innovative schemes, including the potential for underground parking in the extension of parking provision in the town;</li> <li>d) Continuing to support the provision of high quality taxi / private hire vehicle facilities at locations where there is a justifiable demand;</li> <li>e) Considering alternative proposals for taxi ranking in Windsor, including the potential to relocate it to the Coach Park, to tackle congestion associated with on-street waiting;</li> <li>f) Exploring opportunities to provide appropriate on and off street coach parking to support tourism and the wider economy;</li> </ul>
	<p><b>Features of parking in Windsor are:</b></p> <p><b>Weekday</b></p> <ol style="list-style-type: none"> <li>1. Dominance of tourist based parking creates yearly demand;</li> <li>2. Demand exceeds provision at key</li> </ol>	<p><b>PP12: The Council will keep the need to introduce / extend on-street charging in residential areas of Windsor under review, taking account of other transport and land use policies and the environmental impact.</b></p>

	<p>car parks;</p> <p>3. Significant business / contract parking limits public spaces in outer car parks;</p> <p>4. Demand is for access to town centre, castle, river, shopping, Eton etc.</p> <p>5. Use of public car parks by Borough residents due to lack of on street parking;</p> <p>6. Weather / Seasonal peaks create unmanageable demand on town.</p> <p><b>Weekend (Weekday plus)</b></p> <p>7. Reduction in business / contract parking demand, but car parks switch to leisure, so do not increase weekend provision;</p> <p>Outside of provision in Maidenhead and Windsor, the Council has an additional 20 car park (free) locations and other related land assets around the Borough. Options for the future of these assets range from a retention of them as is, to potentially seeking to devolve them to local Parishes.</p>	<p></p> <p><b>PP13: The Council will seek to use its powers as planning authority to ensure that off-street parking levels are at an appropriate level to reflect parking and other transport policies, particularly any impacts for on-street parking demand.</b></p> <p></p> <p><b>PP14: The Council will review, monitor and adjust its business parking (permit) schemes in car parks as appropriate and will consider the provision and costs of these where they are installed across the borough in accordance with its policies.</b></p> <p></p> <p><b>PP15: The Council will review our surface car park provision, outside of town centres, and consult with Parishes over options for their devolution.</b></p> <p></p>
<p><b>Parking Quality</b></p>	<p><b>Access</b> - It is essential that access to parking both on and off street is as easy as possible for all users. This includes:-</p>	<p><b>PP16: The Council will use its powers to ensure the right type, quantity, cost and quality of parking is provided in its facilities, as resources allow, and as part of any new developments by:</b></p>

	<p>a) Signage – All signage should be in plain English and where necessary illuminated.</p> <p>b) Entries &amp; Exits – where entry and exit are controlled the systems in place must be simple to use and monitored at all times</p> <p>c) Lining – all lining should be clear and of a good condition</p> <p>d) Lifts – where applicable lifts should be well maintained and serviced regularly</p> <p>e) Walkways – should be well marked and kept clear of debris</p> <p>f) Lighting – all lights should be well maintained and service regularly</p> <p><b>Environment</b> - It is essential the parking environment is as safe and well maintained as possible for users. This includes:-</p> <p>a) Lighting – lighting levels must be maintained to a an adequate standard for the area. Particular attention will be paid to stairwells, lifts and pedestrian areas.</p> <p>b) Cleaning – both on and off street parking must be cleaned to a high standard on a regular basis. Particular attention should be paid to stairwells, lifts and pedestrian areas.</p> <p>c) CCTV – where applicable CCTV must be kept in working order at all times with regular maintenance and servicing.</p> <p>d) Planting – areas of planting must be regularly maintained to ensure areas do not become overgrown and untidy.</p> <p><b>Security</b> - The council is committed to maintaining safe and secure car parks and on street parking. As part of this commitment the council participates in the British Parking Associations Park Mark Scheme that is fully endorsed by The Association of Chief Police Officers.</p> <p>The council currently has Park Marks for the following car parks:-</p> <ul style="list-style-type: none"> <li>• Alexandra Gardens</li> <li>• Hines Meadow</li> <li>• King Edward VII Avenue</li> <li>• Magnet Leisure Centre</li> <li>• Meadow Lane</li> <li>• Nicholsons</li> <li>• River Street</li> </ul>	<p>a) Taking into account the Royal Borough’s current and future characteristics in terms of public transport accessibility, car usage and ownership, parking capacity, patterns of land uses and resulting travel behaviour;</p> <p>b) Having regard to other parking approaches within the borough and in neighbouring authorities to ensure that individual areas and the borough as a whole remains competitive and imbalances or inconsistencies do not have harmful consequences;</p> <p>c) Requiring high standards of design to ensure parking is safe, convenient and accessible.</p> <p><b>PP17: The Council will introduce, where necessary, parking restrictions for safety, capacity or environmental reasons.</b></p> <p><b>PP18: In allocating road space for parking, the Council will take account of the parking hierarchy as set out in table 3.</b></p> <p><b>PP19: The Council will continue to seek to ensure that accurate information is available on parking availability both pre and in trip via a range of channels.</b></p> <p><b>PP20: The Council will monitor and adjust residents parking schemes where appropriate in accordance with its policies. The criteria and operational features of these policies / schemes will be reviews and approved.</b></p>
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- Stafferton Way
- The Avenue
- Windsor Leisure Centre

### **Charging**

MAIDENHEAD - Due to the current portfolio of retail outlets that support the town, the level of charging is suppressed across the week; however even with this the level of uptake at the weekend is low – albeit growing in 2016.

The town has two charging profiles, 1) short and long stay for the public and 2) commuter / contract for the private users across the car parks.

WINDSOR - The town has a partial zonal approach with the central car parks having higher charging rates, which reduce the further out of the town you travel.

However certain charging rates are comparable to Maidenhead and as such there is scope to consider higher rates in support of car parks. This would be a key aspect of any investors due diligence and they would seek to capitalise on the demand at Windsor, in part to maybe off set Maidenhead.

REST OF BOROUGH - Charging also takes place in Datchet and Eton and this includes pay and display as well as business permits.

**Reviews** - The Council currently reviews up to 150 existing and new parking restrictions every year. We will continue with these reviews and enable residents of a specific road to decide what parking restrictions, if any are required, in the road in which they live.

The procedure for review is:-

- a) Add to the Phased Review of parking
- b) Agree to review with Ward Councillors
- c) Observe problem
- d) Draw up a scheme (if possible)
- e) Consult with residents
- f) Implement if majority agree to change
- g) Advertise change

	<p>In many cases it will not be possible for residents to agree on a proposed change and in these cases further review based on the comments received will take place. In a small minority of cases it is likely that the council will recommend no action is taken. This decision will be based on local knowledge of a specific issue.</p>	
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## 6. ACTION PLAN

6.1 To deliver the strategic aims of parking, its associated objectives and policy principles as introduced through this document, an Action Plan has been developed (table 6). The objectives referenced in the Action Plan are set out in table 5, as follows;

Table 5

<b>Objectives</b>	
1	To seek to ensure, as far as possible, the needs of local residents and businesses are prioritised over other parking requirements.
2	To provide a consistent and clear approach for different types of parking permits and priority users.
3	To be comprehensive, including consideration of charging regimes, on-street controls and parking guidelines.
4	To support the economic viability of the towns and local centres.
5	To provide a clear policy for enforcement, ensuring the Council deals with parking issues fairly and consistently and ensuring an efficient and effective enforcement function.
6	To be co-ordinated and compatible with our neighbouring authorities where necessary.
7	To consider parking management's contribution to environmental agendas.
8	To ensure parking policy is consistent with the Council's overarching strategic policies and where appropriate highlights potential linkages with other policies.

Table 6: Policy Principle	Action	Support of Objectives								Priority	Timescales for delivery		
		1	2	3	4	5	6	7	8				
<b>PP1:</b> The Council will remain an owner of public parking.	We will continue our ownership of the parking estate, to maximise the effectiveness of the parking service, provide value for money.	✓		✓	✓	✓			✓	✓	High	Ongoing	
<b>PP2:</b> The Council will consider key factors as part of any proposals to change parking charge levels.	We will review parking charges annually.	✓	✓	✓	✓	✓	✓			✓	High	Annually	
<b>PP3:</b> The Council will ensure it meets all statutory requirements in the provision of parking.	a) We will consider the consequences of changes in the operation of parking on the Council's statutory duties.	✓								✓	✓	Medium	Ongoing
	b) We will ensure, where possible, that any adverse impacts are addressed through changes in proposed projects and initiatives.	✓	✓	✓	✓	✓					✓	Medium	Ongoing
	c) We will take steps to ensure an appropriate balance is struck between competing objectives when conflicts arise.	✓	✓	✓	✓	✓				✓	✓	Medium	Ongoing
	d) We will review enforcement deployment plans for non-town centre locations e.g. Cookham, the Sunnings	✓	✓	✓	✓	✓				✓	✓	Medium	Annually

	etc. to ensure they remain proportionate and adequately reflect the need of the area;											
	e) We will review resource deployment plans for major events (e.g. Royal Ascot) in order to ensure appropriate resource is maintained for the event and normal operations across the remaining parts of the Borough.	✓	✓	✓	✓	✓		✓	✓	High	Ongoing	
<b>PP4:</b> The Council will seek to prioritise the needs of local residents and businesses.	a) We will review the nature and operation of its parking charges and services annually.	✓	✓	✓	✓	✓			✓	High	Annually	
	b) We will ensure the right mix of both long and short stay parking, at all times.	✓	✓	✓		✓				High	Ongoing	
<b>PP5/PP11:</b> The Council will ensure appropriate provision of parking.	<b>MAIDENHEAD</b>											
	a) We will introduce temporary steel framed parking structures in Maidenhead town centre to counter the loss of short stay car parking spaces.	✓				✓				✓	Urgent	April 2017
	b) We will consider making it a requirement of town centre development sites in Maidenhead to include public parking spaces as part of their design.	✓	✓			✓				✓	High	April 2020



c) We will work with private sector commercial partner(s) to extend the provision of off-street parking in Maidenhead.	✓		✓	✓						High	October 2019
<b>WINDSOR</b>											
a) We will introduce temporary steel framed parking structures in Windsor town centre to extend supply and ensure demand for parking can be met in the short term.	✓			✓				✓		Urgent	April 2017
b) We will work with private sector commercial partner(s) to maximise opportunities to permanently extend the provision of long and short-stay parking in Windsor.	✓		✓	✓						High	October 2019
c) We will consider innovative schemes, including the potential for underground parking in the extension of parking provision in Windsor.	✓			✓				✓		Medium	October 2020
d) We will continue to support the provision of high quality taxi / private hire vehicle facilities at locations where there is a justifiable demand.	✓	✓	✓	✓	✓			✓		Medium	Ongoing

	e) We will consider alternative proposals for taxi ranking in Windsor.	✓	✓	✓	✓	✓		✓		High	October 2017
	f) We will explore opportunities to provide appropriate on and off street coach parking to support tourism and the wider economy.	✓	✓	✓	✓	✓		✓	✓	High	October 2017
<b>PP6:</b> The Council will consider updating systems to enable discounted parking.	We will review our parking ticket machines with a view to introducing an improved, easier to use system for Advantage Card holders.	✓		✓	✓	✓			✓	Medium	September 2017
<b>PP7:</b> The Council will continue to protect access to 'free' parking in town centres.	No action required.										
<b>PP8:</b> The Council will use off street charges to discourage long stay parking.	We will review charges for long and short stay car parks, annually.	✓	✓	✓	✓	✓				High	Annually
<b>PP9:</b> The Council will look at innovative schemes to discourage on-street commuter parking.	We will develop schemes and undertake wide consultation on proposals to address the impact of commuter 'long-stay' parking on residential streets.	✓	✓	✓	✓	✓				High	October 2017
<b>PP10:</b> The Council will consider use of cleared development sites.	We will work with developers in Maidenhead to try to identify opportunities for the temporary use of development sites for parking in Town.	✓	✓	✓	✓	✓		✓	✓	High	April 2017
<b>PP12:</b> The Council will continue to review on-street charging in Windsor.	On-street parking charges will be reviewed annually as part of the on and off-street	✓	✓	✓	✓	✓			✓	High	Annually

	Parking Charges Review.											
<b>PP13:</b> The Council will seek to ensure off-street parking levels are at an appropriate level.	We will maintain parking standards taking account of national, regional and local policies.	✓	✓	✓	✓	✓	✓	✓	✓	High	Ongoing	
<b>PP14:</b> The Council will review its business parking permit schemes.	We will undertake a review to understand demand for business parking permit schemes and bring forward proposals to ensure, where possible, adequate supply.	✓	✓	✓	✓	✓			✓	Medium	Ongoing	
<b>PP15:</b> The Council will review surface car park provision outside of town centres.	We will consult with local Parishes over options for the future of surface parks; including their devolution to Parishes.	✓	✓		✓				✓	Medium	October 2017	
<b>PP16:</b> The Council will ensure the right type, quality and quantity of parking is provided.	We will require high standards of design to ensure parking is safe, convenient and accessible.	✓	✓	✓	✓	✓		✓	✓	Medium	Ongoing	
<b>PP17:</b> The Council will introduce parking restrictions where necessary.	We will undertake health & safety audits across our parking estate to ensure the environment is as safe and well maintained as possible for users.	✓				✓	✓	✓	✓	High	Annually	
<b>PP18:</b> The Council will use a hierarchy in allocating space for parking.	We will review CPZs (Controlled Parking Zones – i.e. control of type of vehicle, parking where, when) in order to monitor the impact on local residents and businesses and to assess the impact of displaced parking activity in the surrounding area.	✓	✓	✓	✓	✓		✓	✓	Medium	Reviewed Annually	
<b>PP19:</b> The Council will	We will explore opportunities	✓	✓	✓	✓	✓			✓	Medium	Ongoing	

provide live information on parking availability.	to provide parking information through a range of channels.										
<b>PP20:</b> The Council will monitor residents' parking schemes.	a) We will continue the programme of CPZ / Residents Schemes by identifying principal areas likely to benefit from parking controls	✓	✓	✓	✓	✓		✓	✓	Medium	Ongoing
	b) CPZs/Residents' Schemes will be reviewed at agreed periods to ensure that they are continuing to achieve their objectives.	✓	✓	✓	✓	✓		✓	✓	Medium	Ongoing

## **Appendices**

Appendix 1: RBWM Parking Enforcement Strategy.

Document Name	Statement of Parking Principles – Parking Strategy for the Royal Borough of Windsor & Maidenhead		
Document Author	Simon Fletcher (Strategic Director of Operations & Customer Services)		
Document owner	Simon Fletcher (Strategic Director of Operations & Customer Services)		
Accessibility			
File location			
Destruction date	N/A		
How this document was created	Version 1		
	Version 2		
	Version 3		
Circulation restrictions	None		
Review date	October 2021		

## **Civil Parking Enforcement Strategy**

### **Foreword**

This document aims to help residents and visitors when parking in council controlled public car parks and other on street parking places within the Royal Borough of Windsor & Maidenhead. It explains where you may or may not park and the consequences of parking in inappropriate places.

Highways and Transport priorities within the Royal Borough are:

Our parking facilities and the way we manage and operate them contribute to achieving these priorities. It is important therefore that they are controlled appropriately.

Our approach to enforcement is 'firm' but 'fair' and our aim is to assist residents and visitors to park, pick up, set down, load and unload conveniently and lawfully.

***Please Note: This is a guide to help motorists. It is not a comprehensive statement of the law or the motorist's rights.***

## **Our Parking Charter**

The council's parking charter sets out how we intend to deliver the best possible service to motorists and explains our firm but fair approach.

### **Best Possible Service**

Our staff will adopt a helpful attitude and consistent approach to enforcement in order to encourage lawful and considerate parking. We will always:

- Be professional, fair and courteous.
- Be polite, measured and understanding.
- Be open and honest.
- Provide advice on the appeals procedure.

### **Fair**

- We will explain and communicate the parking rules.
- Where possible we will photograph parking contraventions to support the issue of a penalty charge notice.
- We will regularly monitor traffic signs and road markings to ensure they are clear and help motorists parking across the borough.
- We will review our services regularly to identify opportunities to improve.

### **Firm**

- We will take consistent enforcement action to deter inconsiderate parking.
- We will pursue people who try and evade penalty charges to recover debt owed to the council.
- We will work with our partners and Thames Valley Police to help prevent crime and anti-social behaviour and to protect our staff against abuse and violence. We will seek prosecution of any attempt to threaten or assault any employee involved with parking enforcement.



## **INTRODUCTION**

One of the key objectives of the council's Highways and Transport function is to manage traffic congestion. The enforcement of parking restrictions is a key component of effective traffic management and key to improving traffic flow.

The purpose of this document is to explain how the Royal Borough of Windsor & Maidenhead will deal with day to day management of Civil Parking Enforcement (CPE).

Civil Parking Enforcement means that the responsibility for enforcing the majority of on-street parking restrictions is the responsibility of the council rather than the police.

Poor, dangerous, and obstructive parking can pose a danger to pedestrians by blocking pavements and forcing them onto the streets. It also reduces visibility for other motorists and impedes traffic flow.

All residents, visitors and businesses will benefit from better enforcement of parking regulations and the reduction of incorrectly parked vehicles.

These procedures apply to all on-street parking restrictions throughout the Borough and to the council operated car parks.

### **This document aims to:**

- Remind people how to park carefully and considerately within the law.
- Indicate the steps involved once a Penalty Charge Notice (PCN) has been issued.
- Outline the standard parking contraventions and observation times.
- Offer guidance on specific enforcement procedures and specific circumstances.
- Explain the commonly used abbreviations.

### **The contents of the document are derived from:**

- Legal requirements.
- Current practices.
- Accepted best practice.

- The Traffic Penalty Tribunal (Formerly the National Parking Adjudication Service) and its recommendations with regard to mitigation for parking contraventions.

## **Ombudsman Advice**

It is impossible to qualify every case and Civil Enforcement Officers (CEOs) will be instructed to issue PCNs to all vehicles parked in contravention of a parking regulation (unless specified in this document) following the expiry of any observation period allowed.

Civil Enforcement Officers (CEOs) will be working within a stringent set of guidelines governed by the Traffic Management Act and will have limited discretion.

More discretion will be allowed by the processing staff who will consider representations against PCNs. Every representation will be considered on its individual merits taking into account the evidence provided by the motorist as well as the guidance used by staff.

Only authorised officers will be allowed to cancel a PCN. Cancellation may only occur after written representations against the issue of the PCN are received.

It is not possible to document every scenario or circumstance that may exist but this document is intended to demonstrate that enforcement carried out by the council is undertaken in a transparent, fair, and unbiased manner.

This document will be subject to regular review and will reflect current best practice.

## **GUIDANCE ON HOW TO PARK**

Parking incorrectly, such as on double and single yellow lines or at a bus stop, even for a few minutes, can cause inconvenience and even danger to other road users and pedestrians.

The council hopes that by enforcing parking regulations motorists will be more inclined to park safely and in compliance with parking regulations. This will therefore reduce the inconvenience and danger placed upon safe parkers and road users every day.

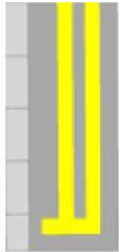
Following these simple rules will help you to park in a way that doesn't cause inconvenience to other members of the public:

- Always check the lines on the road and, where applicable, the signs by the side of the road.
- Always make sure you have parked wholly within the bay markings and displayed any permits or blue badge and clock if required.
- Make sure that none of your vehicles wheels are resting on the yellow line(s).
- Do not assume that by parking behind yellow lines (i.e on the footway or verge) you are not parking in contravention of a traffic regulation order. Areas where you think you may be legally allowed to park will in fact be part of the highway and will be enforced as such.
- In pay and display car parks always make sure you read the signage and comply.
- In car parks always make sure you purchase the appropriate time in accordance with the instructions on the signage. Ensure you allow for possible delays when purchasing the length of stay.
- In pay and display car parks always make sure you clearly display your pay and display ticket if you chose that method of payment.
- Do not stay longer than is permitted by the signs or overstay the time you have purchased.
- Do not block entrances to private properties – dropped kerbs.
- Do not park across dropped kerbs that are provided to ease crossing for pedestrians, cyclists and mobility impaired people.
- Do not double park. – i.e. do not park more than 50cm away from the kerb. Do not park on footways.
- Do not park on pedestrian crossings or the white zig-zag markings near to the crossing.

- Do not park on 'School Keep Clear' markings or the yellow zig-zag markings near to schools.

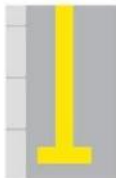
The following are some of the common restrictions you will see and a reminder of what they mean:

### Double yellow lines



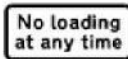
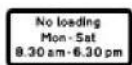
Along the edge of the road mean no waiting at any time. However, you may stop while passengers get into or out of the vehicle and to load and unload, **unless** there are also loading restrictions. There is no requirement to erect sign for a permanent double yellow line restriction. Parking behind a yellow line on the verge or footway may result in the issue of a PCN if it is classed as Highway. However, some double yellow line restrictions may 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.

### Single Yellow Lines



Along the edge of the road mean you can't wait during the times shown on the adjacent sign. Parking behind a yellow line on the verge or footway may result in the issue of a PCN if it is classed as Highway. However, you may stop while passengers get into or out of the vehicle and to load and unload, **unless** there are also loading restrictions.

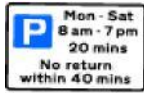
### Loading Restrictions



These 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.

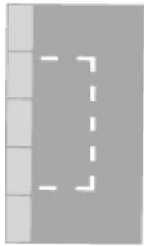
Double yellow lines on the kerb mean no loading or unloading at any time.

### Limited Waiting Bays



Limit waiting is 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



### Bus Lanes



You must not drive or stop in a bus lane during its period of operation. Taxis and cyclists may be allowed to use bus lanes and this will be displayed on the signs.

### Loading Bays



These 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.



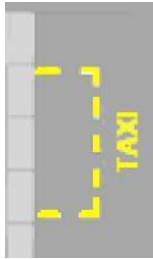
### Bus Stop Clearways



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

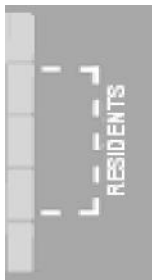
There are also Bus stands on the highway. Again, you must not park on Bus Stands during the period of operation.

### 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 zig-zag markings. These markings are installed specifically to maintain pedestrian safety.

Both the Police and Council can enforce this contravention. Police action takes precedent as it is an endorsable offence.

### 'School Keep Clear' 'Zig-Zag' markings

Stopping on "School Keep Clear" zig-zag markings outside school entrances is inconsiderate and potentially dangerous.

Keeping the road clear outside schools gives children a clear view in both directions before crossing.

'No stopping' regulations, displayed on nearby signs, are enforced.

### **Dropped Kerbs**

A dropped kerb is a location where the kerb has been reduced in height to gain access to private property or to assist members of the public such as parents with pushchairs or prams, and wheelchair users to cross the carriageway more easily.

Drivers are not permitted to park their vehicles in a manner that will obstruct a dropped footway. A Penalty Charge Notice may be issued if a vehicle is parked obstructing a dropped kerb.

### **Double Parking**

Double parking is the more commonly known term for when a vehicle waits / is parked more than 50cm from the kerbside and not within a designated parking space.

A Penalty Charge Notice may be issued if a vehicle is double parked. For further guidance refer to the current version of the Highway Code. Link:-

<https://www.gov.uk/guidance/the-highway-code>



## **PENALTY CHARGE NOTICES & THE PROCESSING SYSTEM**

The regulations made under Part 6 of the Traffic Management Act 2004 enable an authority in England, once they have been given the relevant power by the Secretary of State, to enforce parking contraventions within a particular geographical area.

The Royal Borough of Windsor & Maidenhead is responsible for enforcing on-street and off-street parking regulations within the whole of the Borough and council operated car parks.

Enforcement primarily becomes the responsibility of the Local Authority but the police remain responsible for endorsable offences such as dangerous parking, obstruction, failure to comply with police "no parking" signs placed in emergencies, and any vehicle where security or other traffic policing issues are involved, including the need to close roads or set up diversions. Parking offences at pedestrian crossings or zigzag lines may be enforced by the police or the authority but any action by the police takes precedence.

If the penalty charge remains unpaid after a certain time it becomes a civil debt due to the authority and enforceable through a streamlined version of the normal civil debt recovery process in the County Court.

A motorist wishing to contest liability for a penalty charge may make representations to the council as identified on the reverse of the penalty charge notice and, if these are rejected, may have grounds to appeal to an independent adjudicator. The adjudicator's decision may be reconsidered by another adjudicator but there is no right of further appeal through the courts except if a mistake has been made on a point of law.

Endorsable parking offences (broadly those involving dangerous or obstructive parking) and some other parking offences remain criminal and can only be enforced by the police service, through the courts, with fines accruing to the exchequer.

The Penalty Charge Notice will be enforced through the County Court if it remains unpaid and a debt collection agency (bailiff) may be employed to recover the debt.

### **The Role of the Civil Enforcement Officers (CEOs).**

The CEOs have powers to place Penalty Charge Notices (PCNs) on vehicles that do not comply with parking regulations.

Royal Borough of Windsor & Maidenhead CEOs are easily recognisable by their uniforms.

Before the issue of a PCN and depending on the circumstances, CEOs will usually observe vehicles to see if loading or unloading is taking place. However this observation time does not apply to streets with loading prohibitions, bays for specific users such as

disabled drivers and doctors, or to suspended bays where instant PCNs will be issued. (See Appendix A for more information on observation times)

As well as undertaking civil enforcement activities, CEOs can also give directions and often act as the 'eyes and ears' for the council across a range of services including reporting defects to signs and lines.

Civil Enforcement Officers (CEOs) work within a stringent set of guidelines governed by the Traffic Management Act. They have limited discretion, for example, they may offer advice about where to park if the situation allows such advice to be given. Further discretion will be allowed by the Notice Processing Officers who will consider representations against PCNs taking into account the evidence provided by the motorist as well as the guidance provided.

## **Penalty Charge Notice (PCN)**

The Penalty Charge Notice is the terminology used for what is often referred to as a 'parking ticket'.

The level of the Penalty Charge is set nationally. There are two levels of penalty charge depending on the severity of the parking contravention. The two levels are:

£70 for a higher level contravention

£50 for a lower level contravention

(See Appendix A for more information on higher and lower bands.)

The PCN is 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 the CEO has been prevented from serving the notice to the driver).

The PCN will have a unique reference number and will identify details of the contravention and information on how to deal with the PCN.

## **If you receive a Penalty Charge Notice**

Once a PCN is issued or is in the process of being issued the CEO cannot cancel the notice and it may be sent to you in the post if you drive away or refuse to accept it.

The council urges every motorist who is issued a Penalty Charge Notice to deal with it quickly.

PCN's are processed using a set of national procedures and timescales.

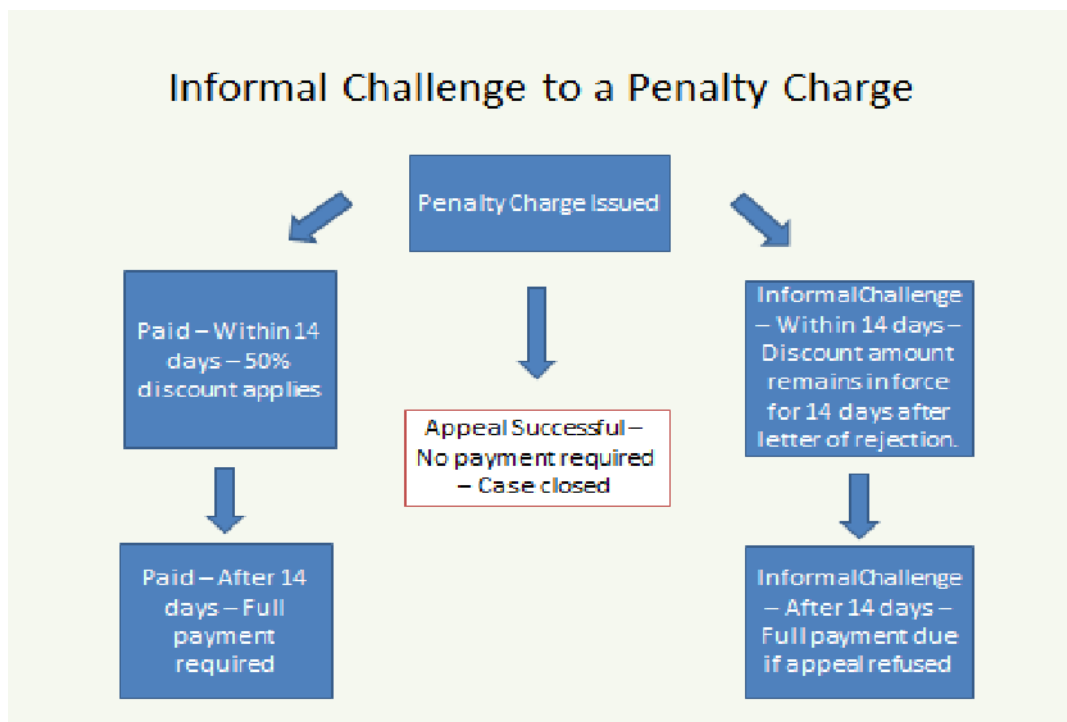
## Penalty Charge Notice – Discount Period:

If the PCN is paid within 14 days of issue a discounted amount of **50% of the original PCN rate** will be accepted in full settlement of the matter.

You can pay the penalty charge using the payment details on the Penalty Charge Notice; or, if you believe that the penalty charge should not have been issued you may challenge the issue of the PCN in writing as described on the Penalty Charge Notice.

## Challenge the issue of a PCN

This document provides guidance on the council's procedures. It is not possible to document every scenario or circumstance that may exist but it is intended to demonstrate that enforcement carried out by each Council is undertaken in a transparent, fair, and consistent manner. Within 28 days of serving of a PCN the owner of the vehicle may make an informal written challenge against the PCN, however if the challenge is made within 14 days of the serving of the PCN a discount of 50% to the charge will apply. Therefore it is recommended that if an informal challenge is made, it is done at the **earliest opportunity** to ensure the discount period is applied.



Within this challenge the owner can mention any mitigating circumstances to the council as challenging the validity of the PCN.

The council will endeavour to respond, in writing, within 14 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 the informal challenge is received more than 14 days from serving the PCN the discount period will not apply and the full PCN Rate will be payable in the event of the challenge being rejected.

If an informal challenge made within the 14 day discount period is rejected the discounted rate will be restarted and last for 14 days from the date of the informal challenge rejection letter.

The written notification from the council will contain the reasons why a decision to reject the informal challenge has been reached.

The making of an informal challenge in no way detracts from the ability of the owner to make a subsequent formal representation against the issue of the PCN to the council. However, it should be noted that formal representations may only be made once a Notice to Owner (NtO) document has been served by the council. (Notice to Owner is covered later in this section)

## **Challenges Accompanied by Payment**

Please do **NOT** send payment with any challenge you wish to make. Payment will usually be regarded as closing the case.

## **DVLA Enquiry**

If a PCN remains unpaid for 28 days the council will make an enquiry to DVLA to ascertain the identity of the owner of the vehicle. This enquiry is made electronically via the councils parking enforcement system.

The response from DVLA is also electronic and is automatically fed into the relevant councils system. Responses are usually received within 3 days of enquiry.

## **Registered Owner Liability**

The following extract from the Traffic Management Act 2004 outlines who is responsible for paying a penalty charge once issued:-

### ***'Person by whom a penalty charge is to be paid***

*(1) Where a parking contravention occurs, the person by whom the penalty charge for the contravention is to be paid shall be determined in accordance with the following provisions of this regulation.*

*(2) In a case not falling within paragraph (3), the penalty charge shall be payable by the person who was the owner of the vehicle involved in the contravention at the material time.*

*(3) Where—*

*a) the vehicle is a mechanically propelled vehicle which was, at the material time, hired from a vehicle-hire firm under a hiring agreement;*

*b) the person hiring it had signed a statement of liability acknowledging his liability in respect of any penalty charge notice served in respect of any parking contravention involving the vehicle during the currency of the hiring agreement; and*

*c) in response to a notice to owner served on him, the owner of the vehicle made representations on the ground specified regulation 4(4)(d) of the Representations*

*and Appeals Regulations and the enforcement authority accepted those representations,*

*the penalty charge shall be payable by the person by whom the vehicle was hired and that person shall be treated as if he were the owner of the vehicle at the material time for the purposes of these Regulations.*

*(4) In this regulation—*

*a) “hiring agreement” and “vehicle-hire firm” have the same meanings as in section 66 of the Road Traffic Offenders Act 1988(1); and*

*b) “the material time” means the time when the contravention giving rise to the penalty charge is said to have occurred.’*

**See Section 4 - Motorist Not the Owner/Keeper, or Had Sold the Vehicle at the Time of the Contravention**

## **Notice to Owner (NtO)**

Once the DVLA identify the registered owner of the vehicle a Notice to Owner document will be sent to the owner advising him / her that the relative PCN remains unpaid.

The notice will contain full details of the PCN issued and requests payment within 28 days of receipt or it gives the owner the opportunity to make a Formal Representation against the issue of the PCN, which also must be done within 28 days of receipt.

If a Notice to Owner (NtO) is sent to the owner/keeper who subsequently states that they have not received\* a Penalty Charge Notice they may make a written statement to that effect.

When it is claimed that the PCN was not received the computer system will be interrogated:-

To ensure that previous such claims have not been made by the same person. If there is a history of such claims the discounted period should not be restarted and the full amount paid.

To determine whether the information recorded by the CEO confirms that the PCN was attached to the vehicle.

To determine whether there is corroborating evidence that the PCN may have been removed illegally by third parties or otherwise.

It is an offence for any person other than the owner or person in charge of the vehicle and the enforcement authority to remove or interfere with a PCN attached to a vehicle. A person committing such an offence will be liable to a fine not exceeding level 2 on the standard scale.

\*Section 66(1) of the Road Traffic Act provides that the liability remains with the owner of the vehicle even if the Notice is subsequently removed by, for example, by the weather, or by an unauthorised person.

## **Formal Representation against Issue of PCN**

The owner 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 council. This representation must be made within 28 days of receipt of the NtO. Formal Representation can only be made on the following grounds (this is explained to the motorist on the documentation):-

- That the alleged contravention did not occur.
- That the recipient:
  - a) was never the owner of the vehicle in question;
  - b) had ceased to be its owner before the date on which the alleged contravention occurred; or became its owner after that date.
- That the vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner.
- That the recipient is a vehicle-hire firm and:
  - a) the vehicle in question was at the material time hired from that firm under a vehicle hiring agreement; and
  - b) the person hiring it had signed a statement of liability acknowledging his liability in respect of any PCN served in respect of any contravention involving the vehicle.
- That the penalty charge exceeded the amount applicable in the circumstances of the case.
- That there has been a procedural impropriety on the part of the enforcement authority.
- That the Order which is alleged to have been contravened in relation to the vehicle concerned is invalid.
- 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.
- That the NtO should not have been served because the penalty charge had already been paid in full or by the amount reduced by any discount set within the period set.
- Consider representations made on mitigating grounds.

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

Within a maximum of 56 days (however decision notices will be served within 21 days whenever possible) of receipt of a formal representation from the owner of the vehicle

the relevant council 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 formally rejects the representation and gives detailed reasons why the council has come to this conclusion. The rejection is also accompanied with instructions on how further representations can be made to the independent Traffic Penalty Tribunal online via the Fast Online Appeal Management (FOAM) system. – This representation must be made within 28 days of receipt of the notice of rejection.

### **Representations accompanied by Payment:**

Please do NOT send payment with any representation you wish to make. Payment will usually be regarded as closing the case.

### **Traffic Penalty Tribunal**

If no agreement can be reached between the council and the appellant, an independent adjudication service (the Traffic Penalty Tribunal) will deal with the appeal. There is no charge for this service.

Details of the Traffic Penalty Tribunal can be found on their web site:

[www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)

This is 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 Traffic Penalty Tribunal within 28 days of the rejection.

The Traffic Penalty Tribunal will organise a hearing and appoint an independent adjudicator to review the case and make an independent decision that is binding on both parties.

A hearing can be held entirely by post, over the telephone or in person.

### **Charge Certificate:**

If a motorist fails to deal with the PCN or fails to accept a decision by the council or Tribunal Service the motorist may ultimately receive a Charge Certificate.

A Charge Certificate is issued:

28 days after a Notice to Owner (NtO) is issued and no Formal Representation is received.

28 days after a Notice of Rejection to a Formal Representation is sent where no appeal has been made to the Traffic Penalty Tribunal.

28 days after any appeal to the Traffic Penalty Tribunal is withdrawn (i.e. withdrawn before the hearing)

32 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.

### **Debt Registration:**

If the registered owner of the vehicle does not respond to the Charge Certificate within 14 days, the council will register the debt at The Traffic Enforcement Centre (TEC), and a Notice of Registration will be served. A £8 registration fee will be added plus any costs awarded by an Adjudicator at the Traffic Penalty Tribunal.

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 modem link via a Parking Enforcement computer system.

### **Notice of Debt Registration**

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 sign a witness statement.

Failure to do either will lead to a Warrant of Control being applied for by the council at TEC. Once issued this will enable the council to instruct Enforcement Agents to collect the debt on their behalf.

The Enforcement Agents (bailiffs) will add their charges further increasing the value of the notice.

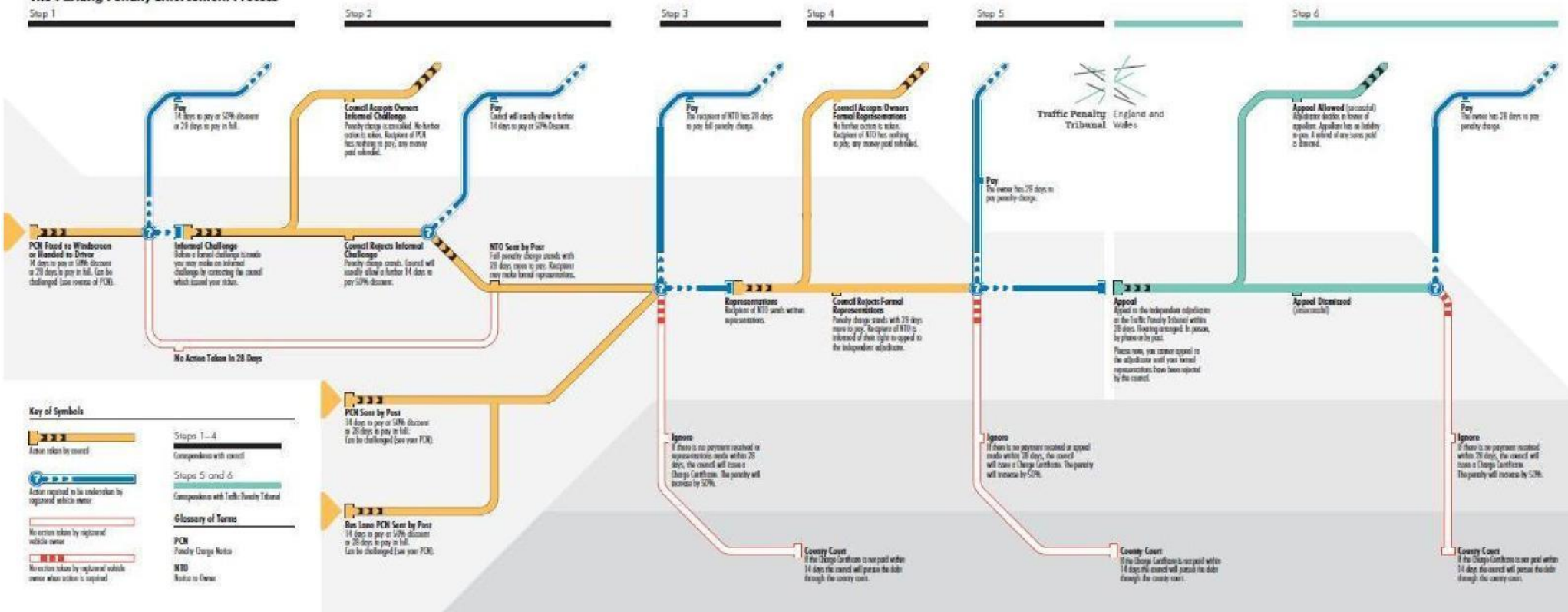


## **SIMPLIFIED PCN PROCESSING SYSTEM FLOW CHART**

The following diagram provides a diagrammatical representation of the legislative framework for dealing with a PCN.

Please visit the PATROL website at <http://www.patrol-uk.info/site/index.php> or [http://www.patrol-uk.info/downloads/Process Map.pdf](http://www.patrol-uk.info/downloads/Process_Map.pdf) for further information:

# The Parking Penalty Enforcement Process



## **SPECIFIC PROCEDURES**

This section covers specific procedures developed from experience, best practise and legislation. It is organised in alphabetical order.

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

The CEOs shall maintain a separate pocket book in which they shall note daily details of their patrols, PCNs issued etc. They will be made available to the adjudicators in the event of a PCN being challenged through the independent adjudication process and will assist the investigation of any challenge or representation received by the council.

Each pocket book will be numbered and when issued to the CEO the number of the previous book used by that CEO entered on its cover along with the CEO's name. Similarly when a pocket book is completed the serial number of the new book issued will be entered on the cover. All completed pocket books will be retained in the office in numerical order. Each completed pocket book should have the CEO's name, the serial number of the previous book and the serial number of the next book written on the front cover.

Similar procedures will apply should electronic pocket books be utilised.

### **Complaints against CEOs**

Allegations that a CEO has made an error whilst issuing a PCN will be investigated under the normal representations or challenge procedures and a formal written notice of acceptance or rejection will be sent within the stipulated timescale.

Any allegation of misconduct or rudeness made against a member of the enforcement staff will be investigated and dealt with in accordance with the councils Formal Complaints Procedure. The findings of the investigation will be communicated to the complainant, in writing, within the stipulated timescale. If appropriate the councils Disciplinary Policy will also be implemented.

## Description of Vehicle – On PCN

When issuing a PCN the CEO will note the make, colour and registration number of the vehicle, which will appear on the PCN. He/She will also note other details such as the positions of tyre valves, which will form part of the supporting records.

## Diplomatic Vehicles

These fall into two categories: those with 'D' plates, which indicate that the driver has full diplomatic immunity, and those with 'X' plates, which indicate limited immunity.



## Dispensations & Suspensions

### DISPENSATIONS (Waivers):

In order to carry out works to adjacent properties it is occasionally necessary for vehicles to park on waiting restrictions. In these cases a Parking Waiver should be arranged with the council.

A parking waiver that is conspicuously displayed in the vehicle windscreen enables a vehicle to be parked as near as possible to the desired location. It does not allow parking anywhere that would cause an obstruction or a road safety hazard

Failure to comply with these conditions may result in a Penalty Charge Notice being issued.

Vehicles must be moved on the instruction of a Civil Parking Enforcement Officer or Police Officer.

### SUSPENSIONS:

Parking bays and designated parking bays, on or off-street, may be suspended.

Essential maintenance is often difficult due to parked vehicles. The use of suspensions, whilst inconveniencing residents and displacing parking temporarily is an effective way to ensure essential maintenance is undertaken. For instance, if the council can improve access to service gullies and drains the council can minimise the risk of flooding.

This includes the suspension of bays in off-street car parks. There may be an administration charge for dispensations and suspensions.

## Exempt Vehicles

Certain vehicles used to carry out statutory functions or to deliver help during emergencies are exempt from some common restrictions.

- **Emergency vehicles** – *Police, Fire and Ambulances are always exempt from all restrictions if on official duty. Patient transport ambulances should be treated as a minibus unless displaying a blue badge.*
- **Cash in transit vehicles (CITV)** – *The Royal Borough of Windsor & Maidenhead permits CITV to wait on all restrictions (in proximity to the delivery point). PCN's will only be issued to CITV on the instruction of a Parking Supervisor or Parking Manager.*
- **Military vehicles** – *Vehicles used by any armed forces are exempt from all restrictions.*
- **Royal Mail** – *As the universal service provider for mail services in the UK, Royal Mail liveried vehicles are exempt from all restrictions when in the course of making deliveries or collecting mail. This does not apply to Parcel Force, DHL, UPS or other commercial delivery organisations etc.*

- **Glazing vehicles** – *Vehicles carrying out emergency works are permitted to wait on yellow line including loading restrictions whilst carrying out works if no legitimate parking place adjacent to the works is available. This does not apply to any persons carrying out general glazing who are required to park lawfully once loading or unloading has taken place.*

## **Challenge & Representation Processes**

The process of dealing with challenges and representations against the issue of PCNs is well documented and will be carried out in a fair, transparent and consistent manner. These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator (Traffic Penalty Tribunal).

To preserve the integrity of these procedures they will be managed and carried out by the appropriate appointed officers within the Parking Service. Whilst MP's, Councillors and senior council staff can request information on behalf of a constituent / member of the public, they cannot apply undue pressure designed to unduly influence the decision by virtue of their position alone.

## **Legislation**

The Traffic Management Act (2004) refers to the statutory acts governing parking enforcement. If a driver is querying the legislation it should be explained to him/her in simple terms. There is no need to supply specific reference unless especially requested.

When such a request is made the council will make reference to specific, relevant paragraphs and will quote them (as appropriate) word for word within any correspondence. The council will not supply full copies of the relevant acts, which can be obtained from the HMSO or, in the case of the TMA 2004 Act, accessed via the internet.

If the owner is querying the authority behind a specific restriction then reference should be made to the relevant Traffic Regulation Order, held by the council. Prior to any correspondence with the owner this order should be checked to ensure the validity of the PCN. If any doubt exists then the PCN should be cancelled and the decision communicated to the owner. No legal advice will be given.

## **Mis-spelling of Owner's Name**

The mis-spelling of the owner'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 genuine owner to deal with the matter. Such names and addresses are, in most cases, obtained from the DVLA and are supplied by the owners themselves. It is also incumbent upon the owner to ensure that these are correct. If any mis-spelling is discovered then alterations must be made immediately to ensure that future notices are sent out correctly. When the mis-spelling is severe and is radically different from the correct spelling consideration should be given to the cancellation of the PCN.

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

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

The current registered owner is able to provide 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 owner is able to provide 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 owner is able to provide 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 owner is able to provide the full name and address of the person from whom they purchased the vehicle along with the date of purchase.

In all events it is for the appellant to demonstrate that the resumption of ownership should not apply.

## **Observation Period – Prior To Issue Of PCN**

Prior to the issue of a PCN the CEOs will, for some contraventions, allow a period of time to elapse between first observing the vehicle parked in contravention of the regulations 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 if an observation period is required.

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.

Some contraventions do not require an observation period and can be issued immediately. Guidance on observation periods is provided in Appendix A.

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

Any claims that a PCN was issued before the time that a contravention is deemed to have been committed requires careful investigation. The issue of PCNs is controlled by handheld computers carried by each CEO. These computers have in built clocks, which are calibrated each morning prior to commencement of the patrols. Where appropriate the CEO will impose an observation period prior to allowing a PCN to be issued. These times will appear on the PCN itself as "Time First Seen" and "Time of Issue". The computer system will prevent any subsequent alteration to these times. The normal procedure is for a CEO to enter the observation details into the computer, then to continue with his/her patrol before returning to the vehicle to complete the issue of the PCN. In most cases an observation and issue time will be recorded unless the contravention does not require an observation period.



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

Claims from a motorist that their vehicle was not parked in the location at the time and on the date alleged on the PCN requires careful consideration.

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

The motorist provides evidence that conclusively shows that the vehicle was not at the location at the time the contravention is deemed to have occurred.

The representation may 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.

If there is no evidence or if the evidence presented does not support the claim or is inconclusive.

There have been previous unsubstantiated claims made by the same individual.

## **Penalty Charge Notices – Removed from Vehicle / Not Received**

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.

Claims from the registered owner of the vehicle that a PCN was not received will require careful consideration. This is because the CEOs will gather photographic evidence at the time of the contravention to prove that the PCN was affixed to the vehicle.

If the council receive correspondence claiming that the PCN was not received, the council will examine the evidence recorded by the CEO. If it is accepted that the PCN was not received the council will write to the registered owner of the vehicle to inform them that if the PCN is paid within 14 days of issue of this letter, the PCN rate will be discounted by 50% (depending on the contravention) and will be accepted as full settlement. If the PCN remains unpaid after 14 days it will be dealt with via the normal PCN Recovery System.

## **Penalty Charge Notices – Time to Pay / Instalment Payments**

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

An application must be in writing and will be responded to within 10 working days.

The application must contain a proposal for payment and be accompanied by any evidence supporting the claim of financial hardship.

The council's response will signify acceptance or rejection of the proposal.

A rejection will be accompanied by the council's counter proposal which will be the final offer based on:

Where the debt involves multiple PCNs the council 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.

Non-payment of any cheque will result in enforcement action being recommended and all un-banked cheques being returned to the drawer with a letter stating that the arrangement is cancelled.

Where payment by cheque is not available, payments by postal order or debit card will only be accepted at the council's payment kiosks, located at the Town Hall in Maidenhead and York House in Windsor.

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

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

## **Penalty Charge Rate**

The PCN rates have been set at £70 and £50 for the Royal Borough, dependent on the type of parking contravention committed. Any increase will only be possible by guidance from Central Government and will require proper advertisement prior to introduction. If paid within 14 days of issue the PCN rate is discounted by 50%, and £35 or £25 (depending on the type of contravention) will be accepted in full settlement. The council may accept representations made against the issue of a PCN if the PCN or Notice to Owner showed the incorrect amount of penalty charge, i.e. the wrong penalty charge.

## **Permits (or Passes or Tickets) In Car Parks**

Season tickets are available for use in some Local Authority car parks. For details please refer to the council's website: <https://www3.rbwm.gov.uk/parking>

## **Previous Records of Parking Contraventions**

All parking contravention records are stored within a computer system. All records of previous parking contraventions committed by vehicle owners will be consulted upon before making any decision on representations received.

## **Uniforms – CEOs**

The RTRA 1984 (Sect63A[4]) states: "Parking Attendants in Greater London shall wear such uniform as the Secretary of State may determine when exercising prescribed functions, and shall not exercise any of those functions when not in uniform".

The Secretary of State has determined that: "London Parking Attendants' uniforms must be readily distinguishable from those worn by the police and Traffic Warden Services and must include the following":

Clear identification that the wearer is a Parking Attendant.

Clear identification of the Local Authority on whose behalf the Parking Attendant is acting.

A Personalised number to identify the Parking Attendant which may contain letters as well as numbers.

The Secretary of State believes that "the corresponding requirements concerning the wearing of uniforms by CEOs outside of London should apply and statutory backing to this will be given".

## **SPECIFIC CIRCUMSTANCES, THE USE OF DISCRETION and MITIGATION**

This section covers specific circumstances developed from experience, best practise and legislation. It is organised in alphabetical order.

Discretion is exercised when it is felt that although a penalty charge was issued correctly, certain circumstances may lead the council to cancel. This does not mean that a blanket set of rules applies to the use of discretion; each case is taken upon its merits.

### **Abandoned Vehicles**

Where a vehicle remains parked, in a restricted area, for a period during which multiple PCNs are issued (multiple = 3) for the same contravention and the PCNs are not removed from the vehicle. The CEO will report the vehicle as potentially abandoned and it will be dealt with by the relevant Council.

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

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

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

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

Waiting and loading restrictions, as indicated by yellow lines / markings on the carriageway and/or kerbs may be in force throughout the year.

It is only in designated parking bays (limited waiting, loading, shared use bays, pay & display etc.), that restrictions may be lifted on Bank Holidays. Reference should be made to the relevant signs and lines on the highway and kerbside.

Motorists cannot assume that restrictions do not apply on Bank Holidays unless this is specifically stated in the relative signage.

### **Bank Visits**

Claims from individuals or companies that because money is being taken to or from a bank a PCN should not be issued will not be accepted as a reason to cancel. If restrictions are in place adjacent to a bank these must be complied with by all motorists. Motorists should be advised to contact the bank about future security arrangements.

It is appreciated that difficulty may be experienced when visiting banks but the only exemption that will apply is in relation to bullion vehicles whilst loading / unloading large quantities of coin and cash boxes.

## **Blocked Access**

Drivers who claim that they were unable to gain access to their private or commercial property are not entitled to park in contravention of any parking restriction. The exception to this is when a driver has to collect a key to unlock a barrier that prevents access. This, however, should take no longer than the observation period in most circumstances.

Where access to a property is being blocked and a parking restriction is in place a PCN may be issued to the vehicle providing it is parked in contravention of the restriction.

Cases of obstruction should be referred to the police as a CEO will not be able to issue a PCN.

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

Drivers who claim that they were unable to exit a parking place because another vehicle was blocking their exit should not leave their vehicle unattended. Drivers should wait with their vehicle until such times as they can advise the CEO of their predicament.

If the driver of the vehicle is seen, the CEO will not issue a PCN but will make full notes of the vehicle in their pocket book; they may take a photograph of the vehicle's position, and also advise any other CEOs in the immediate vicinity of the situation.

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

Where a representation against the issue of a PCN is received claiming that a vehicle could not be moved due to another parked vehicle, then due consideration should 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 CEOs pocket book notes and any photographs.

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

## **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. Vehicles parked for long periods with no activity observed are subject to the same restrictions as ordinary motorists.

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

Claims of alleged breakdown should 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.

- Till receipt for purchase of seemingly relevant spare parts purchased on or soon after the date of contravention.
- Confirmatory letter from the RAC, AA or other similar motoring organisation.
- Confirmation from the CEO that the vehicle was obviously broken down.

Each case should ultimately be considered upon its own merits although previous cases where breakdowns have been accepted as mitigating circumstances should also be considered.

A note left in the windscreen, stating that “the vehicle has broken down”, will not be accepted, by the CEO, as a reason for not issuing a PCN.

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

#### FLAT BATTERY:

The receipt for the purchase of a new battery or parts that could cause a flat battery (alternator, solenoid etc.), should 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 received, the PCN should be enforced. (NB. Vehicles with automatic transmission cannot be bump started).

If no evidence is forthcoming, the PCN should be enforced.

Consideration should also be given as to how the vehicle became illegally parked in the first instance i.e. was it pushed from an unrestricted area or was it parked in contravention of a restriction before the breakdown occurred?

#### FLAT TYRE:

It is reasonable to expect that in the event of a flat tyre the driver would be with the vehicle and making 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 driver was: Elderly, disabled or infirm and had gone to obtain assistance. In such instances evidence from the assisting party is 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 sufficient reason to cancel a PCN.

#### OVERHEATING:

All cases where it is claimed that the vehicle had overheated due to lack of water should be enforced unless it is 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 must be produced.

Overheating caused by heavy traffic or hot weather will not be accepted as a valid excuse.

#### **RUNNING OUT OF FUEL:**

Unless this is due to a mechanical / electrical fault evidenced by repair all PCNs are to be enforced.

### **Builders / Tradesmen**

Waiting restrictions: Parking will only be allowed whilst loading / unloading of tools or materials are taking place. At all other times the vehicle must be moved to a permitted parking area.

On-Street Residential Parking Zones: Trade vehicles can only park if they are loading / unloading or unless specific dispensation has been sought and authorised.

### **Bus Stops**

Bus stops can either be restricted or unrestricted:

- Restricted: A restricted bus stop will show yellow lines and a time plate showing the hours of operation.
- Unrestricted: An unrestricted bus stop will not have a time plate but may show advisory road markings.

A bus stop restriction cannot be transferred to a temporary bus stop unless the temporary bus stop is fully signed in accordance with the regulations. PCNs issued to any vehicle, other than buses, waiting in a restricted bus stop should be enforced.

### **Caravans and Trailers**

Caravans and Trailers not attached to a motor vehicles and parked in contravention of a Traffic Regulation Order should be reported to the council's Customer Services who will direct the query to the relevant service.

### **Care Organisations**

Parking on Yellow Lines: 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 a yellow line except in a medical emergency in which case the PCN may be cancelled after consideration of the evidence available, including that from examining doctor.



## **Cars for Sale / Hire**

Vehicles parked on the highway for the purpose of being sold, or for hire, 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 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 the vehicle being sold or hired will be rejected.

Other legislation is available to the council for dealing with this issue.

## **Council Officers & Members on Duty**

All council officers and members on duty are expected to fully comply with parking regulations:

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. If the council Officer or a contracted employee working on behalf of the council is carrying out a statutory duty connected to the Highway, then the vehicle is exempt whilst the work takes place.

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 and pursued.

Request for Cancellation of PCN: This will only be considered in the case of emergency and must be supported by written confirmation from the relevant Cabinet member.

## **Court Attendance – Defendants**

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 council car park or limited parking bay.

In such instances the council will expect 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.

## **Court Attendance – Jury Service or Witness**

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 or to move their car. This often leads to overstay and to PCNs being issued. To counter this Courts issue clear instructions to all Jury members and witnesses advising them as to how and where they should park. The 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 council 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.

## **Dental / Doctors Appointments**

If the claim is made that, due to a delay in the appointment time or that treatment took longer than anticipated and this resulted in a PCN being issued for overstaying the parking time allowed, consideration should 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 council must be satisfied that the driver allowed long enough when deciding where to park or when purchasing a ticket for normal delays experienced whilst attending such appointments.

## **Disabled Drivers / Passengers**

Blue badges are issued to either 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, themselves, are not being transported in the vehicle to carry out the shopping.

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.

Providing the Disabled Badge is clearly and properly displayed the Badge Holder can park in:

Yellow Lines: For a period not exceeding 3 hours provided it is safe to do so and in accordance with the Highway code.

Shared Parking / Resident Parking Zones:

Residents parking places – Unrestricted, so long as the disabled badge and valid resident parking permit is on display.

Designated parking spaces within car parks owned or operated by the council

Disabled Badge Holders are not allowed to park in:

Any area specifically reserved for other vehicles or purpose. i.e. Taxi ranks, reserved spaces in car parks, bus stops or goods vehicle loading bays etc.

Parking with a Blue Badge must always be in accordance with the current Blue Badge Scheme guidance.

Failure to do so will result in a PCN being issued for the contravention of the relative parking restriction.

When considering the matter the council will take into account previous contraventions by the same vehicle owner and/or badge holder for failure to display a disabled badge:-

<b>FAILURE TO DISPLAY VALID BLUE BADGE</b>	
FAILED TO DISPLAY	NOTICE TO BE <b>UPHELD</b> . IF THE VALID BADGE IS PRODUCED THE NOTICE MAY BE <b>WAIVED</b> BUT ONLY ON ONE OCCASION PER BADGE OWNER
EXPIRED BADGE	NOTICE TO BE <b>UPHELD</b> . DISCRETION MAY BE EXERCISED IF VALID RENEWED BLUE BADGE IS PRODUCED PRIOR TO ANY FORMAL APPEAL BEING SUBMITTED.
BADGE FACE DOWN	IF THE VALID BADGE IS PRODUCED THE NOTICE MAY BE <b>WAIVED</b> BUT ONLY ON ONE OCCASION PER BADGE OWNER.
CLOCK TIME SET INCORRECTLY (ON STREET ONLY)	NOTICE TO BE <b>UPHELD</b> . DISCRETION TO WAIVE THE CHARGE MAY BE EXERCISED IF ARRIVAL TIME SHOWN IS LESS THAN 15 MINUTES FROM TIME OF OBSERVATION. THE NOTICE MAY BE <b>WAIVED</b> BUT ONLY ON ONE OCCASION PER BADGE OWNER
CLOCK TIME EXPIRED (ON STREET ONLY)	NOTICE TO BE <b>UPHELD</b> . DISCRETION TO WAIVE THE CHARGE MAY BE EXERCISED IF TIME SHOWN IS LESS THAN 15 MINUTES FROM TIME OF OBSERVATION. THE NOTICE MAY BE <b>WAIVED</b> BUT ONLY ON ONE OCCASION PER BADGE OWNER
BADGE WITH NO CLOCK (ON STREET ONLY)	ON ONE OCCASION PER BADGE OWNER DISCRETION WILL BE EXERCISED. THEREAFTER MITIGATING CIRCUMSTANCES WILL BE TAKEN INTO CONSIDERATION. THE NOTICE MAY BE <b>WAIVED</b> BUT ONLY ON ONE OCCASION PER BADGE OWNER

Disabled visitors from the European Union 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 double yellow lines, the 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 facia panel of their vehicle. This concession will be extended to disabled badge holders from all other countries.

The Department for Transport 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 Section 94 of the Traffic Management Act 2004 police officers, traffic wardens, local authority parking attendants and civil enforcement officers (as defined in Section 76 of the Traffic Management Act 2004) have the power to inspect badges and if it is believed that the Blue Badge is being misused or abused, to seize the Blue

Badge. It is an offence to fail to produce a badge when requested to do so by any of these authorised persons. CEOs employed by each Council will receive specific training on how the inspection of Blue Badges should take place.

## **Double Parking**

Drivers are not permitted to park or stop their vehicles 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 using the 26 contravention code by the CEO.

## **Drink Driving or Other Arrest**

If the driver of a vehicle 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 should 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 driver should be asked to provide date, time and evidence of arrest including custody number, officer and Police Station involved.

## **Dropped Crossings**

A dropped kerb is a location where the kerb has been reduced in height to gain access to private property or to assist members of the public such as parents with pushchairs or prams, and wheelchair users to cross the carriageway more easily.

Drivers are not permitted to park their vehicles in a manner that will obstruct a dropped footway.

A Penalty Charge Notice may be issued if a vehicle is parked obstructing a dropped kerb.

A penalty will be issued to motorists who park on a dropped crossing where:

- The dropped crossing is clearly for pedestrian crossing purposes.

## **Dropping Off - Picking Up Passengers**

Except on designated clearways and zig-zag (for example 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 restriction in force.

As long as the CEO witnesses dropping off or picking up activities a PCN will not be issued. After a predetermined period of inactivity a PCN will be issued.

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

## Emergency Duties

**Local Authority Livered Vehicles** will be exempt from parking restrictions when actively dealing with an emergency on the highway. However, these vehicles should not be parked in a way that will cause an obstruction to other road users and pedestrians wherever possible.

**Medical Emergency:** Doctors, nurses, midwives engaged on emergency duties are, wherever possible, expected to park legally in accordance with local restrictions. Should a PCN be issued it will be cancelled only upon evidence of the emergency being provided. Regular or programmed visits will not be considered an emergency.

**Non-Livered Vehicles** such as private vehicles being used by council departments are wherever possible expected to park legally in accordance with local restrictions. Should a PCN be issued it will be cancelled only upon evidence of the emergency being provided. Regular or programmed visits will not be considered an emergency.

## Estate Agents

Estate agents are not exempt from parking restrictions.

## Fire-fighters on Call

'Fire-fighter on Call' placards are used by some Fire-fighters 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 and that the vehicle should not be obstructed in case the driver needs to report on duty at a nearby fire station. This however, 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.

## Footway Parking

This type of parking can damage footways and cause problems for pedestrians. Visually impaired groups and individuals are also very concerned about this behaviour.

Where a yellow line restriction exists on the road, the footway is also covered by the same restriction. Civil Enforcement Officers will be able to issue parking tickets at these locations. The Police have retained powers to deal with obstruction offences where footway parking occurs and there is not a yellow line.

Councils who are operating CPE can consider introducing a regulation and the appropriate signs to ban parking on footways.

## Funerals & Weddings

PCNs will not be issued in the case of:

- Funerals – For the hearse and cortege vehicles.
- Weddings – Bridal Vehicles.

However, vehicles belonging to mourners or wedding guests should not park in contravention of any parking restriction. Any PCN issued to vehicles associated with a funeral or wedding, will be considered with due respect.

## **Garages – Vehicles Left Unattended**

When a garage employee parks a vehicle on a highway, 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 should always be enforced in such cases.

## **Glaziers**

Claims from glazier companies that a vehicle needed to be parked close to the location of an emergency repair should be treated leniently 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 the work.

## **Government Department Vehicles**

Unless the reason for parking the vehicle was under exceptional circumstances PCNs issued to vehicles owned or operated by Government Departments should be enforced. They are not exempt purely by virtue of the fact that they are operated by a Government Department. If the vehicles are involved in exceptional 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 must be supplied. Wherever possible Government Agencies involved in such activities should be encouraged to give the council advance notice and details of the vehicle(s) involved.

## **Hackney Carriages / Private Hire Vehicles (PHVs)**

Hackney Carriages and Private Hire Vehicles operating are mainly licensed by the council and carry a numbered license plate that must be displayed on the rear of the vehicle. There is a distinct difference between Hackney Carriages and Private Hire Vehicles (PHV). PHVs 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 PHVs, 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 carriage unattended.

If a licensed Hackney Carriage or PHV is left unattended for more than 10 minutes on a rank it is liable to receive a PCN. When considering representations it should 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 his/her arrival. Drivers should comply with the regulations and guidance within this document.

**(See also Taxi Ranks)**

## **Hatched Markings in Car Parks**

Hatched markings are placed on the surface of the car park to indicate an area where parking or waiting is not allowed. Vehicles seen to be parked, or waiting on hatched markings within a car park will be issued with a PCN.

## **Hazardous Chemicals / Substances**

Claims by companies that toxic or dangerous substances were being delivered or collected from premises and, as a result, a PCN was issued to the vehicle being used should be given careful consideration. If the PCN was issued for contravention of a no waiting restriction it can be established from the CEO's notes whether the activity of loading was taking place. If no loading activity was taking place the PCN should be enforced. There is no reason, in this case, to differentiate between toxic and nontoxic deliveries as it is the driver's responsibility to ensure that the vehicle is moved immediately after the loading / unloading activity is complete. Ideally if there are serious Health and Safety concerns the authority should be notified prior to the delivery.

If the PCN was issued for contravention of a no loading restriction then, once again, the CEO's notes should be viewed to establish whether the loading activity was taking place. If so then serious consideration should be given to the cancellation of the PCN in view of the Health & Safety of the public. Any such representation should be accompanied by documentary evidence showing the nature of the goods being delivered.

## **Hiring Agreement**

It is within the legislation that, in the case of a hired vehicle, responsibility for a PCN is that of the hirer of the vehicle at the time. Consequently, in this case, the responsibility does not rest with the registered owner, the Hire Company, providing they make formal representation to the council 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 vehicle details, the start and finish dates for the hire period and 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, absent or in contradiction of the date / time of issue of the PCN then the PCN will be enforced against the Hire Company and a notice of rejection of the representation sent to them with the reasons clearly stated therein.

## **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 permit in an on-street residential parking zone:



## Suspended Bay:

The council has the power to suspend parking within a designated parking bay to allow access by a specific vehicle or highway / bay maintenance to be carried out. In such cases advance notice is placed alongside the bay and is distributed to nearby properties giving the date, times and length of the suspension.

If these notices are posted and distributed after the owner departed on holiday then any PCN issued should 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.

## Loading / Unloading

Vehicles will be permitted to park in contravention of waiting restrictions, including Resident Parking Zones, whilst carrying out the legitimate activity of Loading or Unloading provided:

- Loading / Unloading involving the vehicle, is observed by the CEO whilst the vehicle is parked. An observation period will be undertaken 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.
- Time will be allowed for the driver of a goods vehicle to complete delivery paperwork.

## Lost Keys

Where it is claimed that 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 should be given to its cancellation. When considering this the representation should be accompanied by any supporting evidence from the police, motoring organisations or relatives. The following should also be considered:

- 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?

## Medical Emergencies

If the motorist provides proof of a medical emergency, that is consistent with the conditions described or, if the CEO has made notes to support the motorist's representation, the council may accept the representation and cancel the PCN. If the motorist cannot provide some proof of a medical emergency, consistent with the conditions described or, where other evidence contradicts the motorist's claim the Council may reject the representation. Each case will be treated on its individual merits and will take any previous PCNs issued to the same vehicle owner into account.

## **Motorcycle Bays**

These are not mandatory bays but are exemptions to the normal restrictions either on street or in car parks. Consequently any vehicle, other than a motorcycle, parked in such a bay is parked in contravention of the surrounding restriction, for being parked in a motorcycle bay.

Motorcycles may park in any council off street car park provided they either park wholly within a marked motorcycle bay or on any other marked bay in the car park. Charges may apply. They may not park on hatched areas where they may cause an obstruction to either pedestrians or other vehicles using the car park.

## **Motorist Claims of Feeling Unwell**

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

**See also Medical Emergencies**

## **Parents with Young Children**

If the delay was caused by the parent not allowing additional time enough to deal with young children then the PCN should be enforced.

## **Pay & Display Tickets**

Most of the council's car parks are pay and display. Pay & Display 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 on them 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

Representations made because the driver failed to correctly display a valid ticket even though one was held will not be allowed 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 driver did not have change will not be upheld.

For the avoidance of doubt correctly displayed means that the pay and display ticket must be displayed face up inside of the windscreen so that all of the information printed on the ticket covering arrival/departure times and amount paid are clearly visible through the front windscreen.

Representations made because of delays returning to the car park will be dealt with in accordance with 'mitigating circumstances' above.

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

Claims from owners that they did not see or realise that they had to use a meter or pay & display machine should be dismissed providing that they are clearly sign posted.

## **Pay & Display Ticket Machines – Not Working**

Where it is claimed that a machine is not working then reference must be made to both the maintenance records, the CEO's notes and machine test records (machines are tested before the patrol in the car park). 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 it is reasonable to expect the driver to use this machine.

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

Emergency call out: An emergency is considered to last as long as it takes to make the premises safe i.e. turn off the main supply. After which, any vehicle should be moved to a permitted parking place before any subsequent repairs are undertaken.

Heavy Equipment: Dealt with as loading / unloading.

## **Police Officers on Duty**

PCNs should 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 of a police station should not automatically be cancelled as this can be deemed to be parking at a place of work and therefore, no different from any other employed person.

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

Where details of the officer concerned are given, confirmation should be sought prior to cancellation of the PCN. Where these details are not given then the PCN should be enforced unless they are supplied subsequently.

A CEO will not be permitted to allow people to park in contravention of any parking restrictions.

## **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 is also their responsibility although it may be subcontracted to other companies. Any person querying such an area should be referred to the relevant landlord or resident.

## **Public Service Vehicles (PSVs)**

In service PSVs may stop anywhere to allow passengers to board the vehicle (unless there are specific exemptions in place)

Out of Service PSVs are not permitted to park in contravention of any 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 restriction for any length of time prior to, or after, passengers have boarded / disembarked.

## **Public Utility Vehicles**

See “Emergencies Duties” & “Exempt Vehicles”

## **Residents’ Parking (On-Street)**

RESIDENTS’ PERMITS:

A resident’s permit must be clearly displayed on the windscreen of the vehicle. Permits are only valid in the zones indicated on the permit, for the registration numbers and until the expiry date printed on its face.

Failure to display a resident’s permit when required is a contravention and will result in a PCN being issued which should not be cancelled unless there are mitigating reasons why the permit was not displayed.

Use of a permit in a zone other than those specified on the permit, or after its expiry date is also a contravention for which a PCN will be issued. Again the PCN should not be cancelled unless there are mitigating circumstances that account fully for the contravention.

In some residents' parking zones vehicles can be parked for a limited time. The signs in these areas should be checked for the permitted duration.

Vehicles exceeding this duration will be issued with a PCN.

## **Royal Mail and Universal Service Provider 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. Vehicles parked for more than the observation period with no activity observed are subject to the same restrictions as ordinary motorists and a PCN should 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.

## **Security**

Thames Valley Police officers can, at any time, give notice to suspend the use of a parking space for up to 2 days where he/she considers such suspension as necessary for maintaining security in adjacent premises. PCNs issued for contravention of such suspensions should always be enforced.

## **Security Vans**

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

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

## **Street Traders**

Street trader's vehicles such as mobile kitchens and ice cream vans will not be permitted to park in contravention of any restrictions.

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. Specific procedures are in place to consider applications for street trading.

## **Suspended Bays**

PARKING BAYS, DOCTORS, RESIDENTS, BUSINESS, SHARED USE.

Where a representation is received claiming that a vehicle was parked at the location without having received notice of the suspension (by placing the relevant signs at the bay in advance) and, upon investigation the claim is found to be valid the PCN should be cancelled, providing that a valid permit was displayed. It is normally the case that the responsibility for ensuring a vehicle is parked in accordance with any possible suspension rests with the driver. However, it will be the registered owner of the vehicle who is responsible for paying any penalty charge notice issued to the vehicle.

However, when a vehicle is parked legally within a designated bay, which is subsequently suspended, it is deemed to be legally parked as it cannot be made illegal retrospectively by the suspension. Vehicles parked when the suspension was placed should be recorded at that time. The owner will have to demonstrate however that, if the vehicle remains parked in contravention of the suspension for a considerable time, (s)he remained unaware of the suspension (eg. on holiday).

## **Taxi Ranks**

The council will make orders for Hackney Carriage 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 of the rank and in contravention of a parking restriction will be issued with a PCN.

Unattended Hackney Carriages will be issued a PCN after an appropriate observation period.

**See also “Hackney Carriages / Private Hire Vehicles (PHVs)”**

## **Traffic Regulation Order – Invalid**

The council must accept representations made against the issue of a PCN if the Traffic Regulation Order which describes the restriction that the vehicle was parked in contravention of, was legally flawed.

## **Unauthorised Movement of a Vehicle**

Stolen Vehicle:

Confirmation from the police that the vehicle was reported stolen at the time the PCN was issued including the relevant crime report number will result in the PCN being cancelled.

Unauthorised use of a vehicle:

By another family member or a friend is difficult to substantiate and under these circumstances the PCN should 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.

## **Vandalised Vehicle**

When a vehicle has been vandalised to an extent that prevents it from being safely moved any PCN issued 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.

CEO observation from his/her pocket book must also be considered providing that it clearly states the extent of the damage.

Failure to provide supporting evidence or the absence of CEO observation will lead to the PCN being enforced.

## **Vehicles Left Unattended To Gain Access**

When a driver has to collect a key to gain access to a property this should take no longer than the observation time allowed. In such circumstances vehicles should not be left for longer periods or in contravention of a total 'no waiting' or loading restriction. However, each case should be considered on its merits and extenuating circumstances taken into account.

## **Vehicle Stolen**

The council will accept representations made against the issue of a PCN if the vehicle had been taken without the owner's consent subject to receiving satisfactory evidence. The registered owner will be asked to provide a valid police crime report including the crime reference number.

## **Voluntary Patient Transport Vehicles**

The display of a "Voluntary Patient Transport" placard does not automatically exempt the holder from parking restrictions. However, all representations or challenges against the issue of a PCN should be given due consideration bearing in mind that this is a voluntary service provided for the elderly and sick so that they can be transported to and from hospitals.

Generally such consideration should extend to:

Allowing sufficient time to enable the driver to make his/her presence known to the passenger(s).

Allow 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 / challenges 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.).



## 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  
HA Highways Agency  
HHC Hand Held Computer  
HMSO Her Majesty's Stationary Office  
IHT Institute of Highways and Transportation  
LTP Local Transport Plan  
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  
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

## Appendix A

### Contraventions for which the Higher and the Lower level penalty charges should be made

The Traffic Management Act 2004 has introduced differential Penalty Charge Notices. Notices are categorized as 'Higher' or 'Lower' dependent on the severity of the parking infringement. Higher penalties are payable at £70 and lower penalties at £50. These categories are as determined in National Guidance. The table below indicates where the higher or lower penalties apply.

\* = or other specified time      \*\*\*\* = or other number

#### On-street

Code	Description	Observation times / grace period (minutes)	Contravention Level
01	Parked in a restricted street during prescribed hours	5	Higher
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	0	Higher
04	Parked in a meter bay when penalty time is indicated	5	Lower
05	Parked after the expiry of paid for time	10	Lower
06	Parked without clearly displaying a valid pay-and-display ticket or voucher	5	Lower
07	Parked with payment made to extend the stay beyond initial time	5	Lower
08	Parked at an out-of-order meter during controlled hours	0	Lower
09	Parked displaying multiple pay-and-display tickets where prohibited	0	Lower
10	Parked without clearly displaying two**** valid pay-and-display tickets when required	5	Lower
11	Parked without payment of the parking charge	5	Lower
12	Parked in a residents' or shared use parking place without clearing displaying either a permit or voucher or pay and display ticket issued for that place	10	Higher
14	Parked in an electric vehicles' charging place during restricted hours without charging	5	Higher

16	Parked in a permit space without displaying a valid permit	10	<b>Higher</b>
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	5	<b>Higher</b>
19	Parked in a residents' or shared use parking place or zone displaying an invalid permit, or an invalid voucher or an invalid pay-and-display ticket	5	<b>Lower</b>
20	Parked in a loading gap marked by a yellow line	5	<b>Higher</b>
21	Parked in a suspended bay/space or part of bay/space	0	<b>Higher</b>
22	Re-parked in the same parking place within one hour* of leaving	5	<b>Lower</b>
23	Parked in a parking place or area not designated for that class of vehicle	5	<b>Higher</b>
24	Not parked correctly within the markings of the bay or space	0	<b>Lower</b>
25	Parked in a loading place during restricted hours without loading	5	<b>Higher</b>
26	Vehicle parked more than 50 centimetres from the edge of the carriageway and not within a designated parking place	0	<b>Higher</b>
27	Parked adjacent to a dropped footway	5	<b>Higher</b>
30	Parked for longer than permitted	10	<b>Lower</b>
35	Parked in a disc parking place without clearly displaying a valid disc	5, or 10 if vehicle was originally parked legally	<b>Lower</b>
36	Parked in a disc parking place for longer than permitted	5, or 10 if vehicle was originally parked legally	<b>Lower</b>
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	0	<b>Higher</b>
41	Parked in a parking place designated for diplomatic vehicles	5	<b>Higher</b>
42	Parked in a parking place designated for police vehicles	0	<b>Higher</b>

45	Parked on a taxi rank	0	Higher
46	Stopped where prohibited (on a red route or clearway)	0	Higher
47	Stopped on a restricted bus stop or stand	0	Higher
48	Stopped in a restricted area outside a school	0	Higher
49	Parked wholly or partly on a cycle track	0	Higher
55	A commercial vehicle parked in a restricted street in contravention of the overnight waiting ban	5	Higher
56	Parked in a contravention of a commercial vehicle waiting restriction	0	Higher
57	Parked in contravention of a coach ban	0	Higher
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	5	Higher
62	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)	0	Higher
63	Parked with engine running where prohibited	0	Lower
99	Stopped on a pedestrian crossing and/or crossing area marked by zig-zags	0	Higher

## Off-street

Code	Description	Observation times / grace period (minutes)	Contravention Level
70	Parked in a loading area during restricted hours without reasonable excuse	10	Higher
73	Parked without payment of the parking charge	10	Lower
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	0	Higher
80	Parked for longer than the maximum period permitted	10	Lower
81	Parked in a restricted area in a car park	0	Higher
82	Parked after the expiry of paid for time	10	Lower
83	Parked in a car park without clearly displaying a valid pay-and-display ticket or voucher or parking clock	10	Lower
84	Parked with additional payment made to extend the stay beyond time first purchased	0	Lower
85	Parked in a permit bay without clearly displaying a valid permit	0	Higher
86	Parked beyond the bay markings	0	Lower
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	0	Higher
89	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area	0	Higher
90	Re-parked within one hour* of leaving a bay or space in a car park	0	Lower
91	Parked in a car park or area not designed for that class of vehicle	0	Higher
92	Parked causing an obstruction	0	Higher
93	Parked in car park when closed	0	Lower

94	Parked in a pay-and-display car park without clearly displaying two**** valid pay-and-display tickets when required	10	<b>Lower</b>
95	Parked in a parking place for a purpose other than the designated purpose for the parking place	10	<b>Lower</b>
96	Parked with engine running where prohibited	10	<b>Lower</b>

## Appendix B – Responses to Consultation

Commentator	Comment received	Response
<p>Chris Hilton, Director of Regeneration (RBWM)</p>	<p>From a Maidenhead Regen perspective we need to understand the likely impact of the regen programme on car parking – so if we are currently 89% full weekdays, and if we are about to lose 800 to 1000 spaces (25%) then that leaves us with a 14% shortfall presumably. If we then build 2000+ flats, then what impact will that have? How much parking demand will 2000+ flats generate and how many parking spaces will we then be short of? If we build say 300,000 sq ft of offices in the town then what impact will that have? We need some advice on this either from your team or from an appropriate consultant.</p> <p>To answer the above we need to consider what parking standards we want. As you say, this is the job of the SPD and I have no doubt there will be tension between the Green arguments (low car ownership because of Crossrail) and the non-Green arguments (The Thames Valley is car-orientated and always will be, and people want to be able to park). This will need to play out at Cabinet in the prep and sign-off of the SPD, and the outcome will help provide the answer to the question above.</p> <p>Viability is also an issue. In Maidenhead land assembly is expensive and digging basements is even more expensive. If we expect all schemes to deliver say 1.5 spaces per apartment on site then this would probably impact viability. 0.7 spaces is probably more acceptable in viability terms and is more “normal” for town centre development, but this won’t satisfy the non-Green lobby. If the sums don’t add up then the only answer is to provide additional public parking in the town. If this is the case then we need a strategy to identify suitable sites.</p> <p>So I’d suggest that we need to:</p> <ol style="list-style-type: none"> <li>1. Develop the SPD</li> <li>2. With either your team’s help or with a consultant’s help, answer the question in my first paragraph above.</li> <li>3. Depending on the outcome,</li> </ol>	<p>Agree with comments made and three point suggestion below. A timeframe needs to be confirmed for SPD to be brought forward.</p> <p>The strategy assumes the onus on identification of appropriate sites for parking, along with parking standards, as a Planning issue.</p> <p>Long term identification of additional, permanent sites for parking are assumed to be provided by a mixture of a) the Local Borough Plan, and b) expertise from the commercial partner we are seeking to procure.</p>

	<p>identify further sites for development.</p> <p>Should your strategy be setting out the above steps as a way forward? Also should it be suggesting where additional car parking <u>might</u> be built subject to demand being proven? We have limited options, but perhaps we should suggest what they might be.</p>	
<p>Maidenhead Thames Rotary Club Member</p>	<p>Thank you so much for sharing your promised draft Enforcement and Parking Strategies with PRoM. It reads well, and I am very much in support. I, and I am sure many residents however would anticipate to see few other aspects of parking in the Parking Strategy paper, as follows:</p> <ul style="list-style-type: none"> <li>- Under paragraph 3.3, one should add 'commuters' to on street &amp; off street hierarchy, which will become even more significant in numbers as Crossrail extends its service to Maidenhead.</li> <li>- Under item 3.4 is a bit misleading. Pricing does not necessarily influence demand, but will influence usage of car park spaces.</li> <li>- Under item 3.5 - the length of time somebody is able to park before vacating must not only be balanced by the need to offer the spaces to other shoppers but also by the additional street congestion (&amp; pollution) caused that may be created with drivers having to move on to find another vacant car parking space to park in Town for a further period.</li> <li>- Under item 3 generally - the focus of further improved public transport across the town would reduce the demand on parking and also relieve traffic congestion. This would include live and reliable information management system / display screens at bus stops to provide more confidence (presently it is bus timetable register only!) and encourage more public transport usage, better connectivity with trains and other busses to encourage more usage, better printed information provision to encourage more public participation.</li> <li>- The paper is silent on:</li> </ul>	<p>Accepted / amended.</p> <p>Accepted – usage / demand refer to the same thing.</p> <p>Accepted – reflected in additional text at para 3.6.</p> <p>The strategy concedes that car travel is the most prevalent form of transport in the Royal Borough and therefore is deliberately targeted at ensuring parking issues are addressed effectively. These include:</p> <ul style="list-style-type: none"> <li>• short and long term parking provision across the Borough,</li> <li>• regeneration and development impact on parking,</li> <li>• our approach to pricing,</li> <li>• parking hierarchy and,</li> <li>• our approach to enforcement.</li> </ul> <p>For this reason, there is limited coverage of, albeit they are recognised as important issues, public transport, which will need to be looked at separately.</p> <p>Likewise, with acceptance of</p>

	<ul style="list-style-type: none"> <li>• Level of parking occupancy and historic trend over recent months &amp; years predictions to cater for</li> <li>• Level of use during the Free charge periods in December.</li> </ul> <p>- The paper does not address the parking landscape. It shows current levels of parking provisions in terms of numbers and % occupancy at weekdays &amp; weekends, but does not address the predicted provision and anticipated demand for car park spaces, nor outlines any plans on how it intends to achieve and to what timescales.</p> <p>- The paper appears to ignore the connectivity of parking to road access, and does not address how to minimise traffic congestion arising out of vehicle movements to secure parking. one such issue, for example, is how to cater for parking adequately west of Braywick Road (spine ring road) to avoid commuters and residents coming from the west of going into Braywick Road to get to the east side for parking.</p> <p>- As a general observation, one needs, for clarity and ease of reference, to label each table with a reference number so that one can look at these easily when making references to such tables in the text.</p>	<p>the strategic parking issues the borough faces, and to reduce the length of the document, historic trends / use levels for different types of parking are not included.</p> <p>The strategy does attempt to recognise the current landscape (lack of supply of visitor parking / pressures on on-street capacity in Windsor, loss of short-stay parking and need to address increased long-stay needs as consequence of Crossrail etc in Maidenhead). Our strategic approach to these issues acknowledges the Council's limited abilities in these areas and proposes we work with a commercial partner to help understand and respond to them in a timely manner.</p> <p>Accepted. A comprehensive access and movement study is underway to address issues of congestion, including that associated with vehicle movements to secure parking.</p> <p>Accepted – amended in final version.</p>
PROM Member	<p>Thank you for sharing this with PRoM members for comment. I have read and support the comments already submitted.</p> <p>Ample and reasonably priced town centre parking are an essential adjunct to Maidenhead's USP, its location and accessibility. Together these give the town a distinct advantage over its competitors. In this respect para 2.4 is key. But, as I understand it, the last remaining contract spaces have already been allocated to corporate tenants. So with the amount of development envisaged in future, we clearly need to extend and enhance the parking provision just to maintain our position. Moreover those improvements have to begin soon to maintain our appeal during the</p>	<p>Accepted – extension of provision of long/short stay parking in Maidenhead (and Windsor) is recognised as 'urgent' in the action plan at PP5/PP11, where we set a target for introducing temporary steel framed parking structures to counter loss of parking (but equally to respond to reduced numbers of contract spaces left) by April 2017. By this we mean, a solution in place and implemented by that time.</p>



	<p>inevitable disruption caused by regeneration projects.</p> <p>The document states that a subsequent SPD will spell out parking standards requirements but it would be good to see this Parking Policy setting out an overarching requirement for any new town centre development to be self-sufficient in terms of off-street parking.</p> <p>In addition, PP5 which ensures the provision of secure, high quality, off-street town centre parking by the council could usefully add "which are attractive and easy to use".</p>	<p>Accepted – see PP5/PP11 b) – we will consider making it a requirement of town centre development sites in Maidenhead to include public parking spaces as part of their design. This policy proposes going further than requiring self-sufficiency, to provide additional public parking spaces.</p> <p>Accepted – these principles (attractive and easy to use) are implicit in PP16 "...to ensure the right type, quantity, cost and quality of parking..."</p>
<p>PROM Member</p>	<p>Thanks for the opportunity to comment on the draft Parking Strategy, it is well written and has clearly had a lot of thought put into it. The comments below reflect my views from two perspectives – as an early member of PRoM when the AAP was developed and as a long term Maidenhead resident very familiar with our own and also competing nearby town centres.</p> <p>I was pleased to see the draft policy recognise the reality of car ownership and dependence hereabouts. Vehicle availability in Maidenhead is high at 1.4 per household (2011 census), with even the town centre NE sub area 005G averaging 0.8 per household. Other parts of the town have on average up to 1.9 vehicles per household. Public transport alternatives are limited and slow, with better options in the E-W direction than N-S, NE/SW, NW/SE etc. Realistically, they will never match the convenience of direct door to door, safe, dry and warm private transport, without huge investments and ongoing subsidy.</p> <p>Planned growth in Maidenhead town centre residential under the AAP and emerging BLP should be in my view be welcomed (helping support trade, reduce journeys, protect green belt, etc.), but planning policy must ensure adequate provision of off road parking, or we will not keep up with growth and aggravate existing problems. The new office developments must also be required to fully self-provide - not rely</p>	

	<p>on leasing/taking away existing public parking capacity, as recent new corporate tenants in Maidenhead town centre have done. I look forward to seeing the upcoming SPD on this.</p> <p>Turning to the draft parking strategy and policies themselves as they affect Maidenhead in particular:</p> <p><b><u>Parking Hierarchy and mix</u></b> – Agree. Keeping or even increasing short term on-street parking is an important part of the overall mix. Some one-way roads in the town centre such as Bridge Avenue are much wider than needed (a legacy of prior uses) and could easily accommodate more short term on street spaces as well as improved pavement widths and landscaping.</p> <p><b><u>Pricing</u></b> – Agree this is an important factor influencing demand and turnover of spaces. As a user I am though surprised by the apparent inconsistency of pricing (with and without an Advantage card) for what are often seemingly the same thing. For example Victoria Street multi storey in Windsor is cheaper for short term parking than Maidenhead's Hines Meadow and Nicholson Centre, and with the most generous Advantage card discount anywhere... why?</p> <p><b><u>Strategy aims</u></b> – Agree the priorities and general aims. On the quality aims, the use of information signage (No. of spaces available) is very useful and helps avoid motorists joining a queue when there are alternative spaces elsewhere. We should through planning policy require any privately provided and run car parks to join the RBWM signage systems (e.g. the station car park).</p> <p>I would also suggest an additional parking policy of standardising and ensuring minimum <u>car park space sizes</u> are provided, including in the borough's older car parks. The external width of modern cars has grown over the years due to increasing side impact protection measures, making it hard to open doors and enter/leave some car park spaces. Apart from the damage risk to doors, narrow spaces make parking slower,</p>	<p>The strategy commits to a review of parking pricing on an annual basis. The Council will look at these issues as part of its next review.</p> <p>Comment noted. This will be reviewed under PP16.</p>
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	<p>cause congestion and slow the turnover of spaces. Repainting of lines to increase the width of older spaces would lose a proportion of the car park capacity, but allow all drivers to use any car RBWM car parks with equal confidence.</p> <p><b><u>Parking Policy Principles:</u></b>  PP1 – Agree, provided RBWM maintains control of capacity decisions (including their timing), pricing policy, payment methods and standards through any outsourcing of activities to commercial operators.  PP2 – Agree  PP3 – Agree, including the importance of the Advantage Card scheme, but with perhaps a more consistent/transparent discount policy? Advantage Card discounts currently vary by location and duration, ranging from 0% (King Edward) to 24%, 50%, or up to 67% (Victoria Street).. why?  PP4 – Agree  PP5 – Agree. The use of temporary steel framed parking structures to offset the loss of short stay car parking spaces during redevelopments makes sense, ideally set inside areas such as The Landing where space is already being acquired and consolidated ready for redevelopment. Double decking the existing hill-side station car park could also utilise a similar solution to increase commuter parking capacity there longer term. Having other town centre development sites include public parking spaces as part of their design would also be helpful, e.g. by having office space capacity available for residents/shoppers' use at night and weekends, in the way the Town Hall car park is used today.  PP6 – Agree  PP7 – Agree, but potentially increase time limited free spaces (as above).  PP8 – Partially agree. For simple short visits such as the bank, post office or a haircut, the on-street option is simpler/cheaper for residents than using a multi storey, ticketed option.  PP9 – Agree. Two hour (e.g. 9-11am) bans on non-resident parking in the side streets are often used elsewhere to prevent day long on-street commuter parking in residential roads just beyond the central controlled zones.</p>	<p>Accepted - The majority of parking spaces already meet the minimum dimensions of 2.4m wide; however some older multi storey car parks are closer to the old standard of 2.1m.</p> <p>Any change to wider bays will result in the reduction of spaces available and would have to be linked to an increase in parking stock prior to implementation.</p>
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	<p>PP10 – Agree  PP11 – Agree  PP12 – Agree  PP13 – Agree. Realistic car parking ratios in all new developments are essential, if we are to avoid growth clogging up the town and making the side roads more dangerous for other drivers and especially pedestrians.  PP14 – Agree  PP15 – Agree  PP16 – Agree. Attention is also needed on space standards in older car parks, to make them fit for purpose with today's car sizes.  PP17 – Agree  PP18 – Agree  PP19 – Agree. Private car parks to also be included in signage (vacancy) information displays.  PP20 – Agree</p> <p><b>Objectives:</b>  Objective 4 – I absolutely agree that supporting the overall economic viability of the town centre(s) should be the policy priority... i.e. prioritising footfall and trade above maximising profit from parking operations per se.</p> <p><b><u>Parking Enforcement Strategy - Appendix 1:</u></b>  Looks very comprehensive, firm but fair. It is important residents and visitors do not see enforcement as simply a revenue raising area. I think I recall the previous council leader publicly announcing a 10 minute grace period on all parking limits, before PCNs are issued. If still applicable, should this not be specifically included here?</p>	
<p>Cllr David Evans,  RBWM</p>	<p>1. Para 3.3 the hierarchy table makes no reference to commuters - should it and also do residents need to be considered in off-street hierarchy?  2.PP2 - factors in considering level of parking charges. Makes no mention of potential effect of tariff increases on footfall in town centres - should this be a consideration?  3. Parking Provision issues in Maidenhead. There is a para which states we will lose 25 per cent spaces. This section to me raises a number of questions;  - is this a permanent loss or just during redevelopment?  -in either case how do we make up the shortfall?</p>	<p>Commuters – now included. Residents are included in each element of the hierarchy.</p> <p>Vibrancy of town centres now included as additional element.</p> <p>Losses in Maidenhead will be a mixture of permanent (where car parks are incorporated in regeneration areas) and temporary (where Nicholsons is lost to refurbishment for 12-18 months).</p> <p>PP5 addresses options to make up the shortfall. Additional parking in Stafferton Way (if</p>

	<p>- dont we have a plan for a new car park in Stafferton Way? how many spaces would this add? If this is what is meant in PP5 (c) maybe it could be more specific with details of number of spaces</p> <p>- I am concerned that this section reads we are going to be reducing parking at a time when the demand will increase, more shoppers, more commuters.</p> <p>4. PP5 (a) temporary steel structures. It might be worth indicating what potential number of spaces might be possible.</p>	<p>viable) and other options will be considered.</p> <p>This policy responds to the loss of parking and sets out principles for how this may be addressed.</p> <p>With temporary steel structures, we are currently identifying the potential number of spaces this, and other options will create – and this will be reported in detail to Cabinet in December 2016.</p>
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