

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**
DATE: **TUESDAY 18 DECEMBER 2012**
REPORT BY: **DIRECTOR OF ENVIRONMENT**
SUBJECT: **CIVIL PARKING ENFORCEMENT**

1.00 **PURPOSE OF REPORT**

1.01 To provide an update on the introduction of Civil Parking Enforcement (CPE) in Flintshire and to establish an off-street parking policy for the County.

2.00 **BACKGROUND**

2.01 The Regional Transport Plan (RTP) on pages 99 and 100 outlines a Network Management Strategy. As an introduction, it refers to :-

The Traffic Management Act 2004, which was applicable from April 2008, and which imposes a network management duty on all local traffic authorities, including Flintshire County Council states :-

“It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives :

a) Securing the expeditious movement of traffic (all road users) on the authority’s road network

and

b) Facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority”.

2.02 The RTP then sets out the objectives of the Network Management Strategy and outlines a number of ways which local authorities will meet them, including :-

- Implementing and enforcing appropriate moving and stationary traffic regulations
- Periodically reviewing the appropriateness, adequacy and relevance of traffic regulations

- Developing and implementing appropriate policies relating to the management and enforcement of on and off street parking provision.

2.03 Currently, within Flintshire, all on-street parking enforcement is the responsibility of North Wales Police, whereas all off-street public car parking management is administered by Flintshire County Council.

2.04 The Council is the only North Wales authority which has not adopted CPE so far. A report was presented to Executive in March 2010 which approved work towards the introduction of a Civil Parking Enforcement Area within the County, with the exception of high speed dual carriageway lengths of trunk roads.

2.05 The effective enforcement of on-street parking regulations is essential for:

- Improving safety for both pedestrians and drivers through de-cluttering streets of illegally parked vehicles which often obstruct clear safe views of the highway network by both pedestrians and other road users
- Improving the general flow and efficiency of pedestrians, vehicles and cyclists through the road network
- Improving the local environment by preventing parking on grass verges, pavements and through such activity causing damage and tripping hazards
- Meeting the needs of people with disabilities through the increased provision of specific parking bays which are easily accessible and close to local shops
- Supporting the local economy through improving the general flow of traffic through our highway network, and regularising journey times; and in doing so improving the quality, accessibility and overall reliability of public transport which uses the network
- Improving the general ambience of our car parks which are, for many visitors, the first visible arrival point within our towns
- Management and enforcement of Residents Parking Permits and on street parking where applicable

2.06 Any application for CPE has to be associated with a Parking Policy and Business Case.

3.00 CONSIDERATIONS

3.01 The process of applying for CPE powers includes a number of steps:-

- Reviewing the County's Traffic Regulation Orders (TROs) and confirming that they are consistent with the position 'on the ground' in terms of lines and signage. This process is now complete.
- Writing to all Town & Community Councils to seek their observations. The Council has written out to all Town and Community Councils seeking their observations on the location and effectiveness of current markings, signage etc, with a view, at some future point after the implementation of CPE, to review such observations. In addition, the Council also holds a list of historic requests for modifications/additions; these will, as a priority, be considered immediately after the implementation of CPE.
- Reviewing the current IT software and its ability to interface with other Third Party systems and other local authority applications. In some instances it may be necessary to upgrade existing systems.

3.02 As part of the general process of approvals, Members will need to agree a number of measures which will have to be reflected in the Order. Of particular significance will be the need to confirm the adoption of Civil Parking Enforcement Powers. Within this report Appendices 'A', 'B' and 'C' are documents relating to Contravention codes, Residents Permits and Disabled Parking Bays which will require confirmation and adoption.

3.03 The majority of Local Authorities in North Wales process any Penalties through Denbighshire County Council (Wales Penalty Processing Partnership {WPPP}). This is an efficient and cost effective service and links into a regionalised approach to service delivery and cross regional partnership working. Flintshire County Council, as part of the implementation of CPE, proposes to take advantage of this regional service. Under CPE this will create a single enforcement regime that will provide members of the public with a more easily understood parking enforcement system.

3.04 As part of the CPE process, it will be necessary for the Council to nominate a Councillor to serve on the Adjudication Joint Committee. The Joint Committee Lead Authority is Manchester City Council and a Memorandum of Participation will be issued for subsequent signature before the commencement date of CPE within Flintshire. It is proposed that the nominated Councillor will be the Cabinet Member for Environment.

Note: Within the Traffic Management Act guidance on CPE, there is provision for appeal to an adjudicator, should anyone having received a Parking Contravention Notice (PCN) wish to make

representation and challenge the decision of the local authority.

- 3.05 The Council has already submitted a draft application to Welsh Government (WG) for their consideration and has received some initial feedback on this document. Generally the feedback was positive and has been taken account of in current proposals.
- 3.06 Integral to Civil Parking Enforcement (CPE), which takes place “On Street”, is the issue of “Off- Street” parking, as a significant proportion of vehicles displaced from roads are likely to resort to public and privately owned car parks.
- 3.07 There is an historic inconsistency in the way the Council’s car parks are managed across the County which goes back to the precursor authorities of Delyn and Alyn & Deeside. Delyn had a policy of charging, whereas Alyn & Deeside did not and, as a result of this position not having been reviewed since local government re-organisation, we now have the situation where the Council charges for the use of its car parks in Mold and Holywell, whereas all of the other Council car parks are free. Furthermore, the level of charges have not been reviewed for over 18 years. It is therefore clearly appropriate to review the current situation and to implement proposals aimed at addressing this inconsistency. This review has been carried out and is included in the Off Street Parking Policy attached to Appendix ‘D’.
- 3.08 Based on the proposed Off-Street Parking Policy shown in Appendix ‘D’, a Summary Business Case has been prepared for the introduction of CPE. This takes account of factors such as the level of fines generated by enforcement, the anticipated income from the Council’s car parks, and the cost of Civil Enforcement Officers required. This Summary Business Case is shown in Appendix ‘E’.
- 3.09 To accord with legislation, the Council, in addition to other powers set out within this report, need to approve the following :-
- Clamping and removal powers, even if the Council chooses not to use them in the future
 - A formal start date
 - The use of Bailiffs
 - The style, colour and type of uniform to be used by Civil Parking Enforcement Officers
 - How the Council will deal with TUPE issues should they arise
 - The formal SLA with the Central Ticketing Unit
- 3.10 The Council wishes to ensure that it maximises the use of the enforcement staff and does not wish, if legal and practicable to do so, to see the Civil Enforcement Officers solely allocated to CPE. Ideally it would be preferable to have the team undertake other enforcement activity such as littering and dog fouling. Whilst this is seen as

positive, in reality it is more complex and the legal framework within which the Officers would operate does not easily accommodate such flexibility. Research is continuing in relation to other local authorities who may also have multi-tasking Enforcement Officers. For instance, whilst this is being undertaken in Manchester, Officers record different penalties on different systems as currently there seems to be no ability to integrate the different Penalty Notices.

- 3.11 It is proposed to submit the application for Civil Parking Enforcement powers in January 2013. Following submission, Welsh Government will take a period of up to six months to review the details within the application. If approved, there will then be a period of recruitment and training of new and existing staff (Civil Enforcement Officers ([CEOs])). It is anticipated that, on the above timetable, CPE could be implemented in October 2013.

4.00 RECOMMENDATIONS

4.01 That Members:

- 4.01.1 Approve the list of Contravention Codes and Policies on Residents Permits and Disabled Parking Bays shown in Appendices 'A', 'B' and 'C'.
- 4.01.2 Approve the 'Off-Street' Parking Policy shown in Appendix 'D'.
- 4.01.3 Approve the Summary Business Case shown in Appendix 'E' for submission to WG, as a formal request for CPE powers to be conferred upon Flintshire County Council.
- 4.01.4 Approve the use of Wales Penalty Processing Partnership {WPPP} to process all Parking Contraventions Notices (PCNs).
- 4.01.5 To grant delegated authority to the Director of Environment, following consultation with the Cabinet Member for Environment, to finalise all detailed aspects of the process, including the matters listed in paragraph 3.09.
- 4.01.6 Approve the Cabinet Member for Environment, or their nominated substitute, as the Council's representative on the Adjudication Joint Committee outlined in paragraph 3.04.

5.00 FINANCIAL IMPLICATIONS

- 5.01 Civil Parking Enforcement has specific resources of £186k allocated to the project, which will require approval for carry forward into 2013/14.

6.00 ANTI POVERTY IMPACT

6.01 None as a direct result of this report.

7.00 ENVIRONMENTAL IMPACT

7.01 Should be positive in terms of parking controls and general street improvement.

8.00 EQUALITIES IMPACT

8.01 Positive in creating increased access opportunities for those with disabilities.

9.00 PERSONNEL IMPLICATIONS

9.01 The figures shown in the Summary Business Case in Appendix 'E' assume there are 9 employees compared to the current team of 6.5. The roles of affected employees will need to be reviewed to take account of these proposals.

10.00 CONSULTATION REQUIRED

10.01 Key stakeholders and Members is an ongoing activity.

11.00 CONSULTATION UNDERTAKEN

11.01 Initial report into Executive March 2010.

11.02 Update report to Environment Scrutiny Committee, 17 November 2010.

11.03 Meetings with staff and other key stakeholders, such as Town & Community Councils.

12.00 APPENDICES

12.01 Appendix 'A' - Contravention Codes

12.02 Appendix 'B' - Draft Policy for Resident Parking Schemes

12.03 Appendix 'C' - Disabled Parking Bays

12.04 Appendix 'D' - Off-Street Parking Policy

12.05 Appendix 'E' - Summary Business Case

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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CONTRAVENTIONS FOR WHICH THE HIGHER AND THE LOWER LEVEL PENALTY CHARGES SHOULD BE MADE

VEHICLE CLAMPING AND REMOVAL POWERS

The use of clamping and powers of removal.

Note: clamping and removal powers need to be agreed but are not intended to be used without prior approval of Cabinet.

PENALTY CHARGE LEVELS

Penalty charges at the following recommended bands:

- Band level 2 (£70.00 reduced to £35.00 or £50.00 reduced to £25.00 if paid within 14 days as set out in the guidance note on the level of charges).
- Parking Contravention Notice (PCN) level, clamping fee (£40.00), removal fee (£105.00), storage fee (£12.00 per day), and crushing fee (£50.00). It may be necessary to seek recovery of outstanding sums through the appointment of bailiffs. As such approval to use of bailiffs will also be required as part of this report.

CONTRAVENTION CODES

Contravention codes are basically a list of coded parking contraventions. The code would appear on the Parking Contravention Notice (PCN) and would cross reference to the level of fine as advised above, For example contravention code 40 would relate to 'parking in a designated disabled person's parking place without displaying a valid disabled persons badge'.

*= or other specified ****= or other number +=or other specified

Higher Level Contraventions

On-Street

Code	Description
01	Parked in a restricted street during prescribed hours
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
12	Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place
14	Parked in an electric vehicles' charging place during restricted hours without charging

16	Parked in a permit space without displaying a valid permit
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited
20	Parked in a loading gap marked by a yellow line
21	Parked in a suspended bay/space or part of bay/space
23	Parked in a parking place or area not designated for that class of vehicle
25	Parked in a loading place during restricted hours without loading
26	Vehicle parked more than 50 centimetres from the edge of the carriageway and not within a designated parking space
27	Parked adjacent to a dropped footway
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge
41	Parked in a parking place designated for diplomatic vehicles
42	Parked in a parking place designated for police vehicles
45	Parked on a taxi rank
46	Stopping where prohibited (on a red route or clearway)
47	Stopped on a restricted bus stop or stand
48	Stopped on a restricted area outside a school
49	Parked wholly or partly on a cycle track
55	A commercial vehicle parked in a restricted street in contravention of the Overnight waiting ban
56	Parked in contravention of a commercial vehicle waiting restriction
57	Parked in contravention of a coach ban
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways
62	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)
99	Stopped on a pedestrian crossing and/or crossing area marked by zig-zags

Off-Street

Code	Description
70	Parked in a loading area during restricted hours without reasonable excuse
74	Using a vehicle in a parking place in connection with the sale of offering or exposing for sale of goods when prohibited
81	Parked in a restricted area in a car park
85	Parked in a permit bay without clearly displaying a valid permit
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge
89	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area
91	Parked in a car park or area not designated for that class of vehicle
92	Parked causing an obstruction

Lower Level Contraventions

On-Street

Code	Description
04	Parked in a meter bay when penalty time is indicated
05	Parked after the expiry of paid for time
06	Parked without clearly displaying a valid pay-and-display ticket or voucher
07	Parked with payment made to extend the stay beyond initial time
08	Parked at an out-of-order meter during controlled hours
09	Parked displaying multiple pay-and-display tickets where prohibited
10	Parked without clearly displaying two**** valid pay-and-display tickets when required
11	Parked without payment of the parking charge
19	Parked in a residents' or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay-and-display ticket
22	Re-parked in the same parking place within one hour* of leaving
24	Not parked correctly within the markings of the bay or space
30	Parked for longer than permitted
35	Parked in a disc parking place without clearly displaying a valid disc
36	Parked in a disc parking place for longer than permitted
63	Parked with engine running where prohibited

Off-Street

Code	Description
73	Parked without payment of the parking charge
80	Parked for longer than the maximum period permitted
82	Parked after the expiry of paid for time
83	Parked in a car park without clearly displaying a valid pay-and-display ticket or voucher or parking clock
84	Parked with additional payment made to extend the stay beyond time first purchased
86	Parked beyond the bay markings
90	Re-parked within one hour* of leaving a bay or space in a car park
93	Parked in car park when closed
94	Parked in a pay-and-display car park without clearly displaying two**** valid pay-and-display tickets when required
95	Parked in a parking place for a purpose other than the designated purpose for the parking place
96	Parked with engine running where prohibited

FLINTSHIRE COUNTY COUNCIL

POLICY FOR RESIDENT PARKING SCHEMES

1.0 Background

1.1 The main purpose of the highway is for traffic movement and there is no inherent right for any vehicle to park on a public highway. Parking is accepted where it does not impact upon the movement of traffic, create a safety hazard, obstruct emergency vehicle access or access to properties.

1.2 In other areas parking on the highway is controlled by restrictions introduced by Traffic Regulation Orders after the completion of formal statutory procedures and the resolution of public objections in consultation and subject to Member approval.

These restrictions can take different forms:-

- * double yellow lines prohibiting all parking, introduced specifically for highway safety needs and generally containing exceptions for loading/unloading and disabled badge holders (Providing that these vehicles do not create an obstruction).

- * Single yellow lines restricting parking to specific periods (usually associated with highway operational needs) and containing the same objections.

- * designated parking areas, identified where vehicles can be parked and under what conditions (e.g. time limited and/or pay on street parking) These ration on-street parking in cases where the demand exceeds the supply. It can also cover residential permit parking where residents' parking is prioritised over other highway users.

1.3 Resident Parking Schemes, also introduced by means of a Traffic Regulation Order, provide an alternative mechanism for managing parking demands, in situations where it is not reasonable to manage parking problems through conventional parking restrictions and to make town centres and fringe areas more attractive.

1.4 This policy sets out the principles for the establishment of Residents Parking Schemes. However the issue as a whole can be very complex, with many individual circumstances that can be difficult to address within a prescriptive policy and a degree of interpretation for specific schemes is therefore desirable and inevitable.

2.0 Advantages and Disadvantages of Residents of Parking Schemes

2.1 Whilst there are immediate and obvious attractions for implementing residents' parking schemes there are both advantages and disadvantages:-

Advantages

- * Discourage commuter/shopper/business parking in residential streets.
- * Enhanced environment in residential areas.
- * Residents may find their on-street parking to be easier and more convenient.
- * May provide improved parking and traffic management.
- * Can produce road safety benefits.

Disadvantages.

- * Possible knock-on effect of relocated commuter/shopper/business parking.
- * Costs of introduction and management and payment for permits. On these grounds it is recommended that any individual scheme should be self-financing.
- * Permits do not absolutely guarantee a parking space.
- * May only help manage an under supply of spaces and not solve problems.
- * Can lead to inefficient use of on-street parking space.
- * There are risks that a scheme could reduce levels of on-street parking, with problems for visitors and businesses.

3.0 Types of Parking Permit Schemes

3.1 There may be considered, to be broadly three types of location where residents parking schemes may be appropriate:-

3.2 Demand for Parking Exceeds Supply - Exclusive Permit Schemes.

This is the most traditional and common form of scheme, where a street or area is divided into prohibited and permitted parking areas. To park in a permitted area, a vehicle would be required to display a valid permit. The permit categories may vary but usually provide for residents, visitors, health care workers serving residents and other users the Council may consider to be appropriate. This system provides optimum benefit to residents but low levels of residents' parking can lead to an inefficient use of on-street parking provision, in areas where the overall parking supply is limited.

In areas where the demand for on-street spaces from residents alone exceeds the supply, the management and allocation of permits can be problematic. This is particularly so where a scheme results in a reduction in kerbside space

by the formalisation of parking provision, e.g. clearing parking from junctions etc.

3.3 On-Street Parking Control with Relaxation for Residents – Shared Spaces.

This type of scheme is referred to as 'shared space', where there is dual use of on-street space, overcoming the under use, resulting from the under use issues experience in the exclusive permit schemes detailed above. This scheme enables the time-limited use of on street space (which may or may not be charged for) to operate alongside vehicles with residents' permits that would be exempt from either time or charge restrictions. In isolation, these schemes may eliminate the need for the administration of permits for visitors, carers etc. Possible variations to this type of scheme could provide for the provision of exclusive residents parking bays.

3.4 Areas where Parking has Environmental/Safety/Traffic Management Issues

In some instances the management of parking may be desirable for highway management of traffic flow/safety reasons. Whilst this category can include residents' parking as a management feature, it should be noted that more conventional parking restrictions can be as effective, but where these could interfere with residents, schemes to accommodate their needs may be appropriate.

4.0 Criteria for the Consideration of Residents' Parking Schemes

4.1 The main criteria for the justification of a residents' parking scheme is that there is insufficient highway space for the residents of an area to park, as a result of the presence of vehicles arising from visitor, business or commuter parking and/or as a result of existing parking restrictions. Initial principles would be that:-

- * There should be clear evidence of residents support for a scheme in advance of any details of the scheme being prepared.
- * The enforcement associated with all schemes to be undertaken by the Councils Civil Parking Enforcement Officers.
- * Residents' parking schemes would not be introduced where the majority of residents have off-street parking or where there is insufficient on-street space to accommodate both residential and non residential parking.
- * Generally schemes should not be introduced to manage parking in situations where the problem is linked to over demand from residents for on-street spaces.
- * There is a presumption against small isolated areas remote from the principle areas of parking enforcement.

4.2 It is recommended that the following general principles should be adopted to help further define a manageable scheme or to develop an initial scheme:-

- * At least 50% of properties in any proposed area to have no off-street parking.
- * At times when parking problems are caused by non-residents the kerb space occupied by residents should exceed 40% of the total available.
- * There is sufficient kerb space to enable 85% of all households to park at least one vehicle on-street.
- * Schemes should not create unacceptable problems on adjacent roads.
- * The introduction of reserved parking in areas where parking spaces are severely limited shall not affect the commercial viability of the area.

4.3 Any requests that do not meet these criteria should not be considered further unless:-

- * The scheme forms part of a wider integrated traffic/parking management scheme.
- * There are road safety problems.
- * The parking impact from development in residential areas would be adverse.
- * There are schemes being promoted to use alternative facilities such as off-street parking.

5.0 Legal Framework & Management

5.1 The issue of a Parking Permit will at no time absolve the permit holder from parking legally, without due care and without creating an obstruction. The Council will not accept any responsibility for the damage, theft or loss of, or to, any vehicle or its contents whilst parked in a Residents' Parking Zone. When operated under Civil Parking enforcement procedures, vehicles parking in Residents' Parking Zones without displaying a valid permit will be subject to a Penalty Charge Notice, enforced through the Civil Parking processes and powers, and normal approved procedures will be followed.

5.2 Any schemes implemented under the Civil Parking Enforcement processes will be managed by the Councils parking Services and all appropriate management and appeals processes would apply.

5.3 All schemes will be operated in full accordance with the Council's race and equal opportunities policies and in all decisions preceding any scheme implementation, all comments from special needs groups will be assessed.

6.0 Definitions and Permit Details

6.1 In order for schemes to operate satisfactorily and without ambiguity, it is necessary to detail vehicles that would qualify for permits and the type of permits issued.

6.2 Permitted Vehicles

* Permits will only be issued to cars and light goods vehicles with a weight limit of 3.5 tonnes or under. Vehicles that exceed 6 metres in length, 2.44 metres in height or are capable of carrying more than 13 people including the driver will all be excluded from applying for permits.

* Permits will not be issued to motor cycles due to display practicalities, but, wherever possible, motorcycles will be provided a designated parking area where there is a demand. Should this not be possible or if there is insufficient demand motorcycles may park in permit bays without a permit, subject to prior written approval from the Council.

* Individual permits will not be issued for caravans or trailers, although these may be parked within a scheme on a short term basis whilst loading/unloading provided that they are hitched to a vehicle bearing a valid permit.

6.3 Issue of Permits and Associated Definitions.

The holding of a permit will not guarantee a parking space within a zone and where there are separate zones within an area permits will be zone specific. **No scheme will however be designed, unless the likelihood of spaces not being available to permit holders is low.** Although some indication of definitions and requirements for permit eligibility is provided in this document, further considerations may be required for specific designs.

6.4 Permits and Use

* Permits will be issued on a renewable annual basis and be effective for a period of 12 months. The issue and renewal will be by individual request and via appropriate application forms.

* Permits will show the name and title of the issuing Authority, the relevant parking zone, the vehicle registration number and a reference number. Any specialist permits will provide individual details.

* All permits must be displayed on the inside surface of the windscreen so that recorded particulars are clearly visible.

* The council reserves the right to permits in the event of fraudulent or inappropriate use without any reimbursement of costs.

* Where a hire or courtesy car replaces an existing vehicle a Visitor/Temporary Permit may be issued for a limited period.

* A permit will not be required for vehicles carrying out essential duties and statutory powers, including emergency service vehicles whilst attending an emergency, statutory undertakers, postal collection/delivery, council/government business and formal wedding cars and hearses. In addition permits will not be required for vehicles engaged in the loading/unloading of goods or where passengers are boarding or alighting.

6.5 Residents Permits

The following definitions and guidance should be considered as a part of a residents' parking scheme:-

* A resident will be considered as any person who resides at a residence within the defined scheme, for at least four nights a week and should be registered in the Council Tax records.

* A residence will be defined as a domestic property listed under the Council Tax definitions.

* Specific notes should be made of Houses of Multiple Occupancy, where a house has been converted into a number of separate flats or apartments, at the time of the introduction of the scheme, each of which meets the formal classification of a residence, then each would be eligible to apply for both residents' and visitors permits (as applicable) and as allowed under the policy, or applicable to the individual scheme. However where one house has been converted to contain a number of habitable rooms, remaining as one property, it will be treated as a single residence.

* The number of Residents' Permits available to one property will be specific to the scheme, to allow some flexibility in interpretation.

*The following guidelines will be adopted to underpin permit provision:-

(a) Initially one permit and one visitor permit will be issued to an individual residence but subject to an assessment of parking demand/supply within a zone, additional permits may be available.

(b) Where a residence has at least one off-street parking space available, it would not be eligible for the full allocation of residential permits per residence. It would however be eligible for any allocation of visitors' permits and may be eligible for any subsequent allocation of second round residents' permits.

* (c) Residents' permits will normally be specific to one registered vehicle and proof of ownership/responsibility must be provided to the satisfaction of the Council.

* (d) Residents who are only entitled or choose to apply for only one permit may specify two registration numbers to be inserted on the

permit, to enable them to decide which vehicle is parked in the bays and to avoid swapping cars on and off a driveway. However it is stressed that a permit **must** be displayed at all times on vehicles parked within the residents' parking bays. Penalty Notices will be issued for any vehicle failing to **display** a valid permit and not for failing to **own** a permit.

6.6 Blue Badge Holders

All Blue badge holders will require a relevant Residents Parking permit to park in any Residents' Parking Zone. Any existing on-street disabled parking bays within a zone will be retained, but in order to park within these, both a Blue Badge and valid Residents parking Permit will need to be displayed.

6.7 Attendance Permits

Visitors delivering health and care needs to residents will be afforded access under the schemes. Those residents who live within the zone may apply for a parking permit for family or professionals who visit the property to provide care or medical needs. Where parking demand is heavy, these permits may be restricted to those residents who do not hold a Residents Parking permit. Permit applications in these cases will require to be supported by the resident's medical practitioners.

6.8 Visitors Permits

Visitor permits will be available to all residents within a scheme on submission of proof of residency at a concessionary rate. Should conditions permit additional permits may be available at an undiscounted cost.

6.9 Business Permits

Any business that operates from within a Residents Parking Zone will be eligible for a business permit; although if any form of off-street parking is available these would be severely restricted. Customer parking provision can be catered for by the provision of alternative parking controls e.g. short limited waiting in the vicinity of a small shop.

6.10 Special Permits.

The predominant parking users will be covered by the permits listed above, a few isolated uses lie outside those defined. At the Councils discretion special permits may be authorised for restricted periods on individual application. These will cover health workers, maintenance contractors, visiting tradespersons etc. Within the design of schemes, specific arrangements will be considered for churches and individual businesses located within defined zones but any charges will need to reflect administrative costs.

7.0 Financial Principles

7.1 The costs of Residents Parking Schemes can be split into two categories.

(a) Set up costs i.e. Capital costs covering the investigation of schemes, consultation, design, traffic order and changes to signs and lines.

(b) Ongoing operational costs for enforcement and management.

7.2 It is recommended that all schemes should be fully self financing, including the repayment of all initial set up costs. Any operational surplus should be ring fenced for use on the improvement of parking facilities throughout the County area.

8.0 Scheme Implementation

8.1 From past history it can be expected that the number of schemes requested will be substantial once civil parking is operational and will probably exceed the Authority's resource capacity in any single financial year. It is recommended that all applications are evaluated by Traffic Section staff in conjunction with Parking Services and a shortlist of those considered to be desirable and practical submitted to the respective Local Members for approval, prior to submission to the approval of the Director of Environment and Executive Board Member. Larger schemes covering more than a single Ward may require Executive Board approval.

These approvals are recommended due to the need to alter Traffic Regulation Orders, to rank schemes in order of priority and to verify that a fair and reasonable evaluation has been undertaken.

Factors for determining relative scheme priorities should be:-

- * The tie in with other works being undertaken e.g. town centre reviews.
- * Emergency vehicle access.
- * Availability of off-street parking for non-residents using the area.
- * Impact of displacing non-residents cars.
- * Size of the scheme proposed.
- * Purposes for which non-residents are parking.

8.2 Consultation and Implementation.

All proposed resident parking schemes will be subject to consultation and will include:-

(a) An initial questionnaire sent to all residents and businesses within and adjacent to the proposed area, to identify the level of concern regarding parking difficulties and to establish the level of support for any proposed scheme. This consultation will be used solely to establish the local community requirements for any scheme. The results from this exercise will then be used to determine the need for and to develop proposals based on the majority views expressed. Full details resulting

from the consultation will be available for examination by any consultee.

(b) Once a scheme has been determined there should be further consultations undertaken by means of a local public exhibition, public meeting or residents group meetings and concentrating on the size and scale of any potential scheme to allow officers to answer any questions, followed by a further questionnaire to all residents and business asking respondents to indicate if they agree or disagree with the scheme.

* The formal stage of the process will involve the publication of Notices of Intent in the press and on site. At this stage any objections received will need to be dealt with and resolved in accordance with the Councils agreed procedures.

A scheme should only be considered for implementation if there is clear support for the proposals from households within the zone and agreement to pay the annual permit costs. For any scheme to proceed it is recommended that a minimum response of 50% will be required to the initial questionnaire with 51% remaining in favour of the proposals at all stages of the consultation process.

9.0 Design

9.1 In considering any schemes there needs to be a clear understanding of the parking problems in the area and the implications of the introduction of any new Residents Parking controls, particularly in terms of the potential relocation of displaced parking. All schemes will be introduced on a zonal basis thereby providing greater flexibility by using spare capacity in one street to supplement another. Zone boundaries should remain logical and easily defined and not large enough to provide a benefit for vehicles 'commuting' whilst remaining in their zone.

9.2 In principle daytime parking restrictions reflecting standard scheme timings (for example Monday to Saturday 8am to 6pm), will be adopted and will be the basis for commencing the design process on local schemes. These parking restrictions can however be inconvenient at times when residential demand is at its highest. Flexibility therefore needs to be applied in determining the actual time period of restrictions within each scheme in order to achieve the parking needs of local residents in practical terms. No scheme will be designed that spans night times or excessive cover and the basic principle will be applied that schemes are primarily to resolve the problems created by day time parkers.

9.3 When considering the needs of residents and determining scheme details the following matters will be considered:-

- * Maintaining traffic flow and visibility at junctions.
- * Vehicle accesses.
- * Loading/unloading requirements.

- * Bus stops.
- * Needs of Blue Badge holders.
- * Limited waiting areas for local business.
- * Visitors and other categories of drivers who need to park within the zone.
- * Use of the area i.e. residential or commercial.
- * Safety of public within the zone.

The objective being to maximise the number of residents spaces, reduce the amount of commuter/business parking in residential areas and also provide proper consideration of special issues such as schools/churches and businesses to minimise disruption.

9.4 All signing and markings must be in accordance with the current Traffic Signs Regulations and General Directions and the relevant sections of the Department of Transport/Welsh Assembly Government's Traffic Signs Manual.

9.5 Individual parking bays will not normally be provided. Continual marked bays current at the time will normally be provided in accordance with the Regulations. Vehicles must be wholly parked within a marked bay with no part spanning another bay or extending over yellow lines or some other restriction. Failure to comply with this requirement will make the Permit holder liable to a Penalty Charge Notice.

9.6 Restricted Zones can be used with special authorisation from the Welsh Assembly Government although the approval process can be lengthy. Within these yellow lines can be removed and the marked bays omitted. However, signs are still required to advise motorists of the restrictions and in practice these are only recommended for small areas and cul-de-sacs for clarity of enforcement, as motorists are only made aware of the restrictions at the zone entry points.

9.7 Upon completion of a scheme and within the first year arrangements will be made to undertake an operational review and if necessary initiate improvements in accordance with the approved procedures.

10 Scheme Charges and Review

10.1 Charges for Permits shall be determined by the Authority and should be set at a level that covers the enforcement and operational costs of the scheme. All charges should be clearly set out and published in any consultation literature, along with all other Terms and Conditions of the Residents' Parking scheme.

10.2 All Permit charges shall be reviewed annually.

10.3 The recommended current level of Permit charges are as follows:-

* Residents' Permits	£..... per annum including 'Blue Badge' holders
* Attendance Permits	Provided without costs.
* Visitor Permits	£..... per annum
* Business Permits	£..... per permit
* Second Permits	same charges as above
* Special Permits	covered outside of this policy by dispensations and waivers

10.4 Responsibility for the renewal of Permits is the responsibility of holders. Existing Permit holders will be invited to renew their permits on an annual basis by the Council. In the event that a resident fails to renew their permit before the expiry date, the permit will become invalid.

10.5 The Permit period shall extend from 1 April to 31 March.

10.6 Refunds will be provided where Permits are no longer required. Permits must be returned to the Parking Services Section, Environment Department, County Hall, Mold CH7 6NF and all refunds shall be calculated on the basis of remaining full months less a deduction of 10% of the annual permit costs for administration.

10.7 Lost or stolen Permits must be reported immediately to the Parking Services Section at the address in 10.6 above. A replacement permit will be issued subject to an administration of 10% of the annual permit cost, providing that all terms and conditions are met.

DISABLED PARKING BAYS

I suggest the following guidelines are used by the County Council for the processing of all requests for disabled parking bays, once Civil Parking Enforcement has become operational. These guidelines to be adopted until the results of the Welsh Assembly Governments proposed consultation paper for on and off-street parking for blue badge holders is known.

Information

A disabled parking bay is a boxed area marked in accordance with the Traffic Sign Regulations and General Directions, that enables disabled residents to park near to their property.

Criteria

1. Applicants must be registered as disabled.
2. Applicants must be in possession of a valid blue disabled badge, photocopies of which must accompany the application.
3. Applicants must have no suitable off street parking available at their permanent place of residence such as drives or garages.
4. The applicant must prove that there is a vehicle registered and kept at the blue badge holder's address.
5. All bays will be available for use by any disabled badge holder and will not be provided for individual use.
6. No parking bays will be provided within 10 metres of a junction.
7. Bays will only be provided on roads wide enough to facilitate the unobstructed passage of emergency vehicles.
8. All bays will initially be advisory, but in the event of continual abuse, the Council may consider the introduction of a Traffic Regulation Order to enable enforcement action by the Council's Civil parking Enforcement Officers.
9. No bays will be provided in situations that contravene any existing parking regulations in force on the road.
10. Applications must be submitted in writing to the Traffic Section, Flintshire County Council, County Hall, Mold CH7 6NF. Tel:01352 704634.

OFF STREET PARKING POLICY

1. Integral to Civil Parking Enforcement (CPE), which takes place "On-Street", is the issue of "Off- Street" parking, as a significant proportion of vehicles displaced from roads are likely to resort to public and privately owned car parks.
2. There is an historic inconsistency in the way the Council's car parks are managed across the County which goes back to the precursor authorities of Delyn and Alyn & Deeside. Delyn had a policy of charging, whereas Alyn & Deeside did not and, as a result of this position not having been reviewed since local government re-organisation, we now have the situation where the Council charges for the use of its car parks in Mold and Holywell, whereas all of the other Council car parks are free.

Furthermore, the level of charges have not been reviewed for over 18 years. It is therefore clearly appropriate to review the current situation and to implement proposals aimed at addressing this inconsistency.

3. Surveys have been undertaken of all of the car parks within the seven town centres identified within the Council's UDP. Weekday and Saturday usage figures have been collected, to give indicative utilisation percentages on a daily basis. These have been compared to figures captured during a similar survey undertaken in 2005 and in most cases, the numbers have remained fairly constant.
4. The Regional Transport Plan, which has been developed by TAITH on behalf of all six constituent North Wales authorities, makes a number of references to the importance of 'Demand Management' in relation to the provision of sustainable transport, recognising that over 20% of our community will not have access to a car (this figure will be a lot more in our more disadvantaged neighbourhoods). Demand Management, in relation to car parks, is effectively the process of charging users a proportionate fee, where it's appropriate to do so, in order to encourage a modal shift from cars to public and other forms of transport, thereby reducing congestion and increasing the viability of buses. Extracts from the Regional Transport Plan and Flintshire's Regeneration Strategy are set out below:-

Regional Transport Plan

Managing Demand and Traffic Flows

Techniques for managing demand and traffic flow include road user charging which is a matter for the Welsh Assembly Government although local access control schemes based on charging such as in Durham or the Peak District National Park in England might be considered for some local problems. Parking management, including the use of workplace or retail parking levies might also be considered,

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particularly to generate revenue to support other measures such as public transport services in development of large new commercial sites.

Parking

Parking is an important aspect of transport, given that most vehicles, particularly private cars, spend most of their time not moving and therefore have to be parked somewhere. Taith aims to ensure that the methods used for managing parking are consistent across the region wherever practicable, in line with current joint working on Civil Parking, balancing the needs of all sectors of society in North Wales.

Regeneration Strategy

The Flintshire Economic Regeneration Strategy 2009-2020 identifies the importance of town centre regeneration and stresses the need to 'improve the integrated management of town centres', 'improve the built environment, public realm, and facilities for users' and 'provide alternative means of transport to the private car.'

5. A fundamental review of the Council's subsidised bus services is being undertaken, following the WG announcement of a 27% cut in grants and a commitment given to the Environment Overview & Scrutiny Committee at its budget Scrutiny meeting in January 2012. This review will be based on criteria aimed at maximising sustainable transport provision to meet social and economic needs. This will include an assessment of bus services serving our town centres in Flintshire.

6. Car park charges are sometimes criticised for having a negative impact upon the local economy, on the assumption that they encourage drivers to go to shopping areas that have free parking. This is not considered to be the case, where charging levels are proportionate to the locality, including the local shopping 'offer' available. The table below sets out the number of ground floor commercial units within each of the seven town centre boundaries, together with the vacancy rates in October 2012, compared to the national average vacancy rate for the same period of 14.6%.

Town	Number of Commercial Units	% Vacancy Rate
Buckley	96	5
Connah's Quay	57	11
Flint	122	11
Holywell	112	10
Mold	231	4
Queensferry	69	7
Shotton	94	9

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7. There is clear evidence to show that some of the Council's car parks are used by residents, where they don't have access to their own private or on street parking. In these circumstances, the level of usage by surrounding residents needs to be taken into account in deciding whether or not to charge. Also, where appropriate, residents Parking Permits could be issued.
8. There is also clear evidence to show that our car parks are being used for 'Park and Share' purposes ie cars are left in them all day at no cost, whilst the drivers share a car to into, say Chester, where they have to pay. This practice does not add anything to the local economy and could be managed by the introduction of parking charges and CPE.
9. Similarly, Flint Station car park is heavily used, but not necessarily by rail travellers, who should be able to find a parking space whenever they want to use the train. Charging at the station car parks, but not others in Flint, will displace the vehicles of employees that work in the town and make it more likely to have spaces for rail users.

The Council is obliged to pay 50% of any income generated by charging to the owners of the car parks, Arriva Trains Wales.

10. Given the above points, a review has been carried out of the Council owned car parks in the County against the following criteria :-
 - Town Centre location, as identified in the Council's UDP
 - Occupancy levels of the car parks
 - Vibrancy of the Town Centres
 - Proximity of the Town Centre to public transport
 - Percentage usage by surrounding residents not having access to a private parking space or on street parking.
11. The outcome of the review is set out in the document attached to this Policy entitled "Initial Proposal for Car Parks Suitable for Charging". It is suggested that the charges will be :-
 - 20p per hour, for up to 3 hours
 - £2.00 for over 3 hours, except the Flint Station Car Park, which will be £3.00 and Love Lane Car Park, Mold, which will be 50p
 - Charges will apply between 08.00 am – 3.00 pm – Monday – Saturday

Annual Parking Permits will be issued at a charge of 75% of the aggregated weekly tariff for business users and 50% for residents.

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12. It is intended to charge more for parking all day at Flint Railway Station as an added 'incentive' for non-rail passengers to park on the 'Free' car parks in Flint. Similarly, Love Lane Car Park in Mold is recommended to remain at the same tariff as now, to provide an option for lower cost parking on the outskirts of the town.
13. It is intended that the Council's Enforcement Officers undertake enforcement action in all of our car parks, whether we charge in them or not. This will cover issues like parking within bays and proper use of disabled bays.
14. As part of the process, it is intended that all car parks proposed for charging will be invested in, to ensure their surfaces, lines and signs are appropriate and that the lighting in them is up to the required quality.
15. It is recognised that the implementation of the above Off-Street Parking policy, together with the introduction of CPE, is likely to have a significant impact upon vehicular usage of our town centres and car parks. It is therefore intended to review the Policy during the 2013-14 financial year, when the initial impact of the introduction of CPE has had time to settle down, and then annually thereafter.

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INITIAL PROPOSAL FOR CAR PARKS SUITABLE FOR CHARGING

All charges will be 20p per hour, for up to 3 hours and £2 all day, unless shown
Charges will apply between 08.00 am – 3.00 pm - Monday - Saturday

Area	Car Park	Proposal to Charge
Buckley	<p><i>FCC Controlled</i> Argoed Road Bistre Avenue (plus 5 cycle bays) Black Horse (plus 4 cycle bays) Brunswick Road Precinct Way</p> <p><i>Privately Controlled</i> Sommerfield</p>	<p>Argoed Road Bistre Avenue Black Horse Brunswick Road</p>
Connah's Quay	<p><i>FCC Controlled</i> Old Dock Road Fron Road Maude Street Sommerfield/Council</p> <p><i>Privately Controlled</i> Area to front of Boathouse/Shops Fron Road Health Centre (has lockable gates)</p>	<p>Sommerfield</p>
Flint	<p><i>FCC Controlled</i> Allt Goch – Large Allt Goch – Small Bollingbroke Heights Castle Heights Feather Street (library) Pavilion Leisure Centre Railway Station Richard Heights (6 residents bays) Swan Street</p> <p><i>Privately Controlled</i> Retail Centre McDonalds/Asda</p>	<p>Railway Station (£3 all day) Swan Street</p>
Holywell	<p><i>FCC Controlled - Free</i> Station Road – inner ring road (7 bays – disabled only) Halkyn Street</p> <p><i>FCC Controlled – Short Stay</i> Bevans Yard (rear 63-69 High Street) Gateway (Sommerfield) Leisure Centre Tower Gardens Upper</p>	<p>Halkyn Street</p> <p>Bevans Yard</p> <p>Tower Gardens Upper</p>

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Area	Car Park	Proposal to Charge
Holywell (Cont)	<p><i>FCC Controlled – Short/Long Stay</i> Plas yn Dre Well Street Car Park</p> <p><i>Privately Controlled</i> Tesco Lidl</p>	Plas yn Dre Well Street
Mold	<p><i>FCC Controlled-Contract</i> Town Hall</p> <p><i>FCC Controlled-Long Stay</i> Love Lane</p> <p><i>FCC controlled – Short Stay</i> Grosvenor Street King Street Meadow Place</p> <p><i>FCC Controlled – Short/Long Stay</i> Griffiths Square New Street</p> <p><i>Privately Controlled</i> Aldi Tesco Lidl</p>	Town Hall Love Lane (50p all day) Grosvenor Street King Street Meadow Place Griffiths Square New Street
Queensferry	<p><i>FCC Controlled</i> Pierce Street Station Road</p> <p><i>Privately Controlled</i> Asda Deeside Leisure Centre</p>	None
Saltney	<p><i>FCC Controlled</i> None</p>	None
Shotton	<p><i>FCC Controlled</i> Alexandra Street P&R Alexandra Street – King Edward Street Ash Grove Bridge Street Central Hotel Charmleys Lane King George Street Plymouth Street</p>	None

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Area	Car Park	Proposal to Charge
Shotton (Cont)	<i>Privately Controlled</i> Old B&Q/Charlies Lidl/B&Q/Pets at Home Pizza Hut Car Park	None
Talacre	<i>FCC Controlled</i> Smugglers Inn Proposed Additional Parking Lighthouse Pub Station Road Beach Car Park BHP	None

**Civil Parking Enforcement and Off-Street Parking
Implementation of 01.07.13 for Off-Street & 01.10.13 for On-Street**

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	Note	Set Up £	2013/14 Year 1 £	2014/15 Year 2 £	2015/16 Year 3 £	2016/17 Year 4 £	2017/18 Year 5 £
Balance B/fwd	1	186,000	-93,623				
<u>On-street</u>							
Start-Up Costs	2	-199,623					
Maintenance of lines and signs			-20,000	-20,000	-20,000	-20,000	-20,000
Expenditure	3		-89,949	-179,898	-179,898	-179,898	-179,898
Less costs with existing budget provision	4		60,000	60,000	60,000	60,000	60,000
Net Expenditure Increase			-29,949	-119,898	-119,898	-119,898	-119,898
Income from PCN's			75,663	211,198	211,198	211,198	211,198
Total On-Street		-199,623	25,714	71,300	71,300	71,300	71,300
<u>Off-street</u>							
Car Park Resurfacing, Lining, Lights & Signs		-80,000					
Enforcement, cash collection, transport, maintenance, CPU and leasing finance	5		-128,316	-171,088	-171,088	-171,088	-171,088
Less costs with existing budget provision	6		65,000	65,000	65,000	65,000	65,000
Net Expenditure Increase			-63,316	-106,088	-106,088	-106,088	-106,088
Forecast Income from Off-Street Parking	7		420,885	493,230	493,230	493,230	493,230
Projected Current income level			-203,850	-203,850	-203,850	-203,850	-203,850
Additional Income from Car Parks			217,035	289,380	289,380	289,380	289,380
Total Off-Street		-80,000	153,719	183,292	183,292	183,292	183,292
Balance C/fwd		-93,623	85,809	254,592	254,592	254,592	254,592

Notes

- 1 Specific Directorate Balance Carried Forward previously approved by Executive in sums of £61k (2008/09), £75k (2009/10) and £50k (2010/11)
- 2 Start-up costs include: Specialist Advice £15k, IT/Office Equipment & Training £30k, Public Relations £10k, Legal Costs/Adverts £10k, TRO Survey & Mapping £40k, Signs & Line upgrade £30k, Signs conversion £30k, Hardware Maintenance for CPU £25k, Uniforms £9k
- 3 Expenditure consists of: Parking Manager £27k, Salary Overheads £25k, Parking Attendants £79k, Office Equipment & Overheads £9k, Transport Costs £30k, Ticket & Permit Processing £9k
- 4 Current Staff Budget Provision for management of car parks of £60k
- 5 Enforcement £89k, Cash Collection £28k, Transport £4k, Machine Maintenance £4k, PCN Levy to CPU £24k, Leasing Finance £22k
- 6 Current Enforcement Budget Provision for Attendants of £65k
- 7 3 months at existing levels (£50,962.50) and 9 months at new projected levels (£369,922.50)