

Report To: ENVIRONMENT & REGENERATION COMMITTEE **Date:** 29 OCTOBER 2015

Report By: CORPORATE DIRECTOR, ENVIRONMENT, REGENERATION & RESOURCES **Report No:** ERC/ENV/IIM/15.247

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Subject: RESIDENTS' PARKING PERMIT SCHEME TERMS AND CONDITIONS

1.0 PURPOSE

- 1.1 The purpose of the report is to seek approval to the Terms and Conditions of the Residents' Parking Permit Scheme.
- 1.2 To advise Committee of the change to the format of the Residents' Parking Permit from a paper permit, as advised at 5 March 2015 meeting, to virtual permits.

2.0 SUMMARY

- 2.1 Following the introduction of the Greenock Town Centre parking strategy in October 2014 and the transfer of powers to Inverclyde Council for the enforcement of parking restrictions, some residents have found it difficult to park close to their home without fear of being penalised.
- 2.2 As a result, Consultants Peter Brett Associates undertook an options appraisal to consider the potential for introducing a Residents' Parking Permit Scheme in parts of Greenock Town Centre. It was agreed at the Environment and Regeneration Committee held on 5 March 2015 that a Residents' Parking Permit Scheme should be introduced in some parts of Greenock.
- 2.3 To provide a fair and consistent approach to the administration and issue of Resident Parking Permits, a set of Terms and Conditions has been prepared for Council approval.

3.0 RECOMMENDATION

- 3.1 That the Committee approve the Residents' Parking Permit Scheme Terms and Conditions relative to applying for and using Residents' Parking Permits.

Ian Moffat
Head of Environmental and Commercial Services

4.0 BACKGROUND

- 4.1 Decriminalised parking enforcement was introduced in Inverclyde in October 2014. At this time a parking strategy was introduced in Greenock Town Centre and a TRO was promoted detailing its effect. The TRO governing the Parking Strategy's "waiting and loading" restrictions attracted objections from residents who live in Greenock Town Centre who argued their ability to park free for unlimited periods, close to their homes, had been denied them.
- 4.2 At the Environment & Regeneration Committee of 5 March 2015 it was agreed that Residents' Parking Permits should be provided to resident in parts of Greenock. As a result the following TROs relative to Greenock are currently being promoted:
1. The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 4) Order 2015
 2. The Inverclyde Council (Various Roads) (Inner Greenock) (Controlled Parking Zone) (Variation No. 5) Order 2015
 3. The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 5) Order 2015
 4. The Inverclyde Council (Various Roads) (Outer Greenock) (Waiting Restrictions) (Variation No. 6) Order 2015
 5. The Inverclyde Council (Off-Street Parking Places) (Variation No. 4) Order 2015
- 4.3 In order to ensure a fair and consistent system of issuing Residents' Parking Permits Terms and Conditions has been prepared detailing the rules for applying for and using Residents' Parking Permits.
- 4.4 Research was undertaken to review the Terms and Conditions of other Local Authorities throughout the UK who currently operate a Residents' Parking Permit Scheme. Based on this research, Terms and Conditions for use by Inverclyde Council were drawn up. These were issued for comment and revision to the Council's Legal Services and also to Safer Communities who operate the Parking Attendants service.
- 4.5 Advice was also sought from Imperial Civil Enforcement Solutions (ICES) who operate the Council back office. ICES will administer the Residents' Parking Permit Scheme as part of their existing contract. The Permits issued to residents will be Virtual Permits. Details of the vehicle will be held on a database accessed by the Parking Attendant's Handheld Computer. When the vehicle registration is scanned by the Parking Attendant details of any Permit associated with the vehicle will be displayed. Applications for Residents' Parking Permits should be made online. However, as some residents may not have access to the internet, first applications and renewal applications can both be made by post. It should be noted that postal applications will take longer than online applications.
- 4.6 At the Committee meeting of 5 March 2015 the report advised that paper permits would be issued to applicants. However, following discussions with ICES it is proposed to use virtual permits. A virtual permit means that no permit will be issued to display on the vehicle instead the information will be held on the Parking Attendant's handheld computer. This helps to prevent the fraudulent use of permits, for example, the permits being passed from one vehicle to another. Upon the successful application for a Residents' Parking Permit the applicant will receive a letter advising them of the permit reference, start date and end date.
- 4.7 As a result, the Terms and Conditions of the Residents' Parking Permit Scheme, Appendix 1 contained within Appendix 1 have been developed.

5.0 IMPLICATIONS

Finance

- 5.1 The financial implications of the Residents' Parking Permit Scheme were reported and approved by this Committee in March 2015. This report deals solely with the Terms and Conditions of the Scheme and there are no further financial implications arising as a result of this report.

Legal

- 5.2 Legal and Property Services have been consulted throughout the preparation of the Terms and Conditions of the Residents' Parking Permit Scheme.

Human Resources

- 5.3 There are no HR implications arising from this report.

Equalities

- 5.4 The Terms and Conditions aim to provide equality when determining who will qualify for Residents' Parking Permits as well as how the Scheme will be administered.

Repopulation

- 5.5 There are no repopulation implications arising from this report.

6.0 CONSULTATIONS

- 6.1 The Terms and Conditions have been prepared in consultation with the Council's Legal and Property Service, Safer Communities Service and ICES to ensure that a fair and consistent approach is developed in the administration of Residents' Parking Permit Scheme.

Appendix 1

The Chief Financial Officer has been consulted on the contents of the report.

7.0 LIST OF BACKGROUND PAPERS

- 7.1 None.

THE INVERCLYDE COUNCIL RESIDENTS' PARKING PERMIT SCHEME

TERMS AND CONDITIONS

Your entitlement to a Residents' Parking Permit (Permit)

- A Permit is specific to an individual person, their normal permanent address (specified address) and a specified vehicle.
- A Permit will last for a period of one year. You must renew your Permit annually or earlier if you change your vehicle or address.
- You are entitled to a maximum of 2 Permits per specified address. This allocation is reduced by 1 Permit for each off-road parking space (driveway and/or garage and/or space in a private car park) available within/ to the specified address.
- You can only apply for a Permit for the Zone within which the specified address is located.
- You must be 16 years of age or over to apply for a Permit.
- The specified vehicle must be registered in your name to the specified address or, if the specified vehicle is a company vehicle, you must be the authorised keeper.
- The specified vehicle may be a Motor Vehicle, Motor Cycle, Invalid Carriage or Goods Vehicle. The overall height of the specified vehicle must not exceed 2.27m (7' 5"), the length must not exceed 5.25m (17' 3") and the unladen weight must not exceed 3,500kg (996 lb).
- The specified vehicle must:
 - have a valid MOT test certificate throughout the life of the Permit;
 - have a valid road fund license (vehicle tax) throughout the life of the Permit; and
 - be insured in accordance with UK law.

We cannot issue a Permit if:

- your specified address is subject to car free development. Please speak to your solicitor, seller or landlord for this information as we will not be able to confirm this information for you.
- you cannot provide the correct documents.
- you submit fraudulent documents.
- you have 3 or more outstanding Penalty Charge Notices.
- you already have 2 valid Permits for the same specified address.

How to use your Permit

- Normally you will be issued with a Virtual Permit. Details of the specified vehicle and the Permit issued to that specified vehicle will be recorded on an electronic database held on the Parking Attendant's Hand-held Device.
- Should a paper Permit be provided, your Permit must be clearly displayed on your vehicle's front windscreen so that its details can be easily read. You must display your original Permit, copies are not acceptable.
- Every Permit has a unique identification reference number beginning with a prefix to identify its Zone. Whenever you contact us about your Permit, please quote this unique reference number.
- The abuse of a Permit contrary to these Terms and Conditions and the relevant Traffic Regulation Order ("TRO") may result in the cancellation of that Permit.
- The misuse of Permits should be reported to 01475 714800.

Where you can use the Permit

- You can only use your Permit in the Zone for which it has been issued. You must always park legally, in accordance with the sign plates and road markings in the vicinity.
- Vehicles must park correctly within the markings of the bay or space.
- Permits can be used on-street or in Council operated off-street car parks within the Zone for which it has been issued.
- Permits do not guarantee a parking space.
- The Zone name and any restrictions on the use of the parking bays by Permit holders will be shown on sign plates adjacent to the bays.

APPENDIX 1

- Permits are only valid for the specified vehicle indicated on the Permit, as referred to on the Residents' Parking Permit Application Form and on the submitted documentation.

Where you cannot use the Permit

- Permits cannot be used in Disabled Persons' Parking Places (with the exception of times during which Permit holder only parking applies, when a valid Disabled Persons' Badge shall also be displayed), police bays, ambulance bays, loading bays, taxi bays, bus bays, Electric Vehicle Parking Spaces, single and double yellow lines.
- Permits are not valid in suspended bays. This will result in a Penalty Charge Notice being issued and vehicles may be relocated or removed.
- Permits are not valid in private car parks.
- Permits are non-transferable and cannot be used for any vehicle other than the specified vehicle.

1. You must submit one of the following documents as proof of residency

- Public utility bill issued within the last 3 months (gas, electric, combined energy, water and landline phone).
- Rent book issued by the Council or housing association.
- Signed Tenancy Agreement that has been issued to the applicant.
- Council Tax statement.
- Bank statement issued within the last 3 months (Current or Savings account only).

2. You must submit the following in relation to the vehicle

If you are the specified vehicle's registered keeper:

- Second page of V5C (logbook) displaying the name and address of the applicant.
- If you have recently changed your vehicle and only have a V5C/2 or a bill of purchase, we can only issue a 6 week permit until your documents are complete. Following receipt of the complete documents you will be issued with a permit for 12 months.

If you are a student:

- Vehicle logbook (V5C) showing your name and specified address; and/or
- Letter from college or university stating that you live at an address in the Zone applied for.

If you have hired or leased the vehicle

- Hire/ Lease Agreement: Hire/ Lease documentation must show your name and specified address.

If the vehicle is a company vehicle

- Copy of vehicle logbook or Hire/ Lease Agreement in the company name; and
- Letter from the company on company headed paper showing the specified vehicle's registration number confirming that you are the sole keeper or user of the vehicle.

Renewals

- It is your responsibility to renew your Permit. If your specified vehicle does not have a valid Permit you will be at risk of receiving a Penalty Charge Notice. You can renew your Permit up to 28 days before its expiry date.
- You must allow 14 working days when applying for or renewing your Permit.
- If your qualifying circumstances change at any time such as, the ownership of the specified vehicle(s) or your specified address, then you must reapply for a Permit accordingly.
- When you renew your Permit, if you have not changed your specified vehicle or specified address, you do not need to submit any supporting documents.

Permit costs

A maximum of 2 permits may be issued free of charge to households within the Zone applied for.

Same zone

If you change your specified address within the same parking Zone and your Permit is still valid, you will need to advise us of the changes with correct proof of documents via post.

Different zone

If you move to a different parking Zone you will need to apply for a Permit for that Zone.

Suspensions

- If you have to leave your specified vehicle unattended, for example to go on holiday, and there is an urgent need for the bay to be suspended your vehicle may be moved outside of the suspended area.
- The Council or the Police may suspend a parking bay. Suspended parking signs will be placed at the location.
- In order to minimise the inconvenience caused to residents, the Council aims to erect warning signs at least 2 days before the scheduled start date of suspended bays.
- Emergency suspensions may be introduced at any time.

Preventing fraud

- The Council considers fraud and attempted fraud to be an extremely serious matter and will not hesitate to take preventative, remedial or punitive actions against any person or organisation suspected of fraud or attempted fraud.
- Permits remain the property of the Council and the Council reserves the right to withdraw any Permit for any breach of these Terms and Conditions or the relevant TRO - and your vehicle may be issued with a Penalty Charge Notice or removed.
- It is an offence under Section 29 of the Vehicle Excise and Registration Act 1994 to park or keep a mechanically propelled vehicle on a public road if the vehicle is unlicensed.
- The Council reserves the right to withdraw, invalidate or refuse to issue a Permit if:
 - the Permit holder or any person using the Permit threatens, physically attacks or verbally abuses a Parking Attendant, police officer or authorised Officer of the Council (such behaviour may also result in that person being barred from Council premises);
 - the Permit holder or any person using the Permit fails to comply with a reasonable request from a Parking Attendant, a police officer or an authorised Officer of the Council in respect of the use made by them of any Permit issued by the Council;
 - it becomes apparent that a Permit issued by the Council is improperly held or is being improperly used;
 - the specified vehicle for which the Permit has been issued has 3 or more outstanding Penalty Charge Notices which have reached the stage where the statutory rights of appeal have been exhausted.

The issuing authority (The Inverclyde Council) will process all information in accordance with the requirements of the Data Protection Act 1998. The enforcement authority (The Inverclyde Council) will use any data collected through the issuing of this Permit for other associated purposes. We are required by law to protect the public funds we administer and we may share/check this information with other bodies responsible for auditing or administering public funds, in order to prevent and detect fraud. These bodies include but are not limited to: other Council departments, other public authorities and other enforcement agencies.

When can you use your Permit?

1. You will be advised by email/ letter confirming that your documents are in order and that you have been approved for a Residents' Parking Permit.

APPENDIX 1

2. Do not presume you have been approved for a Residents' Parking Permit until you have been formally advised.