

Redditch Borough Council CPE Policy for Suspensions, dispensations and waivers

The Council, in certain defined circumstances, will allow a vehicle or vehicles, by the issue of a dispensation, to park lawfully in what otherwise would be a contravention of a TRO. It may issue dispensations to businesses and / or RBC Parking Services to permit parking at specified locations for specified durations.

Where agreed by Parking Services and in accordance with Council policies, parking places may be suspended either in total or for the purpose of reserving those places for particular vehicles and/or applicants.

All applications for dispensations, suspensions, permits and season tickets will, in the first place, be referred to RBC Parking Services. RBC Parking Services will seek immediate advice from senior management if they have any doubts in regard to an application.

The Council is authorised by The Local Authorities (Transport Charges) Regulations 1998 [S.I. 1998 No. 948] to make charges for these services but it is appreciated that these are limited to the cost of dealing with the matters and cannot include any profit element or any potential loss of income.

Definitions

A suspension is defined as “a parking bay that has had the traffic regulation order suspended for an agreed time period.” For example a “pay and display” or disabled bay.

A dispensation refers to a driver been given dispensation to park at a specific location on a length of road where there is a traffic regulation order, for example, a waiting restriction.

RBC Parking Services will be required to issue permits for suspensions and dispensations. The applicant will be required to complete and submit forms for each request, which will then be passed to Parking Services together with the appropriate fee for processing.

Each request will be for one space or the length of one vehicle. The cost of each suspension or dispensation will be agreed locally. If a request is received for more than one day the cost will be per day.

RBC Parking Services will ensure that each CEO is notified daily of dispensations and suspensions within their patrol areas. The CEO will check each location and enforce contraventions seen.

Dispensations will not be agreed where there is possible danger to pedestrian or highway safety. Instances where dispensations will not be agreed are:

- On bends
- On brow of hills
- On clearways or fast flowing roads
- Adjacent to pedestrian crossing points
- Adjacent to school entrances
- Where pedestrian or driver sight line visibility is impaired

RBC Parking Services will be responsible for the following:

- Prior to the commencement of the suspension, RBC Parking Services will erect suitable advanced warning plates on each available post or column within the restricted area to provide notice of suspensions or dispensations.
- Prior to the commencement of the suspension, RBC Parking Services will, where appropriate, cone or barrier off the area concerned.
- Ensuring that the advanced warning plate is in place throughout the period.
- Removal of advanced warning plate, cones and or barriers at the end of the period of suspension.

Each request for a suspension and dispensation will be noted and logged by RBC Parking Services.

Dispensations

A dispensation authorises a vehicle (or vehicles) to park in contravention of a TRO. It allows parking where alternative arrangements cannot be made for the following principal reasons:

- Loading / unloading where this activity is either normally prohibited or the permitted period is insufficient; or
- Situations where alternative arrangements would be unsatisfactory.

A dispensation does not permit general 'parking'. It does not allow the vehicle to remain in the restricted / prohibited area once the dispensation purpose has been fulfilled. At that time the motorist is required to park elsewhere and lawfully.

Based on the above qualification and subject to Council policy, dispensations can be issued in the following circumstances:

- Furniture removals;
- Building/ maintenance/ repair works where close proximity to the site is essential;
- Goods deliveries in respect of which it is reasonable to allow longer than that normally permitted by the regulations;
- The hearse and chief mourners' vehicles at funerals;
- The bridal and attendants' vehicles at weddings;
- Vehicles essential to filming operations;

- Other circumstances in which Parking Services may reasonably regard the requirement to be essential;

Dispensations will not be issued for:

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

Applications may be made by post, e-mail, telephone or in person but are to be in writing; a (draft) form is shown in Appendix 1 to this Section. Faxed application forms are acceptable. Applications should be received at least 2 working days before the required date to enable Parking Services to inspect the site if felt necessary before approval is given. However, Parking Services has discretion to deal with more urgent applications if it is reasonable to do so.

Except in extenuating circumstances dispensations should not be issued for continuous periods in excess of five days and should not authorise parking for more than two vehicles at any one location unless Parking Services is satisfied that the road width and length and precise location permit this safely.

Dispensations are uniquely numbered and are issued from the Council's IT system. A copy is given to the applicant, a second copy to the PA supervisor, a third is filed with the application.

The conditions of use, which are stated on the back of the dispensation, must be brought to the applicant's attention who must also be advised to display the document clearly on the lower near side of the vehicle's windscreen.

Suspensions

It will be necessary from time to time to suspend parking places including residents' and other permit bays. The authority to do this is provided under Sections 14 and 46 of RTRA 84.

The action is taken when it is considered necessary to suspend the parking places for:

- traffic movement and safety;
- essential building / maintenance works;
- furniture removals;
- filming;
- special events;
- weddings or funerals.
- the suspension may be in concert with the reservation of the place(s) in connection with the activities listed above.

The suspension procedure embraces:

- Receiving notice of the requirement;
- Considering and, if appropriate, investigating the need for the suspension;
- Approving or rejecting the application;
- Obtaining payment if applicable;
- Recording the suspension;
- Warning local residents;
- Implementing the suspension on street;
- Removing the suspension equipment on street on completion.

The suspension does not permanently remove the legal status of the parking place. Its only affect is to remove it (or the designated part of it) from use during the suspension period.

Public suspension applications must be received no later than 10 working days before the required date in respect of resident and other permit places including disabled badge holders places.

10 days notice is not mandatory in regard to emergencies or in respect of statutory undertakings under Section 14 of RTRA 84 although in the normal course of events, Parking Services will be notified in advance.

Emergencies may embrace action taken by the police to suspend parking places immediately and without notice for matters of security and public safety. A contravention of a police suspension would normally be dealt with by the police as a criminal matter.

The application must be in writing. Each application will be given a unique identification number and Parking Services will consider applications on their merits. This may require the location to be visited.

It will be seen that the vehicle(s) details box (i.e. 'parking' approval) section of the application requires the applicant to nominate specific vehicles. However, it will be appreciated that for building works there may be deliveries from suppliers or other services and, clearly, the applicant will not know in advance the vehicles involved. Officers accordingly have discretion to allow such activities provided they are directly

connected to the works. The suspension plates must make this abundantly clear.

If the application is approved any appropriate charge must be paid before the suspension is implemented.

Each day, as applicable, Parking Services will prepare a daily suspensions plan containing:

- Details of advance warning notices to be placed;
- Details in regard to required leafleting;
- Details of suspensions to be implemented the next parking control day;
- Details of suspensions to be lifted before the next parking control day.

The list will be passed to the appropriate supervisor for on and off street action. On street procedures in regard to suspensions are contained in Section 2. This list will be incorporated into the monthly report from RBC Parking Services.

A suspension may be extended provided Parking Services receives at least 2 working days notice. This is clearly necessary in order that appropriate on street action may be taken to indicate the continuance and to advise normal users of what is happening. If notice is not received within time Parking Services will refuse the request and will advise the applicant to re-apply. The standard notice periods stated above will apply.

A suspension may be lifted earlier than originally requested. Notice must be received no later than one working day before the new date. Parking Services will amend the records accordingly in order that the new date appears on the appropriate day's suspension plan.

No charges are made in respect of:

- Requests from the emergency services in regard to emergency situations;
- Funerals;
- Charity event vehicles
- Armed forces vehicles
- Suspensions needed to accommodate traffic or parking requirements during agreed major events. However, the Council may wish to consider that charges should be made for regular suspensions [e.g. football matches) bearing in mind the ongoing cost of work carried out for these.

Please refer to policy regarding skip licenses for suspensions/dispensations made in respect of such.

Parking Services will maintain monthly statistics with regard to:

- Numbers and locations of dispensations, suspensions, season tickets and exemptions both implemented and lifted;

- Numbers and precise times and locations in regard to advance warnings and leafleting.
- Parking Services will provide in their monthly report:
- Numbers of approved and refused applications sorted by area;
- Numbers of bays, meters / P & D machines suspended sorted by type and area;
- Charges made and total revenue;
- Reconciliation between revenue and numbers;
- Numbers and value of refunds;
- Total days suspended per month;
- Numbers of suspensions in force in excess of three months;

Redditch Borough Council CPE Policy for dealing with Carers

Numerous care organisations are now operating on the Borough as a result of contract arrangements with Social Services and the Local Health Authority as well as privately arranged care. Each will often display badges issued by the various organisations but, due to the variety of badges in circulation, none are recognised by Worcestershire County Council as valid authorities to park in contravention of prohibition of waiting orders.

Parking in Residential Parking Zones: The Council will issue its own permits allowing genuine carers to park within residential areas to enable them to care for residents. Permits are issued upon application, which must be supported by an official letter from the care organisation or, in the case of a private carer (relative etc) confirmation from the resident's GP that he/she is in need of regular, permanent care within their home. Any abuse of such permits may result in them being withdrawn. A small charge is made for such permits.

Parking in Council Car Parks: It is not felt that there is a need for carers to park within Council car parks free of charge. However this is a matter which is kept under review by the Council.

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 they must be covered by any Health Emergency Badge Scheme.