

Controlled/Resident Parking Zones Policy

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Version control

Date	Details	Updated by

Controlled Parking Zone (CPZ)/Residents Parking

What is a Controlled Parking Zone (CPZ)/Resident Parking?

Controlled Parking zone (CPZs)/resident parking are defined as a group of inter-related streets which have, in the main, the same parking controls in operation.

The main objective of CPZs is to discourage commuter and long stay parking by people from outside the area. Therefore, they are normally introduced when residents are experiencing difficulty in parking near to their home as a result of the proximity of a commercial centre which attracts commuters, shoppers, etc. or a tourist attraction with little parking, or where other non-residential users are parking. They are not normally introduced as a result of residents having insufficient off-street parking or because they have more cars than road space to park upon, CPZ's would be ineffective in these instances.

The parking bays within the Zone are not numbered or allocated to a particular property. Vehicles with a permit may park anywhere within the Zone and not just in their own street. There is no guarantee a resident will be able to park in their own street and a CPZ does not guarantee a parking space.

Enforcement of CPZs will take place when resources allow.

The operational times for the CPZ are indicated on signs as you enter the Zone which means that waiting restriction plates are not needed within the zone (unless the restrictions are different from the main zone hours). However, there may be a requirement for residents to allow signage to be placed on the walls of their property to enable the scheme to progress and to cut down on the clutter of signage. The Council will always consult with the residents individually as to this requirement.

CPZs, by their very nature, may be to the detriment of local businesses, for example it may reduce the availability of parking spaces for larger vehicles, customers, collections and/or deliveries. Any new application for a CPZ will take into consideration the operational needs of the businesses within the proposed Zone.

Requesting a new Controlled Parking Zone

The introduction of a Controlled Parking Zone (CPZ), or changes to an existing CPZ, are usually considered in response to demand from local residents and businesses. Any proposal would require demonstration that the scheme has widespread majority support among local residents. CPZs are not normally introduced for single roads.

To demonstrate such support there needs to be effective, all-inclusive public consultation. This will be followed by clear and transparent decision-making. Both of these elements are essential for the credibility of the CPZ and Torbay Council.

The recommended consultation approach aims to establish the level of public support for a proposed CPZ by keeping all interested parties involved throughout the process and meeting the statutory requirement for public advertising.

The consultation process should be carried out on a household by household basis which is the fairest and most easily validated process for this type of consultation. The Council will not give higher merit to comments from residents' associations or petitions as it is difficult to establish if these comments are a reflective view of the association in the former instance or a true opinion based on facts in the latter instance. An individual household/business consultation ensures that everyone has an equal opportunity to express their views based on balanced and accurate information.

It should be noted it usually takes at least 40 weeks from the start of the CPZ consultation process until the relevant works required to implement a scheme are undertaken. This assumes that there are no objections when the Traffic Regulation Order (TRO) is advertised. A flow chart setting out the process is included at Appendix 1.

All costs for implementation and ongoing maintenance costs for the life of the scheme will be covered by the income from the implementation fee and ongoing annual permit fee. The implementation costs will be recovered by charging residents an increased Permit fee for the first 3 years of operation, which will be determined by the actual estimated costs involved and this will be advised to residents prior to final decision. Each year there will be costs to ensure if the take up of permits drops, the costs to abolish the scheme are covered. If, after three years, the take up of permits drops to less than 50% of all the properties covered by the CPZ, the scheme will be abolished providing all costs are covered for the legal orders and relining works unless retention of the scheme is requested by the ward councillor and a case is made as to why the scheme should continue as an exception. Before a final decision is made on the removal of a CPZ, ward councillors will be notified.

The new CPZ scheme, if implemented, will:

- Require the removal of all advisory disabled bays in the road / proposed area.
- Require the removal of all access lines in the proposed area, if covered by 'no waiting at any time' / 'no loading at any time' restrictions.
- Be a 24hr residents parking zone unless residents express a majority desire for lesser time limited restriction.
- Be combined with any adjacent or nearby existing Controlled Parking Zone, if deemed appropriate by the Council.

CPZ Assessment with Residents

Local residents wishing to request the introduction of a CPZ should in the first instance contact their Ward Councillor (details of which are available at www.torbay.gov.uk). Where Ward Councillors receive numerous requests, access will be provided to a toolkit provided by the Council. This toolkit will provide the appropriate information for the residents to lead and undertake an assessment within the identified area. All information will be provided in the toolkit for ward councillors, which they may delegate to their community representatives to support them in this process.

The assessment will include those in surrounding streets which are not included in the proposed scheme as the issue of displacement (commuters and other motorists changing their parking to the nearest road where parking is unrestricted) must be considered when the scheme is designed and considered by the decision makers.

Criteria for progressing a request for a CPZ from initial Assessment

Once all the completed questionnaires have been received and documented these will be submitted to the Head of Highways, (SWISCo) for analysis of the responses.

When considering the implementation of a new Controlled Parking Zone, the following criteria must be met before progressing to the next stage:

1. Suitably evidenced parking problems within the proposed CPZ associated with commuter or non-residential parking
2. A response rate of at least 75% of those surveyed of the eligible properties
3. High support from residents, evidenced by more than 55% of eligible properties being in favour.
4. Less than 50% of the properties in the proposed CPZ have off street parking, unless requested by the ward councillors and a case is made as to why the scheme should continue as an exception.
6. The parking is having an adverse effect on trade for local businesses in the area. This does not apply to problems with staff parking but for vehicles required for business purposes

Decision Making Process

If, following the initial assessment, the above criteria are met, the CPZ scheme will be drawn under the direction of the Head of Highways (SWISCo). This process requires the relevant plans to be prepared, the Traffic Regulation Order written and the costs to implement the scheme to be ascertained.

The cost of the scheme will cover:

- Advertising costs – a minimum of two adverts will be required (unless objections require further advertisements)
- Cost to install / amend existing signage
- Cost to implement new road markings
- Cost of any remedial works to carriageway to allow marking

The number of spaces that it is possible to be legally and safely marked out in the road will be determined. To calculate the cost of the scheme for residents, the planned cost of the scheme will be divided by the number of spaces and further divided by three to cover the three-year cost recovery time.

The basic cost of resident's permits at that time (£36 at present) will then be added to give the final yearly cost for a permit. These costs are not known until the size and scope of the scheme is designed.

At this stage, a report will be written for the Ward Councillors to present at the Travel Working Party for consideration. The Transport and Parking Working Party will make their recommendation to the Director of Pride in Place as to whether or not the CPZ should be progressed to formal advertisement, subject to sufficient resident take up.

Following approval of a CPZ scheme and prior to further works being undertaken, the Ward Councillors will advise the residents of the outcome and provide details on the up-front costs required to progress further. Application forms will be sent out at this stage with a request for the full up-front costs to be paid. This fee will include all officer time and advertising costs. This part of the fee will not be refundable if the scheme does not progress. If the scheme progresses the first year's permit will be included in the fee.

Once at least 55% of the eligible properties within the proposed scheme have submitted applications within the timescale provided (including the up-front payment), the Traffic Regulation Order will be advertised in line with the legislative process. At this stage formal objections may be submitted by the public.

If objections are not received the scheme will continue to implementation.

If objections or other response are received these will be presented to the Cabinet Lead for consideration for a final recommendation. The Cabinet Lead may, at his/her discretion, request that such consideration is referred to members of the Transport and Parking Working Party for a final recommendation.

The Cabinet Lead or the Transport and Parking Working Party, if thereby referred, will consider all responses to the proposed CPZ and provide a recommendation on whether to reject the objections and proceed to implementation, recommend minor amendments to the proposed scheme to mitigate any objections or fully uphold the objections and reject the scheme.

The Director of Pride in Place will make the final decision in consultation with the appropriate Cabinet Member and any recommendation from the Transport and Parking Working Party and issue a formal Record of Decision.

Implementation

If the decision is made to implement the CPZ, the Traffic Regulation Order for the new parking restrictions will be formally sealed, enabling the appropriate signage and carriageway markings to be implemented and enable them to be enforced. There will be a review of the CPZ after a minimum of twelve months which will be undertaken by the Ward Councillors.

Review of the Scheme

A scheme may be reviewed no earlier than twelve months after full introduction (i.e. after all of the signs/lines have been implemented and the scheme has been in full operation and enforced).

The scheme may be removed if the take up is less than expected and therefore does not fully recover the costs of the scheme.

Any requests for a further consultation for changes to the scheme due to complaints/requests from residents will only be undertaken if funded by the affected eligible properties and will be processed in the same way as for a new request.

CPZ Operational Policies

O1. Size of CPZ

CPZs can cover large areas and include numerous public facilities. This can be a valuable facility for many residents but increases parking pressure in the popular areas, particularly near stations, hospitals, schools, shopping centres and industrial sites where local residents compete with other road users for parking space. Fundamentally the aim of most controlled parking schemes is to help residents to park near their homes by preventing commuters from parking in the area.

Each CPZ will need to be appropriately signed and permits will need to be zone specific to stop inter-related zone parking.

O2. Types of Parking Bays in a CPZ

The following are types of parking bay that can be made available in Torbay CPZs:-

- Resident permit bays
- Business permit bays
- Pay and display bays
- Shared use bays – limited waiting time for non-residents and for permit holders
- Time restricted Disabled bays (not advisory) (amenity areas only)
- Loading bays
- Electric charging bays

O3. Permits General

The section below marked “CPZ Permit Operational Policy – Permits”, explains fully the eligibility criteria for applying for a permit. However, one of the key elements of a parking policy is the regulation of the issue and use of parking permits. It is essential that the integrity of the parking scheme be safeguarded to ensure fairness and to maintain its benefits to genuine residents and businesses. Whilst it will never be possible to completely eliminate fraudulent permit applications, every effort will be made to ensure that as far as possible permits are only issued to bona fide residents and business users and each permit holder is expected to sign the terms and conditions of the permit which includes a statement that they meet the criteria and are a bona fide resident business.

O4. Parking across Crossovers in CPZs

Where there are cross overs in a CPZ, the Council will allow access lines across driveways and the resident can park in front of the driveway but will be required to purchase a permit if they wish to park across their driveway.

O5. Motorcycle Parking

This policy applies to motorcycles and the Council can offer a virtual permit. Motorcycles are not exempt from any parking restrictions in the zone. This applies to any new schemes and existing schemes.

O6. Hours of Control with a CPZ

Hours of control will be considered throughout the consultation process and the TRO signage will advise of the times of operation.

CPZ Permit Operational Policy - Permits

E1 Eligibility Criteria for Residents

It is the intention of any parking permit scheme to ensure that resident parking permits are only available for genuine residents who live within the zone or residents living in properties bordering the zone and these properties are named in the final schedule of the relevant Traffic Regulation Order. For the purpose of this document and other documents relating to CPZs a resident/applicant is classed as anyone whose property is named in the final Schedule of the relevant Traffic Regulation Order for the zone. Similarly business permits are only available for local businesses that use and keep a vehicle. Therefore before being issued with permits applicants must meet criteria that satisfy the Council that they are genuine residents and the vehicle for which they seek a permit is owned or kept by themselves for their use. To this aim a criteria must be set to ensure that:-

- The applicant's address on the application form must be the applicant's sole or main address and is named in the final Schedule of the relevant Traffic Regulation Order for the zone.
- A minimum period must be spent at this address to qualify as a resident e.g. the applicant must spend at least 4 days and nights living and sleeping at the address for a minimum period of 13 consecutive weeks.
- Full Council Tax must be paid on the property i.e. no discount for a second home.
- The applicant must be the registered keeper of the vehicle or in the case of a company vehicle have exclusive use of the vehicle.
- The business is bona fide and within the controlled area.
- The vehicle registration document must be in the name and address of the applicant within the CPZ.

E2. Residential Proof

The following documentation will be needed to prove the criteria has been met:-

- Council or Housing Trust Agreement
- Contents insurance for the property
- Benefit/pension notification dated within the past 10 months
- Tenancy Agreement
- Current Council Tax notification – this can also be checked electronically by the Council

Vehicle Proof:-

- V5c vehicle registration document

Driving Licence

- Current driving licence is required.

All documents must show the name and address of the applicant. The address must show the address within the CPZ.

Very occasionally a genuine resident may not be able to provide all the items of proof of residence required by the criteria. In these cases the applicant will be refused a permit or asked to provide a signed proof of residence from a professionally qualified person.

There may also be other scenarios where applicants cannot supply the required information above and individual circumstances may be taken into consideration and accepted if it can be proved that the qualifying criteria has been met by the applicant.

E3. Eligibility and Proof for Businesses

- The business address must be within the CPZ
- Proof of business rates payable at the property
- Payment is made by the company with no personal payments being accepted
- Vehicle registration or hire leasing document is registered to the business

E4 Number of Permits Issued

Torbay Council will initially limit the number of permits issued within the CPZ to two per household and/or business address.

E5. Charges for second and subsequent permits

Torbay Council may make higher charges for second and subsequent permits. Demand for available space will again be monitored and Torbay may introduce extra charges or increase the number of permit allocations per property if capacity allows within the scheme.

E6. Foreign Registered Vehicles

The DVLA regulations stipulate that a foreign registered vehicle should be re-registered if it is to stay for longer than 6 months in this country. Permit applications for foreign registered vehicles will only be issued with a maximum 6 month period. These permits would not be renewable and no further permits would be issued for the vehicle unless it was re-registered in the UK

E7. Second Homes

For second homes the owners may apply for visitor permits up to a maximum of 365 permits per year upon completion of the application form and payment of the appropriate fee.

E8. Holiday Accommodation, Guest Houses/Hotels

For visitors staying in either guest houses or holiday accommodation the Council will issue to the owners of the properties upon completion of the relevant application form and the appropriate fees as follows:-

- Holiday Accommodation – a maximum of 365 per year
- Guest Houses/Hotels – a maximum of 365 per letting room.

These permits must be sold at face value only and without any extra charges including processing or administration charges. If the Council are made aware that extra charges are being added for these permits, the Council will use their discretion as to whether the visitor permits are withdrawn from the applicant.

E9. Permit Renewals

Permit holders wishing to renew their permits will be required to produce proof of ownership and residence (as outlined in the criteria proofs within this policy) to verify that they continue to be the registered keeper of the vehicle and that they continue to reside within the CPZ. If residents change vehicles during the permit period they must apply for a new permit to be issued against the new vehicle.

E10. Non-Vehicle Specific Permits

A very small number of residents may have difficulty in meeting the criteria for a resident permit because they are provided with a pool car that changes frequently. On these occasions a non-vehicle specific permit will be issued if the resident can provide proof that as part of their employment they need to use various vehicles or are provided with pool cars.

It is essential that the resident meets the full residential criteria to obtain this permit and any abuse of the permit will result in instant withdrawal of the permit.

E11. Oversized Vehicle

Vehicles are required to park within the parking bay markings to avoid being issued with a PCN. Consideration of defining the size/length/height of a residential vehicle is advantageous as it will allow some control of residents who run business from their homes but possess large vehicles in order to run their business.

The measurement used is as follows:-

Height – not exceeding 2.09m (six feet 10)

Length – not exceeding 5.5m (eighteen feet)

The same restriction on height and length is taken on applications for business permits although this will depend on individual cases and specific design criteria for the zone. Consideration may be given to areas in specific zones where parking a vehicle whose dimensions are slightly over the above will be permitted to park in specific bays only. The design criteria and the environment for the residents will be taken into consideration.

E12. Temporary Cover

For a resident who does not normally run a car but wants to hire a vehicle for a limited period, additional residents visitor permits will be provided upon inspection of the hiring agreement for which a charge will be made for the visitor permits and a further administration may be applicable.

E13. Visitor Parking

Visitors to CPZs will be required to display a visitor permit if they wish to park during the enforcement period of the CPZ. Visitor permits will be available to purchase direct from parking Services and will only be available to residents. A maximum of 100 passes a year will be provided to each household.

E14. Permit Charges

The cost of a parking permit must reflect the overheads of enforcement and administration. These issue have been considered by Torbay Council and the following charges currently apply:-

Annual resident permit	£36
2nd and subsequent annual resident permit	£36
Electric Vehicle Permit	£36
One day visitor permits (book of 10)	£15
Essential Visitor Permit	£36
Annual business permit	£100
Second Annual business permit	£100

These charges will be reviewed on an annual basis and may be subject to change (refer to Torbay Council Fees and Charges for up-to-date permit charges). In future these charges may need to reflect the full cost delivery of zones which will include the costs for the refreshing of the signs and lines.

E15. Eligibility criteria for Essential Visitor Permits

The permit is issued when evidence is produced the resident in the CPZ requires ongoing care to be able to live in their own home. The following evidence will be required:-

- Documents resident lives in the CPZ see E2.
- Where a health and emergency car works badge is not sufficient to attend to a resident's health care needs
- Evidence will be required from a health care professional, care is required at home

E16 Electric Vehicle Permit

Where there are electric charging points for vehicles the Council will introduce an electric vehicle permit. The eligibility and evidence required is as above in E1 and E2 but the permit will permit the vehicle to park in a bay for the sole purpose to charge their vehicle and then to move vehicle to park in the relevant bays within the zone, once charging is complete

E17. Applying for a Permit

The Council use online methods to apply for permits and the website will advise of the process, the evidence required and how to make payment. This application process will advise how soon you can park once you have applied.

E.18 Enforcement of the CPZ

The Council aim to enforce each CPZ more often at the outset of the scheme to gain compliance quickly when resources allow. The council would encourage any residents to use the online reporting form to advise of issues being experienced. Enforcement will be requested to attend to monitor the area when residents are experiencing issues of non-compliance in the zone within the relevant enforcement hours. If monitoring shows compliance is high then it is likely the scheme will be enforced less often.

Appendix 1 Flow Chart – CPZ Process Chart

