



Parking Partnership Enforcement Policy (PEP)

*Showing the Partnership Enforcement
Policy and links to Regional and National Policy,*

V1.0 April 2009

v2.0 March & v2.1 July 2011

Updated – v3.0 July 2015



Introduction

The Parking Enforcement Policy (PEP) is a policy tool, which helps to manage parking by providing a clear framework for effective parking management activities across the Parking Partnership. The Parking Policy Framework has two elements to it.

Part One is a County level statement of joint ambition and the strategic outcomes sought for Essex County Council and the North Essex Parking Partnership.

Part Two is at district and borough level setting out how the joint ambition and county wide strategic outcomes are reflected in the setting of local priorities, enforcement and on street pricing policies.

The PEP is required because the County Council's agreement with the Partnerships requires the Partnership, in association with the County Council, to have a Policy Framework and because Operational Guidance[§] issued by the Department for Transport requires authorities to publicise both the policies and the enforcement regime to ensure that the public is aware of the legislation and how it is to be applied.

This document was updated in July 2015 to include the requirements of latest legislation.

Note [§]

"Operational Guidance to Local Authorities: Parking Policy and Enforcement
Traffic Management Act 2004"

Available at:

<https://www.gov.uk/government/publications/operational-guidance-to-local-authorities-parking-policy-and-enforcement>

Policy Framework – Part 1

This outlines the principles and objectives of Essex County Council with regard to the management of on-street parking in Essex. These are designed to ensure that a consistent approach is taken to on-street parking across Essex, which will deliver benefits to the public, the borough and district councils in the two Parking Partnerships and the County Council.

Through its Local Transport Plan, the County Council has the aims of: tackling congestion; improving accessibility; improving safety; and reducing air pollution. As Essex County Council remains the Highway Authority and has a responsibility under the Traffic Management Act as Traffic Manager, it is important that the Parking Partnerships share the same aims for the service.

Essex County Council's Local Transport Plan (LTP) currently in its third edition states:

The County Council, working jointly with these partnerships, will develop an Essex Parking Strategy in order to ensure the management of parking across Essex is consistent with the aims of the Essex Transport Strategy.

Through the *development of an Essex Parking Strategy*

This PEP aims to support the LTP Traffic Management Objective of *Congestion and Network Resilience: The County Council will facilitate the improved reliability of journeys*

The LTP Traffic Management Strategy also includes for:

- *Working in partnership with the Essex district councils to improve the management of parking within urban areas, including the possible development of Park & Ride facilities to remove traffic from congested corridors;*
- *Stronger parking enforcement, particularly where illegally parked vehicles impede traffic flows or block access by public transport; and*
- *Working with partners to improve the management of goods deliveries, ensuring that appropriate vehicles are used and that delivery and loading does not inhibit traffic flows.*

Tackling Congestion

Through its functional road hierarchy, the County Council has defined those routes where the focus should be predominantly to facilitate the movement of through traffic. The Parking Partnerships should ensure that each route is treated as required through that hierarchy.

In general terms the management of parking charges and availability of parking spaces can have a positive impact on the levels of congestion in town centres, encouraging drivers to use alternative forms of transport.

On key routes and junctions, parking restrictions should be used to allow the free-flow of traffic on through routes and radial routes, particularly where these form part of a passenger transport corridor.

In narrow streets, restrictions should also be used to facilitate the safe passage of passenger transport and emergency vehicles.

Improving accessibility

The implementation of parking policy can improve accessibility in a number of ways: limited availability of parking at the workplace can encourage modal shift in employees, encouraging the use of passenger transport, car sharing schemes or walking and cycling; managing parking on key passenger transport corridors can improve reliability of services and journey times, thus encouraging greater levels of passenger usage.

Improving safety

Parking restrictions should be used to enhance the safety of road users, for example, protecting visibility at junctions or at bends; protecting visibility at crossing points or in areas with high numbers of pedestrian movements where pedestrians could be masked by parked cars; preserving road space required for large vehicles such as buses to make manoeuvres safely and without delay. Alternately, the presence of parked vehicles can also enhance safety, acting as a form of “traffic calming” slowing vehicles in low speed residential roads.

Reducing air pollution

Overall, management of congestion and delays, as well as the encouragement of modal shift to forms of transport other than the private car, have benefits in terms of reducing carbon, emissions and improving air quality.

Policy Framework – Part 2

The North Essex Parking Partnership's Parking Enforcement Policy (PEP) is a policy tool, developed to help the Partnership to manage on-street parking.

The PEP provides a clear framework for effective parking management activities, and seeks to put the county policy and strategic aims into a local context to meet the needs of all road users by clearly prioritising the different parking enforcement needs across the Partnership area. The aim is to manage parking in the Partnership area on a fair and consistent basis.

The PEP identifies the overall policy basis which will guide the Parking Partnership's parking enforcement. The Parking Operational Protocols document (POP) explains how the Parking Partnership will implement these policies. Together they will ensure that a clear parking enforcement strategy is developed and that it is reflected within the Civil Parking Enforcement regime combining parking enforcement functions to support efficient and effective overall parking enforcement.

The PEP is based upon prioritising clearly identified needs, such as the needs of people with disabilities, residents, visitors and businesses and will help to manage parking in the Partnership's council areas. The Partnership's Policy encompasses the core principles of fairness, transparency and consistency.

The PEP helps create a better and safer environment and aims to provide effective on-street parking management across the Partnership area by supporting the following six County wide Parking Policy strategic outcomes:

Reducing congestion and number of and severity of traffic accidents;

Suitable parking restrictions implemented in town centre areas will ensure free flow of traffic and will encourage visitors to the town to park in the designated parking areas available, thus preventing unnecessary congestion and obstruction and the potential for road traffic accidents.

Restrictions around junctions will also allow traffic to flow more freely, further reducing the potential for congestion;

Analysis of Road Traffic Collisions has shown that improperly or inappropriately parked vehicles can be a common causal or contributory factor; Parking restrictions can help to reduce the occurrence of this type of parking;

The positioning of parking bays can also be a major contributor to reduction in traffic speeds in what should be low speed residential or retail areas.

Reducing the effect of transport on the environment;

Traffic is a major contributor to reduced air quality levels, particularly traffic which is queuing in areas of limited capacity or obstructed by parked vehicles;

As well as reducing the wasted engine running time, simply reducing the number of vehicles will have positive effects.

Maintain the highway assets of the county;

Reducing the number of vehicles using each road should increase the intervals between major maintenance of the highway. However this benefit is

only slight as the predominant reduction is in private cars whilst the majority of damage is caused by heavy goods vehicles.

Improve access to jobs and services;

In this sense access is predominantly about public transport availability for those without their own transport or who choose not to use it because of the parking restrictions.

Former car drivers will create an increased demand for public transport which if acted upon will increase the viability of public transport services generally, with benefits for all users.

Encourage healthier travel choices and employer travel plans;

Some drivers will switch to alternative travel methods such as walking and cycling, either for recreational or commuting purposes.

Depending on the availability of parking facilities at the place of work, parking restrictions may encourage companies to take a look at their employees travel habits.

Companies may assist in reducing the overall level of dependence on the private car by assisting in car sharing arrangements or they might provide facilities such as cycle parking, changing rooms and showers.

Operate with Financial sustainability

Raising revenue is not the objective of the Parking Partnership, nor are targets set for Civil Enforcement Officers to issue a set number of PCNs. The purpose of issuing PCN's is not to generate revenue but rather to enforce against dangerous, careless and negligent parking, to deter motorists from breaking the parking regulations and promote greater compliance.

Ideally parking enforcement should be self-financing through running Civil Parking Enforcement effectively and economically when practicable. CPE need not be self-financing providing a Local Authority can meet the cost from existing funding.

The following sections are covered within the Parking Enforcement Policy:

1. Parking Management
2. Civil Parking Enforcement
3. Enforcement Priorities
4. Methods of Enforcement
5. Parking Controls
6. Fees and Charges

1. Parking Management

Parking management includes the enforcement of on- and off-street parking regulations.

Illegal parking is inconsiderate; it can be dangerous. Under Civil Parking Enforcement, the Partnership of the area is directly responsible for parking enforcement in its Special Parking Area under an agreement with the County Council. The County council has delegated the powers in North Essex via a Joint Committee to the Parking Partnership to the lead authority of Colchester Borough Council.

Illegal parking on double yellow lines and footways can cause a serious road safety hazard. The PEP supports effective parking management by:

- Coordinating on- and off-street parking enforcement management to ensure a comprehensive and complementary approach;
- Allocating parking permits/waivers with clear conditions of use based on transparent and consistent principles, which give priority in accordance with the defined hierarchy of parking enforcement; and
- Maximising the potential of information technology (IT) to support an effective and efficient parking management operation.

2. Civil Parking Enforcement

The aim of enforcement is to maximise compliance with regulations to make our streets safer for all road users, particularly vulnerable road users; to prevent obstruction and delays (especially for buses and emergency vehicles); to ensure that parking bays are available for their intended use and to improve the general street scene.

The purpose of Civil Parking Enforcement can be summarised as follows:

- **It will be safer for drivers and pedestrians** since the new focus on enforcement means clearer roads and pavements;
- **It will be better for local businesses** since areas of short term parking such as those outside local shops will receive more attention, increasing the potential for local trade;
- **It will support town centre needs** by encouraging commuters and other drivers to use long stay car parks where appropriate thereby freeing up short stay car park spaces for drivers who need them;
- **It will increase parking for residents** by discouraging commuters from parking in permit only areas;
- **It will increase Blue Badge benefits** since the increased enforcement of existing parking spaces for Blue Badge Holders will improve availability for Blue Badge holders.

In addition Civil Parking Enforcement will have the following benefits:

- **With fewer illegally parked cars there will be fewer accidents, better traffic flow and accessibility**, because the focus of enforcement will be on lessening inconsiderate and dangerous illegal parking in order to improve safety and minimise congestion;

- **Emergency and service vehicles will be able to operate more effectively** along roads and **low floor buses will be able to reach the kerb at bus stops** since fewer inconsiderately parked vehicles will be in their way;
- **The general environment will improve** by providing a more environmentally efficient transport system in terms of reducing congestion, energy conservation; use of other modes of transport will be encouraged such as walking and cycling (healthy options);
- **Sensible and safe parking within the Partnership area will be encouraged** – as will greater compliance with Traffic Regulations. The regulations will not change but will have greater significance;
- **Parking provision will become more responsive to the public's needs** because the local Council will control both provision and management of parking;
- **Single responsibility for parking means greater clarity to the public.** The Council's integrated transport strategy can be linked to local issues in enforcement. Since income will come to the Council, any surpluses after reasonable running costs can be spent on transport projects in the local area;

The basis for this is fair, consistent, transparent, policy-driven and quality-led operational enforcement.

Enforcement will be targeted to tackle problem areas. The PEP specification provides a schedule and prescribes the hierarchy of patrol visits (high priority, medium or low), dependent upon the location type. This will ensure a good parking enforcement regime that is both consistent and transparent.

The PEP focuses on Customer needs by:

- Ensuring an efficient, robust and customer-friendly parking system.
- Effective tackling of parking fraud, and abuse of the Blue Badge Scheme.
- Ensuring an effective, fair and consistent enforcement operation to maximise compliance with the Partnership's parking regulations and the Traffic Management Act 2004.
- Consulting and communicating with both internal and external stakeholders to inform parking management issues.

3. Enforcement Priority

As competing parking demands intensify and conflict, the need for skilled and effective on-street parking management based on clearly defined priorities increases.

The parking enforcement priorities shall be generally as follows:

Highway Safety

Preventing dangers due to parking:

- Near Accident locations such as junctions
- Near Pedestrian Crossings
- Dangerously or double parking

- On Pedestrian Footways

Aid to Movement

Preventing obstruction and congestion on:

- Main access roads into major urban centres (Principal Roads)
- Town Centre shopping streets
- Public Transport routes
- Main traffic routes (Non-principal Road)
- Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)

Obstruction & Nuisance

Preventing hindrance to road users at:

- Bus stops
- Vehicle accesses
- Pedestrian access routes
- Taxi Ranks
- Grass verges / walkways
- Special entertainment events

Deliveries & Servicing

Control and enable the conveyance of goods at:

- Service yards
- Permitted loading areas

Parking Bays

Control effective use of permitted parking areas in:

- Borough/District Council Car parks
- Blue Badge Holder Bays
- On-street Pay & Display
- Residents parking
- Limited waiting

The parking enforcement priorities are set out in greater detail in **Appendix B**.

Other enforcement requirements that follow will be balanced and prioritised on an as required basis depending upon resources available.

- the needs of disabled people and effective enforcement of parking regulations to enable easy access to activities and facilities.
- road safety initiatives (especially for pedestrians, cyclists and other vulnerable road users), and emergency access requirements.
- managing local parking problem areas, e.g. for child safety near schools caused by the school run (including Safer Routes to School initiatives) and associated short-stay on-street parking activity.
- legitimate parking and loading requirements of businesses, taking into account commercial needs for delivery and servicing movements and the opportunity for changing delivery schedules and vehicle sizes.
- supporting the safe and efficient operation of the public transport network, especially on low-floor bus corridors.

- enforcement against observed parking patterns of demand to allow targeting of known problem areas.

Inconsiderate parking contravenes the Highway Code, which requires drivers to show consideration for all road users. Certain parking contraventions remain the responsibility of the Police (zig-zag pedestrian crossings, obstruction and restriction of access where there are no yellow lines), and the Parking Partnership will work together with Essex Constabulary in order to communicate relevant information between both stakeholders.

In parts of the Partnership area, footway parking currently takes place. In these areas parked vehicles dominate the street scene and can cause dangerous obstruction to other road users, such as parents with pushchairs and visually/mobility impaired people and wheelchair users.

Footway parking also results in higher maintenance costs for local Councils since footways are not designed to take the weight of motor vehicles and, as such, damage to the pavement can occur. The Parking Partnership will seek to minimise inappropriate footway parking in the Partnership area where enforceable, (i.e. where there are parking restrictions or at places where dropped kerbs can be enforced, or other regulations introduced) to ensure that local pedestrian access and amenity is not adversely affected.

Abandoned vehicles are an environmental nuisance and can be associated with anti-social behaviour. Abandoned vehicles not only cause an unnecessary hazard wherever they are dumped, they also have a serious impact on residents' quality of life and fear of crime in the local area; Civil Enforcement Officers will report potential abandoned and untaxed vehicles on the street.

Residents Parking permits are issued to compliant applications by the Parking Partnership for the use of designated parking places in resident parking zones.

The Essex County Council's Social Services administers parking permits for disabled people under the Blue Badge Scheme, which allows Blue Badge Holders considerable flexibility in where they can park on street. Badge holders can park free of charge without time limit in many areas, provided a valid Blue Badge is displayed, the bay has not been suspended and the vehicle is being used to transport the Blue Badge holder. Blue Badge holders are also allowed to park for a maximum of 3 hours on single and double yellow lines, except where there is a loading ban or where a bus or cycle lane is in operation.

The Parking Partnership will consider requests for parking dispensation and suspension from contractors to ensure necessary development works can progress. Each application will be considered on merit and will take into account location, safety, traffic flow and alternative parking provision.

The scope of general hours of operation will generally be between 07.30 to 20.00 Mondays to Sundays with additional hours as and when required from early morning to late evening on occasion – in order to satisfy enforcement of “at any time” restrictions. The Partnership will regularly review operation hours and enforcement provision.

4. Methods of enforcement

The Traffic Management Act 2004 provides local authorities options for issuing a Penalty Charge Notice (PCN). The preferred options of the Parking Partnership are;

- A CEO in person, issuing a PCN via a handheld device and printer
- Issuing a PCN via post (in instances where a CEO was prevented from serving a PCN or the vehicle drove away)
- Enforcement using an approved device, operating within the requirements of the Deregulation Act 2015. The Partnership utilises a CCTV vehicle to effectively enforce Clearways at bus stops and school keep clear markings.

The TMA 2004 enables local authorities to make use of Immobilisation and Removal Powers, principally to remove obstructions on the highway or at special events. In some circumstances, the North Essex Parking Partnership will carry out these activities. In doing so, the Statutory Guidance and all relevant legislation will be followed.

5. Parking Controls

Effective traffic management relies on suitable implementation of parking controls. There are many different forms of parking control and careful consideration must be given when designing new schemes. The partnership will review existing and new parking restrictions to ensure the schemes are necessary and suitable for purpose.

The preferred Partnership option for residents who experience commuter parking problems is to introduce a resident parking scheme. The cost of the annual permit to park in these designated areas will help fund the implementation of the scheme and the continued daily enforcement patrols of the area.

In areas where limited waiting parking is available, serving local businesses and shops, the preferred option to provide effective and efficient enforcement is to introduce short stay on-street pay and display. This method ensures greater compliance of the parking control and ensures the spaces are available for the intended use. A by-product of this type of control is pay and display income which will help fund the implementation of the scheme and the continued daily enforcement patrols of the area.

Any proposals for resident parking and on street pay and display will only be determined by consultation with affected persons with the decision to go ahead with a scheme being based on a simple majority of those responding and being agreed by the Joint Committee.

Requests for new schemes will be processed through the North Essex Parking Partnership using the Policy and forms for Traffic Regulation Orders.

6. Fees and charges

Within the North Essex Parking Partnership a single financial account is maintained for on-street parking, including resident permits or parking bays (cashless or pay-and-display). Charging levels for residents parking and on-

street pay-and-display will be determined at a local level, through the Joint Committee, in order to achieve the aim of a balanced budget, and in line with legislation.

A County wide parking policy strategic outcome is to operate the service with financial sustainability. Future charging levels will also need to take account of the cost of delivering a robust efficient enforcement operation considering future investments for new equipment, vehicles, and technology.

Appendix A – Glossary

- CPE Civil Parking Enforcement
- CEO Civil Enforcement Officer
- PEP Parking Enforcement Policy
- POP Parking Service Operational Protocols
- PCN Penalty Charge Notice
- RTA1991 Road Traffic Act 1991 – superseded by TMA2004
- TMA2004 Traffic Management Act 2004

Appendix B – Hierarchy of Parking Enforcement

Highway Safety

Preventing dangers due to parking:	Near Accident locations such as junctions.	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions and loading restrictions at or close to junctions and bends particularly where visibility is poor to minimise dangers to moving traffic, pedestrians and other road users.
	Near Pedestrian Crossings	PRIORITY HIGH	Mainly preventing danger to pedestrians at crossing places. (This does not include the offence of stopping on white zigzag markings, where police enforcement action takes precedence).
	Dangerous or double parking	PRIORITY HIGH	Mainly where drivers are parked on the carriageway but in a manner that is likely to cause a hazard to other drivers and road users.
	On Pedestrian Footways	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions where drivers are using the footway causing obstruction and hazard to pedestrians, wheelchair and pushchair users. This also applies where there are no yellow line restrictions in the Traffic Regulation Orders.

Aid to Movement

Preventing obstruction and congestion on:	Main access roads into towns (Principal Roads).	PRIORITY HIGH	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by parked vehicles.
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Town Centre shopping streets	PRIORITY HIGH	Mainly enforcement of double yellow line restrictions and loading restrictions to enable essential traffic to access the town centre and not be hindered by illegally parked vehicles.
Public Transport routes	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable bus traffic to flow freely and not be hindered by illegally parked vehicles.
Main traffic routes within towns (Non-principal Road)	PRIORITY MEDIUM	Mainly enforcement of single and double yellow line restrictions and loading restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.
Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)	PRIORITY LOW	Mainly enforcement of single and double yellow line restrictions to enable traffic to flow freely and not be hindered by illegally parked vehicles.

Obstruction & Nuisance		
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Preventing hindrance to road users at:	Bus stops	PRIORITY HIGH	Enforcement of No Stopping Except Buses restriction in marked Bus Stop locations (where there is a wide yellow line marking) to prevent obstruction of bus stops.
	Vehicle accesses	PRIORITY HIGH	Mainly prevention of obstruction to private driveways that have yellow line restrictions. This is particularly important where residents are in the process of trying to enter or exit their premises. Dealing with obstruction of dropped kerbs.

			Other footway obstruction without yellow line or other restrictions is a police function.*
Pedestrian access routes	PRIORITY MEDIUM		Mainly enforcement of single and double yellow line restrictions where numbers of pedestrians are walking, such as shopping areas and pedestrian prioritised streets.
Taxi Ranks	PRIORITY MEDIUM		Mainly enforcement of single and double yellow line restrictions at Taxi Ranks to prevent obstruction.
Grass verges	PRIORITY LOW		Mainly enforcement of single and double yellow line restrictions where drivers are using the grass verge and causing damage. This does not apply where there are no yellow lines.
Special entertainment events	PRIORITY LOW		This is primarily where large organised events such as shows or firework displays cause short term visitors to park vehicles in side/residential streets contravention of waiting restrictions, where covered under temporary restrictions and No Waiting Cones are placed. This excludes Police No Waiting temporary cones which may also be placed at events; where there is no temporary restriction, the enforcement of which remains a police function.* For main traffic routes see <i>AID TO MOVEMENT</i>

Deliveries & Servicing			
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Control and enable the conveyance	Servicing yards	PRIORITY MEDIUM	Enforcement of single and double yellow line restrictions to enable
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of goods at:

Permitted loading areas

PRIORITY
MEDIUM

effective use and access to service yards.

Enforcement of single and double yellow line restrictions to enable effective use and access to loading bays.

Parking Bays			
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Control effective use of permitted parking areas in:

Borough/District Council Car parks

PRIORITY
MEDIUM

Issue PCN for infringement of car park Orders

On-street Pay & Display

PRIORITY
MEDIUM

Issue PCN for infringement of on street parking Orders

Blue Badge Holder Bays

PRIORITY
MEDIUM

Enforce infringement of on street Blue Badge Holder only parking places where there is time a restriction and where vehicle is not displaying a Blue Badge

Residents parking

PRIORITY
MEDIUM

Enforce infringement of on street residents parking places where a vehicle is not displaying a current residents parking or visitor badge for the appropriate Zone.

Limited waiting

PRIORITY
LOW

Enforce infringement of on street parking Orders where there is no fee but parking is time restricted.

Note: * indicates that this is a function of Police authority unless other parking regulations are in force.