

County Durham Parking Policies



Altogether better



Executive Summary	ii
1. Introduction	1
2. Policy Context	6
3. Aims and objectives of the Parking Policies Document	13
4. Civil Parking Enforcement and Review of Traffic Regulation Orders	15
5. Parking in Durham City and other Main Towns	17
6. Specialist Parking	21
7. Parking Policies	23
8. Monitoring the Parking Policies Document	39
Appendices	
A. Challenges, Representations and Appeals	40
B. Codes for Parking on the Street and off street	42
C. Annual Parking Report and Parking Account Report	45

Executive Summary

The revised County Durham Parking Policies (2016 – 2019) was approved and adopted by Durham County Council's Cabinet in July 2016. It is intended that these policies will cover a three year period to the end of 2019.

The purpose of the County Durham Parking Policies is to set out the key policies with regard to the provision of both on-street and off street parking and for the civil parking operation. County Durham's parking policies aim to:

1. Integrate traffic management policies with effective on-street and off street enforcement;
2. Provide dedicated on and off street enforcement;
3. Ensure income generated is retained locally and 'ring-fenced' to fund enforcement and highway improvements;
4. Provide parking exemptions, dispensations and waivers for diplomats and others as appropriate;
5. Be responsive to changing priorities, local factors and demand; and
6. React to planned events which will impinge on parking demand and subsequently traffic flow.

This policy document provides information on a range of matters including:

1. The parking functions of the Council;
2. The demand for parking across County Durham, but specifically the County's 12 Main Towns;
3. The Strategic Vision for County Durham as articulated by the Council's Sustainable Community Strategy and its Regeneration Statement;
4. Key policy considerations which have been taken into account in formulating the County Durham Parking Policy document;
5. Parking enforcement and current control and charging arrangements in Durham City and the other town centres in County Durham; and
6. The Councils parking policies.

This policy document is one of a series of daughter documents to Local Transport Plan 3. LTP3 was adopted in April 2012 and aims to support the objectives of the Council's Sustainable Community Strategy aspiration for an 'Altogether Better County Durham' and the Council's Regeneration Statement aims of an 'Altogether Wealthier County Durham' where people want to live, work, invest and visit whilst enabling our residents and businesses to achieve their potential.

Contacts:

Should you have any queries regarding this policy document, please contact the Traffic Management Team:

Traffic Management
Durham County Council
County Hall
Durham
DH1 5UQ

Email: parkingservices@durham.gov.uk

Telephone: 03000 263985

1 Introduction

Purpose of the Parking Policies Document

1.1 The County Durham Parking Policies Document (2016-2019) sets out our approach to parking across all of the towns and the larger and smaller villages of County Durham and to the management of the road network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the Traffic Management Act 2004 Network Management Duty. It also provides a clear and comprehensive framework for operation of Civil Parking Enforcement (CPE) and contains policies to effectively manage parking control and enforce parking restrictions on the road network to:

- To improve road safety;
- To improve the local environment;
- To address the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car;
- To support the local economy;
- To reduce congestion; and
- To manage and reconcile the competing demands for kerb space.

1.2 The policies within this document aim to address all aspects of parking control and cover on and off street parking provision and aims to cater for the differing demands of highway users. It includes policies including those relating to:

- The general application of on and off street parking controls;
- The balance of provision of parking controls;
- The control of parking for residents;
- Disabled Persons Bay provision;
- Business parking;
- Car Clubs;
- Heavy Commercial Vehicles;
- New developments; and
- Electric Vehicles.

1.3 It is intended that the County Durham Parking Policies Document (2016 – 2019) will cover a three year period to the end of 2019. The County Durham Parking Policies Document does not however address standards for new parking provision which are addressed by the provisions of the Council's revised [Parking and Accessibility Guidelines \(2014\)](#).

Why is Parking important?

1.4 Parking is important to many people's daily lives and the function of the economy, it facilitates peoples access to a range of different services and facilities for example shopping, leisure and health facilities and places of employment, as such there are often competing needs and competition for limited spaces available both at on and off street locations.

1.5 While parking will never be a primary motivator for travel, it is an essential element of a journey by private vehicle and is inextricably linked to the journey purpose. The availability, convenience and cost of parking will sometimes be a factor in a person's choice of destination, along with the attractiveness of the destination, the length of the journey and the availability of alternative destination options.

1.6 We do not consider that parking is an issue which can be looked at in isolation. It must be considered as an integral part of a modern and sustainable transport system and as part of decisions taken on spatial land use planning. This is essential in order to encourage and support ways of living which are less car dependent, transport which is more socially inclusive, land use which is more sustainable and towns and villages which are more attractive and user friendly. Control over the availability of parking spaces is also recognised as a key policy driver in limiting car trips which can encourage the use of more sustainable alternatives.

1.7 Durham County Council is committed to a long term strategy for a modern, efficient and sustainable transport system. Effective traffic management including parking control and enforcement is key to achieving this. As a predominantly rural county with a dispersed settlement pattern it is essential that there is sufficient parking of the right type and in the most appropriate locations to support the economy of County Durham, the role and function of our town centres and facilitate planned future development and growth.

The Parking functions of the Council

1.8 Durham County Council is responsible for all aspects of on-street parking on the local highway network, introducing regulations to improve safety and the turnover of spaces and enforcement of regulations by civil enforcement officers. The on street parking role also includes the operation of permit parking schemes. In addition the Council owns a number of off street car parks which are operated for the benefit of the wider community.

1.9 As the local planning authority, the Council is also responsible for developing detailed parking guidelines to ensure that new development provides appropriate levels of parking and access.

1.10 Finally, the Council manages the blue badge scheme on behalf of central government, to enable blue badge holders access to convenient parking locations on and off street suitable for people who have mobility issues.

Demand for Parking

Parking in Town and Local Centres

1.11 Parking in County Durham is the result of demand for other goods and services i.e. it is demand derived from the county's residents, businesses and visitors for other goods and services like food and clothes, leisure and health services, banking and finance services available in town and local centres. Within our town and local centres it is considered that there are two different needs for parking:

- Short stay facilities for those who need to park for a few minutes or hours for example shoppers and other visitors who visit our town and local centres for other attractions, services and facilities; and
- Long stay facilities for those who need to stay for longer periods of time, for example employees based in the town centre.

1.12 Parking is therefore required to support our town and local centres economic vitality. Parking in these centres needs to be suitable for the needs of all relevant users, whether they are the able bodied, disabled persons or those with young children. In addition parking must also be available for car, motorcycles and coaches. Within towns such as Durham City where there are a range of tourists attractions of national and regional importance parking for coaches is particularly important.

1.13 The different types of demand means that the location of the parking can be at varying distances from the town and local centre, with short stay users preferring locations closer to their final destinations, whilst longer stay users often accepting a short walk to their destination. In addition it is particularly important for the provision of parking for the disabled closer to their final destination.

1.14 Irrespective of type, the demand for parking in town and local centres is for safe, well managed facilities that are easily located by the visitor and do not have an unsustainable impact on the local highway network. County Durham's Town and Local Centres are major generators of traffic congestion. This is an issue that the Council is particularly aware of, especially due to the adverse effects of traffic congestion such as air pollution, noise and delays to local bus services.

1.15 Experience has also helped the Council to identify that the demand for parking varies across the towns of County Durham. In particular, Durham City is recognised as having a high demand for parking, accordingly in areas of high demand to promote maximum usage of spaces the Council has tailored its parking approach to promote high usage and discourage commuter parking. Other main towns where car parking demand is recognised as high include Chester-le-Street and Bishop Auckland and Barnard Castle.

Parking in residential streets

1.16 Many of County Durham's towns, in particular Durham City, often display an excess of demand for kerb side parking spaces at certain times of day. This is often the result of competition for on street car parking generated by local residents who have no alternative car parking spaces and demand generated by shoppers and commuters.

1.17 These two types of demand for kerbside space have slightly different characteristics. The demand for residential parking being for long stay parking especially overnight and at weekends in a safe and convenient location close to the home of the car owner. The demand for shoppers and commuters is for much shorter periods of time whilst the car owner is visiting their final destination.

1.18 The competition for kerb side space has led to the introduction of permit parking areas in Durham City centre in 2001 (later extended in 2005 and 2007) and permit parking areas on the outskirts of the city centre in 2010 and 2011.

Parking near Railway Stations

1.19 County Durham contains nine railway stations⁽ⁱ⁾ on four principal railway lines. The provision of adequate car parking at railway stations can help reduce the length of car journeys by attracting people onto rail for the major part of their journey. In addition, it can help avoid or alleviate 'overspill' parking around stations. Increased car parking can, however, encourage more people to use their car instead of adopting more sustainable modes of travel to the station.

1.20 In considering future parking needs at Durham's railway stations, the Council will consider a range of issues in order to understand whether any change of parking provision is required:

- The number of existing parking spaces and the usage of spaces at the station, and the availability of parking in the area surrounding the station;
- The number of stopping train services;
- The length and type of rail journeys;
- The impacts of station traffic on the local highway network; and
- The availability of sustainable transport modes to and from the station.

1.21 The Council works with Network Rail, station and public transport operators to consider parking needs at railway stations and to take into account the needs of both rail users and the local community near to rail stations. In line with the objectives and policies of Local Transport Plan 3 the Council will seek to promote modal shift by encouraging the use of walking, cycling and public transport. Changes to parking at train stations will always need to be considered as part of each stations travel plan.

ⁱ Durham Railway Station and Chester-le-Street Railway Station on the East Coast Mainline; Newton Aycliffe, Heighington, Shildon and Bishop Auckland lying on the Tees Valley Line; Seaham lying on the Durham Coast Line; and Stanhope and Frosterly lying on the Weardale Railway Line.

Special Events Parking in Durham City

1.22 The requirements for long stay parking for workers and visitors, in Durham City is catered for by the Durham Park and Ride service which was introduced in 2006. The Park and Ride supplements existing on street car parking and existing car parks in Durham City and operates on key routes into the city from three sites at Belmont, Sniperley and Howlands. Direct bus services run every 10 minutes to the city centre from three sites and provides shoppers, commuters and visitors to Durham City with a safe, reliable and stress-free alternative to driving into the City.

1.23 The Durham Park and Ride Service is also operated flexibly by the Council through revised opening times to actively support major events within Durham City. Notable events during 2013/14 included the Lumiere Festival, which attracted 175,000 visitors over four days, and the Lindisfarne Gospels with 100,000 visitors to the exhibition over the summer months. Further information regarding the Durham Park and Ride Service including park and ride concessions and smart cards is available from <http://www.durham.gov.uk/parkandride>.

Management of Development Parking

1.24 Management of development parking can be an influential tool to address problems created by lack of supply or over demand. Therefore we have adopted a two strand approach to acceptable parking provision for new development. The first recognises the problems created in residential areas through lack of parking provision and moves from a maximum parking standards in residential areas to minimum standards for different sized residential units.

1.25 Parking supply and demand for non residential development should be considered differently to residential requirements. It is recognised that, in order to influence sustainable travel choices, in some instances retaining maximum provision is desirable. It is considered that control of parking supply at destinations will better influence mode choice. The Council's Non Residential Parking Standards recognise the different requirements between town centre accessible development and other development outside defined settlements. Requirements to support sustainable mode choice are also set out in the Council's parking standards with minimum requirements for cycle parking, electric vehicle (EV) parking and car share space. The standards can be found at [Durham Parking and Accessibility Standards](#).

2 Policy Context

2.1 This section of the document outlines the wide range of policy and guidance documents that have informed the development of the revised County Durham Parking Policy document. It summarises these other documents and is subdivided into a number of sections which introduce key areas of policy at a national, regional and local level. Issues relating to parking are outlined and links associated to transportation issues are identified where appropriate.

The Strategic Vision for County Durham

2.2 The County Durham Parking Policy document must support and help deliver the Council's overall ambitions for the County which are articulated in the 'Altogether Better' The Sustainable Community Strategy (SCS) for County Durham 2010 -2030 (SCS). The SCS sets out our communities' long term vision for the future of County Durham. It describes what the council and our partners in the County Durham Partnership want the county to be like by 2030 and the types of things we will do to get there.

2.3 The SCS aims to achieve a vision for an 'Altogether Better Durham'. This vision comprises of two aims of being an 'Altogether Better Place' which is 'Altogether Better for People'. The vision is to be achieved through organising our improvement actions into a structure comprised of five priority themes.

2.4 The Council's Parking Policy document will support a number of the priority themes and objectives of the SCS:

- The 'Altogether Wealthier' priority theme: In particular the Council's objectives for a 'Thriving Durham City', 'Vibrant and Successful Towns', 'Sustainable Neighbourhoods and Rural Communities' and for County Durham to become 'A Top Location for Business'. It is considered that good car parking facilities can make a significant contribution to the economy through providing access to employment opportunities, services and facilities and by supporting economic development and regeneration activities and the function and role of County Durham's main towns and larger and smaller villages.
- The 'Altogether Greener' priority theme: It is considered that controlling parking can result in the use of sustainable alternatives to the private car and a reduction in the number of car journeys which will have a beneficial impact on the environment by reducing greenhouse gas emissions and other vehicular emissions which will improve local air quality.
- The 'Altogether Safer' priority theme: It is considered that the parking policies document will result in safer highways and contribute to the development of a high quality, safe, sustainable transport environment.

2.5 The County Durham Parking Policy document also supports the County Durham Regeneration Statement which underpins the SCS for County Durham and supports our vision for an 'Altogether Wealthier' Durham. It is considered that the County Durham Parking Policy document will support the Regeneration Statements Key Ambitions and Objectives for:

- ‘Thriving Durham City’ – Effective parking control will help: support the City’s potential as a major retail, business and residential centre, academic hub and visitor destination: it will also help deliver the cultural and tourism ambitions of the City which will benefit the entire County.
- ‘Vibrant and Successful Towns’ – Effective parking control is an integral element of the Council’s ‘Whole Town’ approach which requires coordinated investment in housing, infrastructure, employment, retail, leisure, education and health: it will also help to ensure that the County’s Economic Transport Corridors to function effectively.
- ‘Sustainable Neighbourhoods and Rural Communities’ – Effective parking control will help establish communities where people live, can live and want to live: it will also help to improve equality of access to employment and services.
- ‘A Top Location for Business’ – Effective parking control will help ensure that County Durham remains an attractive location for investment.

National Policy Context

2.6 There are a wide range of policies from central government that have helped inform and develop County Durham’s Parking Policies document. Government Policy is particularly important as it sets out the preferred approach of central Government to which we must accord. The key policy developments which have been issued since the publication of the previous Parking Strategy document (2008-11) are outlined below, however the principal policy remains the Traffic Management Act 2004 which provides for civil enforcement of parking and traffic contravention's.

‘Creating Growth, Cutting Carbon Making Sustainable Local Transport Happen’

2.7 Following the change of government in 2010, a White Paper entitled ‘Creating Growth, Cutting Carbon Making Sustainable Local Transport Happen’, was published in January 2011. The White Paper sets out the government’s vision for a sustainable local transport system that supports the economy and reduces carbon emissions. It also states that local authorities will wish to consider how their parking policies should best fit with their overall transport strategy to meet the needs of their local area. The White Paper identifies the need for a parking policy document to consider parking provision in new residential developments, providing electric vehicle charging infrastructure in new developments and setting aside residential car parking spaces solely for car club vehicles, although the Council has chosen to do this through the separate County Durham Parking and Accessibility Guidelines (2014).

The Traffic Management Act 2004

2.8 The Traffic Management Act 2004 (TMA) imposes an explicit duty upon local authorities to manage their network to reduce congestion and minimise disruption. The Act also provides additional powers to support parking control, including increased scope to take over the enforcement of some driving and parking offences from the Police.

2.9 The Traffic Management Act 2004 sets out a statutory and network management duty for all local authorities to ensure the effective management of their road networks and details the mechanisms through which this is to be achieved. Of particular importance to the parking policy document is Part 6 which provides for the civil enforcement of parking and traffic contraventions. This primary legislation came into effect on 31 March 2008 and determines the enforcement mechanisms that can be used by local authorities in order to effectively manage their road networks.

2.10 The Department for Transport (DfT) issued both the statutory and the operational guidance to Civil Parking Enforcement (CPE) in March 2008 and this was updated in March 2015. This guidance states that CPE should contribute to the authority's transport objectives, and that a good CPE regime is one that uses quality-based standards that the public understands which are enforced fairly, accurately and expeditiously. Civil enforcement under the Traffic Management Act 2004 (TMA 2004) would enable the Council to carry out its duty and ensure the expeditious movement of traffic on its road network through effective enforcement of parking and waiting and loading restrictions.

2.11 The guidance explains that the aim of enforcement authorities should be to increase compliance with parking regulations. This can be accomplished through parking controls which are clear, well designed, legal and enforced. CPE provides a means by which an authority can effectively deliver wider transport strategies and objectives. Enforcement authorities should design their parking policies with particular regard to:

- Managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the TMA Network Management Duty;
- Improving road safety;
- Improving the local environment;
- Improving the quality and accessibility of public transport;
- Meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car; and
- Managing and reconciling the competing demands for kerb space; and
- The guidance also explains that local authorities should ensure that parking in town centres and other shopping areas is convenient, safe and secure, including appropriate provision for motorcycles and deliveries. Parking policies including enforcement should be proportionate and should not undermine the vitality of town centres.

2.12 The revised guidance issued in March 2015 introduces the concept of grace periods. From the 6th April 2015, the law requires that a penalty must not be issued to a vehicle which has stayed parked in a parking place on a road or in a local authority car park beyond the permitted parking period for a period of time not exceeding 10 minutes. The grace period applies to on-street and off-street parking places provided under traffic orders, whether the period of parking is paid for or free. Any penalty charge issued before the expiry of 10-minute

grace period would be illegal, unless the vehicle itself is parked illegally (e.g. where the motorist has not paid any required parking fee or displayed a parking ticket where required)⁽ⁱⁱⁱ⁾.

2.13 Prior to June 2013 the Council operated Civil Parking Enforcement in only four^(iv) of the seven former districts councils of County Durham with enforcement in all other parts of the County previously being the responsibility of Durham Constabulary. Following approval from the Secretary of State to become a Civil Enforcement Authority for the remaining three former districts council areas^(v) CPE was extended to all parts of County Durham on 3 June 2013 and the Council now has responsibility for the enforcement of non endorseable parking contravention's across the whole of the County.

National Planning Policy Framework (2012)

2.14 Planning policies on the provision of parking are now set out in the National Planning Policy Framework (NPPF) published March 2012 which has streamlined national planning policy into one consolidated planning policy document^(vi).

2.15 The NPPF sets out the Governments planning policies for England and how these are expected to be applied. It advises that the purpose of planning is to help achieve sustainable development and considers that transport policies have an important role in facilitating sustainable development as well as contributing to sustainability and health.

2.16 The NPPF states that, where practical, solutions should support reductions in greenhouse gas emissions and reduce congestion. To this end, development should be located in areas that facilitate the use of sustainable transport modes.

2.17 The NPPF specifically advises that Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles. They should set appropriate parking charges that do not undermine the vitality of town centres. Parking enforcement should be proportionate.

2.18 In relation to setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- the accessibility of the development;

ii Grace periods only apply to designated parking places where a person is permitted to park. A road with a restriction (e.g. single yellow line) or prohibition (e.g. double yellow line) is not a 'designated' parking place either during - or outside of - the period of the restriction or prohibition.

iii For example the Council's interpretation is as follows: A vehicle parked on a residents bay overnight when controls are not in place (and the vehicle is allowed to park), will receive a 10 minute grace period from the moment controls commence; A vehicle that parks on a residents bay, shared use bay or pay and display bay when controls are already in force, and the driver does not display a permit/scratch card or pay and display ticket is liable for a PCN **without** the need for a 10 minute grace period (any usual observation periods apply); A vehicle parked on a single yellow line (and not in a designated parking place) outside of the hours of control will be liable to an immediate PCN **without** the 10 minute grace period when controls commence (any usual observation periods apply) ; A vehicle parked in a bay that is not designated for that class of vehicle can receive an immediate PCN **without** the 10 minute grace period if it parks when controls are already in force. 10 minutes grace **will** need to be given if it is parked legally before controls commence (any usual observation periods will apply). Our usual observation period is 5 minutes where required depending on the type of restriction (see Appendix B).

iv Former Districts of City of Durham, Chester-le-Street, Derwentside and Easington.

v Former Districts of Sedgfield, Wear Valley and Teesdale.

vi The NPPF has now replaced all previously published national planning policy guidance relating to transport including Planning Policy Guidance Note (PPG) 13 Transport, Planning Policy Statement 3 (PPS3) Housing which contained policy advice specific to housing development and Planning Policy Statement 4 (PPS4) which contained policy advice specific to non-residential parking.

- the type, mix and use of development;
- the availability of and opportunities for public transport;
- local car ownership levels; and
- an overall need to reduce the use of high-emission vehicles.

Local Policy Context

County Durham Local Transport Plan 3

2.19 The County Durham Local Transport Plan 3 (LTP3) was adopted by the Council in 2012. It was developed having full regard to all relevant policy considerations including the third edition of the Department's Full Guidance on Local Transport Plans, published in July 2009, which states that local authorities should have policies aimed at tackling congestion and changing travel behaviour, which could include restricting and/or charging for car parking.

2.20 LTP3 is structured around five overarching 'national transport goals', each with a number of related challenges. For County Durham, these five national goals together with LTP3 goals are shown in the table below. In addition the five national goals are complemented by a sixth – 'Maintenance of the Transport Asset', which reflects the importance of a quality highway network and other transport infrastructure.

Compatibility of National Transport Goals and Local Transport Plan Goals

National Transport Goals	Local Transport Plan 3 Goals
Support economic growth	A Stronger Economy through Regeneration
Reduce Carbon Emissions	Reduce our Carbon Output
Promote Equality of Opportunity	Better Accessibility to Services
Contribute to better safety security and health	Safer and Healthy Travel
Improve quality of life and healthy natural environment	Improve Quality of Life and a Healthy Natural Environment
	Maintenance of the Transport Asset

2.21 Within our LTP3 there are a number of specific policies relating to parking.

LTP3 Parking Policies

Policy 3 Electric Vehicles

The development of a market for electric vehicles in the county will be supported by:

- Exemption from parking charges for at least 5 years from April 2011 at recharge parking bays.

- Programme of providing electric charging points in public areas in the main towns.
- Developing planning guidelines for the provision of charging points in new commercial and residential developments.

Policy 4 Traffic Management

The Network Management Duty will be carried out in accordance with the priorities identified by the County Council's Network Management Plan in order to maximise the capacity and efficiency of the transport network.

Policy 7 Attitude Change

The County Council will bring about attitude change through publicising the importance of reducing dependence on the private car and encouraging the use of alternative modes of transport, especially for journeys that are made on a regular basis and those of a shorter distance. This will be done in parallel with appropriate infrastructure improvements which will play their part in demonstrating that alternatives to the car can be easy and attractive. Alternative modes will include car sharing and car clubs.

Policy 10 Demand Management

Transport demand on the highway network will be managed by influencing attitudes to the use of the private car and promoting more sustainable modes of transport in order to curb traffic growth, traffic congestion and address carbon reduction. Links with the County Durham Plan will be maintained to ensure that development is only permitted where transport demand can be catered for.

Policy 29 Public Parking

On-street and public parking in towns and other settlements will be managed in order to:

- Provide a sufficient (but not excessive) supply of short term visitor parking;
- Discourage commuter parking in main towns and other residential areas adequately served by public transport; and
- Provide sufficient parking facilities for cycles and motorcycles.

2.22 It is envisaged that LTP3 will be replaced in 2016 by a new Strategic Transport Plan for the North East.

County Durham Plan

2.23 The County Durham Plan^(vii) will be a significant document which the Parking Policy document needs to work alongside. Once adopted it will be the statutory development plan providing the spatial land use planning framework for the County up to 2033. It will replace the 'saved' policies and local plans of the former County and District Councils and will identify the quantity and location of new development across the towns and villages of County Durham and the detailed planning policies that will be used to determine planning applications.

Neighbouring Areas

2.24 As with the national perspective, it is equally important that this policy document reflects what is happening in the region to ensure compatibility not only with neighbouring authorities but with the policies and strategies that have been developed for the whole of the region. Accordingly regard has been given to the parking policies of Council's adjoining County Durham to ensure consistency in approach and in enforcement of parking control.

vii Further information on the County Durham Plan can be accessed on the Council's website www.durham.gov.uk/cdp.

3 Aims and objectives of the Parking Policies Document

3.1 The Aims of the Parking Policy document align with the Objectives of LTP3 as shown in the table below.

Relationship of the aims of the Parking Policies document with LTP3 Objectives

Aims of the Parking Policies document	LTP3 Objectives
Improve Road Safety.	Safer and Healthy Travel
Improve the quality and accessibility of public transport.	A stronger economy through regeneration.
Fulfil the transport role in the delivery and support of a vibrant and efficient economy by managing traffic flow.	A stronger economy through regeneration.
Build livable streets and neighbourhoods by managing and reconciling the competing demands for kerb space.	Improve the quality of life and a healthy natural environment. Better accessibility to Services.
Improve the local environment.	Improve the quality of life and a healthy natural environment. Reduce carbon output.
Meet the needs of people with disabilities.	Improve the quality of life and a healthy natural environment.

Our Objectives

3.2 We judge the success of our parking policies according to how far desired transport aims have been achieved, not the number of Penalty Charge Notices issued. To measure our performance we have developed a number of objectives that are SMART (specific, measurable, achievable, realistic and time bound).

Improve Road Safety

Objectives
Improve road safety by enforcing School Keep Clear restrictions and areas marked by zig zags.
Improve road safety and the local environment by educating drivers about the implications of their actions.

Improve the quality and accessibility of public transport.

Objectives
Increase passenger journeys on the Durham Park and Ride service by continuing to provide a high quality accessible service.

Objectives
Improve quality and accessibility of public transport through the enforcement of bus stop clearway markings and taxi ranks.

Fulfil the transport role in the delivery and support of a vibrant and efficient economy by managing traffic flow

Objectives
Ensure expeditious movement of traffic through the enforcement of waiting and loading restrictions.
Support economic growth by assisting in the organisation of festivals and special events.
Support the local economy through the enforcement of limited waiting bays.

Build livable streets and neighbourhoods by managing and reconciling the competing demands for kerb space

Objectives
Build liveable streets and neighbourhoods through the introduction and effective management of controlled parking zones and areas.

Improve the local environment

Objectives
Preserve the historic environment of Durham city through the enforcement of the Historic Core Zone.

Meet the needs of people with disabilities

Objectives
Meet the needs of people with disabilities by ensuring legitimate use of designated blue badge holder bays.

4 Civil Parking Enforcement and Review of Traffic Regulation Orders

4.1 This section of the policy document provides information on Civil Parking Enforcement and Traffic Regulation Orders.

Civil Parking Enforcement

4.2 Civil Parking Enforcement (CPE) is the name given to the transfer of powers from the Police^(viii) to local authorities for enforcing parking contraventions. CPE gives the Council greater control over illegal or inconsiderate parking. This helps law-abiding drivers, and also benefits pedestrians, cyclists, the emergency services and public transport users.

4.3 The Council is able to issue a Penalty Charge Notice (PCN) where a parking contravention occurs. There are currently two levels of penalty charge. The amount depends on the severity of the parking contravention. Further information on current penalty charges are available in Appendix B (please note the latest position will always be clearly stated on the Council website).

4.4 PCN's are civil debts and will be recovered through the County Court process if it remains unpaid. All revenue obtained through civil parking enforcement is reinvested in the service so it pays for itself. A large proportion of the revenue raised is used to finance the enforcement and adjudication systems, with any remaining surplus revenue used to fund local transport improvements, as outlined in the Traffic Management Act 2004.

4.5 The Council operates the CPE process in an open and transparent manner. Every year we produce an annual report showing how many PCN's have been issued, the number of PCN's which have been cancelled, the amount of money raised and how any surplus income has been used to benefit local transport. Further information on the Council's annual Parking Report including the parking account are provided in Appendix C.

4.6 The Council uses dedicated Enforcement Officers to enforce parking, we tailor patrols to suit each area, varying them when necessary and responding to one-off events where additional officers may be needed.

4.7 The benefits of CPE are well established and include:

- Encouraging sensible and safe parking which benefits all road users;
- Improving access to shops, offices, schools and other premises;
- Improved traffic flow and reduced congestion on the roads;
- Enhanced efficiency in the use of on-street parking (increased turnover of vehicles, maximising use of parking bays);
- Allowing buses and authorised service vehicles to operate more effectively;
- Effective targeted enforcement;

viii Under Civil Parking Enforcement the Police retain sole responsibility for the following parking offences: dangerous parking; obstruction; failure to comply with Police 'no parking' signs placed in emergencies; and any vehicle where security or other traffic policing issues are involved.

- Integration of on-street with off-street parking (car parks) enforcement is possible;
- Single responsibility for parking means greater clarity and simpler perception to the general public; and
- Releasing the police to concentrate fully on crime fighting and other traffic offences (obstruction and moving traffic infringements).

4.8 Following a staged introduction across County Durham, Civil Parking Enforcement is now County Wide and Civil Enforcement Areas (CEA) and Special Enforcement Areas (SEA) now apply.

Review of Traffic Regulation Orders

4.9 It is a requirement for a local authority planning to acquire CPE powers to review its traffic orders and ensure they are consistent with parking enforcement aims and objectives.

4.10 The Council will ensure that every sign and line on street is in accordance with legal Traffic Regulation Orders (TRO's) and that they are available on a map based system. This will be an on-going process as lines and signs require regular maintenance and additions or deletions as orders are introduced altered, or revoked.

4.11 TROs will be constantly under review to establish and address any problems that arise as a result of CPE. The TROs will also be amended to reflect any new priorities established in future transport plans.

4.12 As part of their duties, Civil Enforcement Officers will report any defective lines or signs observed during their patrol. Measures to rectify the reported problems will be taken as soon as practicable.

5 Parking in Durham City and other Main Towns

5.1 County Durham has a population of just over 513,000^(ix) people. Within County Durham there are 12 main towns and over nearly 250 other settlements many with local centres or single parades of shops. Clearly the parking needs of these various settlements differ greatly. The Main Towns in County Durham are:

Main Town Populations by Delivery Area (2011)

Main Town	Car Ownership levels (%)	Population
Durham City	75	43,200
Peterlee/Hordon	68	28,251
Seaham		24,079
Chester-le-Street	73	24,433
Consett/Castleside/Leadgate		35,226
Stanley		16,879
Crook		11,873
Bishop Auckland/West Auckland	72	23,325
Newton Aycliffe incl School Aycliffe		25,727
Sildon		10,363
Spennymoor		17,982
Barnard Castle / Startforth	82	7,040

Source Census 2011. Notes: * LSOA used to define main towns. * Population & Vehicle Ownership data - ONS Census 2011.

Parking in Durham City

5.2 Within Durham City parking is available both on street in designated areas, or off street in public and private car parks.

5.3 On Street Parking - Visitors to Durham City are met with on street parking restrictions. Failure to display a valid ticket or permit in areas subject to parking control will result in a Penalty Charge Notice being issued.

5.4 Parking Controls were first introduced in Durham City in 2000 with the implementation of a Controlled Parking Zone (CPZ). This zone was extended in 2001, 2005 and again in 2007.

ix Source Census 2011

5.5 On Street Pay and Display Short/Medium Stay - Within Durham City the control and charging arrangements have been configured in order to manage demand for car parking:

- **High Demand** - Streets closer to the centre of the City are identified as having a high demand for parking and are charged at a higher rate to encourage a high turnover of spaces and therefore increase availability.
- **Medium Demand** - Streets further from the centre are identified as having a medium demand for parking and are charged at a lower rate than high demand areas.
- **Low Demand** - Streets on the perimeter are identified as having a low demand for parking and are charged at the lowest rate.

5.6 Charges were increased in certain high occupancy pay and display areas in 2010, 2011 and 2012.

5.7 There is no discount for all day parking to discourage long stay car parking in the city centre.

5.8 Long Stay Car Parking - The requirements for long stay parking for workers and visitors, in Durham City is catered for by the Durham Park and Ride service which was introduced in 2006. Three sites were identified after an in-depth assessment of their suitability and designed to minimise their environmental and visual impact. The city's priority measures for buses allow easier access to the City centre, and have reduced congestion at peak periods, as well as reducing conflict in the town for the limited supply of long-stay parking spaces.

5.9 The Durham Park and Ride Service operates on the key routes into the city from three sites at Belmont, Sniperley and Howlands. The Park and Ride supplements existing on street car parking and existing car parks in Durham City and provides a direct bus service runs every 10 minutes to the city centre from three sites and provides shoppers, commuters and visitors to Durham City with a safe, reliable and stress-free alternative to driving into the City.

5.10 Parking at Park and Ride sites is only available to those people purchasing a Park and Ride bus ticket and using the bus service, as the service is financed by passenger fare income. Parking and walking, cycling, or car sharing from the sites is not permitted.

5.11 All of our Park and Ride sites have achieved the 'Park Mark Safer Parking Award' in recognition of providing a safe and secure environment through the introduction of proven management processes, physical measures and site security systems. The Park and Ride sites are manned and have CCTV security cameras relayed to a central control office at the Belmont site manned at all times of operation.

5.12 A recent customer satisfaction survey found that 100% of those surveyed rated the Park and Ride service as good or very good overall. In addition, in March 2014 Durham Park and Ride won 'Best Car Park Operation Award' at the British Parking Awards, highlighting the best in parking management, design and innovation. The Durham Park and Ride Service is also operated flexibly by the Council through revised opening times to actively support major events within Durham City such as the LUMIERE festivals held in 2009, 2011 and 2013 and the hosting of the Lindisfarne Gospels in 2013. Further information regarding the Durham Park and Ride Service is available from <http://www.durham.gov.uk/parkandride>.

5.13 Permit Areas - Streets that have a high proportion of residential parking and offer little or no capacity for commuter/shopper parking are identified as Permit Areas. Cars Parked in these areas without a permit are issued with a Penalty Charge Notice by a Civil Enforcement Officer. Residents of these areas are able to purchase a permit which exempts them from charge.

5.14 Off Street Parking - There are 3 public off street car parks at the Sands, Sidegate and Providence Row providing 260 spaces managed and enforced by the County Council's contractor NSL services.

5.15 Parking for Motorcycles - Motorcycles may park in any on street bay free of charge. Additionally there are areas specifically for motorcycles on Framwellgate Waterside and Claypath.

5.16 Parking for Cycles - Cycle parking facilities are located in Durham City at a number of locations. The most common form of cycle parking are Sheffield Stands, but cycle boxes are provided at a number of locations including at the Park and Ride Sites and at Freemans Quay Leisure Centre. Through work to deliver the County Durham Cycling Strategy and Action Plan work is underway to audit existing cycle routes parking infrastructure. The Council's intention is to build a high quality network of cycle routes and cycle parking infrastructure.

Parking in County Durham's other Main Towns and Settlements

5.17 On Street - All on street parking in areas other than Durham City are currently free of charge. Some areas are subject to parking in designated spaces, have designated limited waiting and loading bays and have dedicated disabled person spaces. Where designated spaces are provided they are generally well used.

5.18 On street parking in areas adjacent to the centres is uncontrolled. There is substantial on-street parking capacity on unrestricted roads close to the major centres.

5.19 Areas where parking is not permitted are indicated by yellow lines and are subject to a traffic regulation order.

5.20 The responsibility for enforcement of all limited waiting, disabled bays, loading bays and yellow lines is now undertaken by Durham County Council following the introduction of County Wide Civil Parking Enforcement in June 2013.

5.21 A number of County's Main Towns where demand for car parking space is high are market towns. The very nature and geography of those settlements makes it difficult to identify additional development opportunities to increase parking provision. Over time, development opportunities have decreased and in some locations it is now impossible to find any available land. This contrasts with the increasing reliance on cars to access certain settlements where public transport is not available. The Council will however continue to work with developers and partners to maximise any future opportunities as they arise.

5.22 Off Street – The County Council provide some, but not all, Off street public parking. Tariffs and terms of use for these car parks vary across the County and enforcement within the car parks is carried out by the Council's appointed contractors.

Availability of Information on Off-Street Car Parking in County Durham

5.23 Full details of the off street parking across County Durham is set out within Appendix A of the Parking and Transport Infrastructure Annual Report which is published on the Council's website.

6 Specialist Parking

Disabled Parking

6.1 Disabled parking is provided through the blue badge scheme. This enables drivers or passengers to park close to where they need to go and in places where other drivers are not permitted to ensure that they have access to public facilities. The County Council is committed to continuing its discretionary support of the blue badge scheme within its managed off-street car parks in addition to its obligations to the on-street national scheme.

6.2 There are a number of dedicated disabled persons bays placed throughout County's main towns. Additionally vehicles displaying a disabled persons badge may park in any on street pay and display bay free of charge with no time limit.

6.3 Please note within Durham City, parking space in the private Prince Bishops Car Park for disabled persons is provided by Durham City Shopmobility. Although Shopmobility is subsidised by Durham County Council with income from parking control in the City there is a charge for disabled badge holders to park in this car park.

6.4 The Council places a high priority on addressing the misuse of disabled persons parking bays and the misuse of disabled car parking badges.

Heavy Goods Vehicles (HGVs)

6.5 Heavy goods vehicles (HGVs) play an important role in the economy of the County transporting goods to and from properties and businesses. However, inappropriate and illegal HGV parking can cause disruption to residents and other road users.

6.6 The Council will work closely with delivery firms and residents and local businesses to identify any issues associated with loading and unloading of HGVs and to identify solutions to any problems. There is a need for sufficient HGV parking in off street locations and lay-bys to discourage inappropriate parking.

6.7 HGV driver hours are regulated in the UK by Vehicle and Operator Services Agency (VOSA) and are determined by European legislation which restricts the number of hours per day to 10 hours and to a total of 56 hours per week. They are required to take mandatory rest periods, including overnight parking in order to comply with this legislation. Adequate lorry parking should be provided to cater for drivers that need to rest within the County. Reviews will be undertaken to assess existing lorry parking facilities and to identify locations where additional facilities may be required.

Coaches

6.8 Many visitors to the County arrive by organised private coaches. It is therefore important that adequate coach parking is provided in appropriate locations to serve the needs of the tourist and visitor economy.

6.9 Inappropriate and illegal coach parking on the public highway can be a safety hazard and cause disruption to other road users. The Council will work with coach operators and relevant stakeholders including representatives of the tourism industry to improve and where necessary increase coach parking facilities within the County.

Motor homes

6.10 Provision for parking motor homes is made in all of our Park and Ride sites. Unfortunately we are unable to accommodate motor homes within our off street or on street parking facilities due to the size of the vehicles.

Taxis and private hire vehicles

6.11 The operation and use of taxis and private hire vehicles within County Durham are an integral part of local transport arrangements, being used for a variety of purposes including to fulfil journeys from start to finish and to connect with other public transport services.

6.12 To enable taxis to effectively fulfil this role there is a need for taxi ranks at appropriate locations throughout the County. This helps to provide access to key services, public transport hubs (bus and rail stations) and to support the evening and night time economy.

6.13 Illegal stopping of cars and other vehicles within taxi ranks causes disruption to the efficient operation of taxis. CPE will enable instances of illegal parking and stopping within taxi ranks to be prevented with contravention's being subject to enforcement measures and the issue of a Penalty Charge Notice.

7 Parking Policies

7.1 Durham's parking policies aim to:

- Integrate traffic management policies with effective on-street and off street enforcement;
- Provide dedicated on and off street enforcement;
- Be responsive to changing priorities, local factors and demand;
- Ensure income generated is retained locally and 'ring-fenced' to fund enforcement and highway improvements; and
- React to planned events which will impinge on parking demand and subsequently traffic flow.

Policy 1: General application

Parking controls will be introduced where necessary to assist the flow of traffic, improve road safety, to manage demand or to meet other strategic transport objectives.

All parking controls will be introduced in accordance with relevant legislation, protocols and guidance.

Guidance and Interpretation

7.2 This policy provides for the provision of all types of parking control. The need for such controls should take into account:

- The requirements of the Traffic Management Act 2004 which requires Highway Authorities to expedite the efficient movement of traffic on its road network and to work with neighbouring Highway Authorities;
- The responsibility of the Highway Authority to improve the safety for road users;
- Transport Plan objectives to encourage greater use of sustainable transport;
- Environmental aspects of highway management, particularly air quality;
- The need to achieve a reasonable balance of parking demands and to provide an appropriate level of parking for local communities.
- The role of parking control in the regeneration of commercial areas.
- improving the quality and accessibility of public transport;

- meeting the needs of disabled people, some of whom will be unable to use public transport systems and depend entirely on the use of a car; and
- managing and reconciling the competing demands for kerb space of:
 - residents;
 - shops;
 - businesses;
 - visitors, especially where there are many tourist attractions and hotels;
 - pedestrians;
 - delivery vehicles;
 - buses, taxis, private hire vehicles and coaches;
 - cars;
 - bicycles; and
 - motorcycles.

7.3 Whilst the policy facilitates the introduction of parking controls, their provision will need to take account of financial and staff resources which will need to be prioritised. Where County Council financial resources are not available, third party funding of parking controls may be permitted if the proposed measures are consistent with policy requirements.

7.4 Parking should only be restricted or prohibited where there is a recognised constant safety or access problem to be addressed or where demand for available space needs to be managed. Restrictions or prohibitions of parking i.e. yellow lines or clearways will not be used as a way of meeting other strategic objectives. These objectives should be met by managing rather than prohibiting or restricting parking. This could include controlling the duration of stay, designating parking areas for specific use or by applying parking charges.

7.5 Parking restrictions should not be used in predominantly residential areas to control inappropriate parking. Any Obstruction offences should be dealt with by the local constabulary through enforcement where necessary.

Policy 2: Balance of provision

Parking controls will be introduced to secure a reasonable balance of all parking, and often conflicting, needs, for motorised and non-motorised vehicles, taking into account strategic transport objectives and the need to secure appropriate provision for local communities.

Guidance and Interpretation

7.6 Key to the success of area wide parking controls is achieving a reasonable balance of often conflicting needs. In formulating parking control proposals the needs of the various users of the highway network should be taken into account.

Policy 3: Prohibition of Waiting (yellow lines)

Prohibition of waiting (double or single yellow lines) will be considered with the support of Durham Constabulary where parking of vehicles for any length of time will cause significant congestion or are required to address recognised road safety problems.

Guidance and Interpretation

7.7 A prohibition of waiting restriction applies from the centre of the carriageway to the back of the highway on the side of the road that the lines are applied.

7.8 Vehicles are permitted to load/unload from these locations provided they comply with the observation times (Policy 11), do not cause an obstruction and the area is not also subject to a loading restriction (Policy 4).

7.9 Vehicles are permitted to stop at these locations for as long as it may be necessary to allow a passenger or passengers to board or alight.

7.10 Blue Badge Holders are permitted to park for up to 3 hours at these locations provided they comply with the blue badge legislation, are not causing an obstruction and the area is not also subject to a loading restriction (Policy 4).

7.11 A vehicle displaying a Blue Badge parked causing an obstruction may be subject to a Fixed Penalty Notice issued by a police officer.

Policy 4: Prohibition of Loading/Unloading (yellow kerb marks)

Prohibition of loading/Unloading (double or single yellow kerb marks) will be considered where parking of vehicles will cause significant congestion or the manner and type of vehicle loading constitutes a road safety hazard.

Guidance and Interpretation

7.12 A prohibition of loading restriction applies from the centre of the carriageway to the back of the highway on the side of the road that the lines are applied.

7.13 Vehicles are permitted to stop at these locations for as long as it may be necessary to allow a passenger or passengers to board or alight.

7.14 Vehicles are not permitted to load/unload from these locations.

7.15 Blue Badge Holders are not permitted to park at these locations.

Policy 5: Limited Waiting (parking bays)

Limited waiting may be introduced in commercial areas to support commercial viability by creating a turnover of space to allow multiple users to access nearby facilities.

Guidance and Interpretation

7.16 Vehicles are permitted to be parked for as long as may be necessary to enable goods to be loaded/unloaded at these locations, provided they comply with observation times (Policy 11).

7.17 Blue Badge Holders are not subject to time limits at these locations provided they comply with the blue badge legislation.

Policy 6: Motorcycle Parking

Demand for motorcycle parking can generally be met by on-street parking bays. In areas of high demand such as in city and town centres, consideration will be given to designated bays solely for motorcycle parking. Secure motorcycle parking facilities will be introduced to meet local demand.

Guidance and Interpretation

7.18 In recent years, there has been an increase in the number of motorcycles and scooters owned by local residents and used by others to visit our towns and city.

7.19 Motorcycles and scooters bring some benefits in that they take up less road space than cars, and are generally more environmentally friendly in terms of emissions.

7.20 Given the difficulty of securely displaying a permit or pay and display ticket motorcycles are exempt from charges in any on street pay and display bays and Council owned off street car parks. Motorcycles also are not required to display a permit when parked in a permit holder only area.

Policy 7: Electric Charging Bays

To cater for the anticipated increase in electric vehicle ownership, bays will be reserved specifically for electric vehicles to recharge at strategic locations.

Guidance and Interpretation

7.21 Where Electric Charging Bays are located within a pay and display area there may be a charge for occupying the bay as well as a charge for drawing current. In areas not subject to pay and display there will be a charge for drawing current.

7.22 Any electric vehicle parked in an electric vehicle charging bay that is not connected to the charging post will be parked in contravention and will receive a Penalty Charge Notice.

7.23 If a charging post is not operational/missing then the bay can be used by electric vehicles provided they comply with the conditions of use of non charging bays.

Policy 8: On Street Pay and Display

On street pay and display may be introduced in areas where convenient parking is in high demand and the required duration of stay can vary considerably.

Guidance and Interpretation

7.24 Pay and display parking allows the driver to choose the length of stay required but also ensures a turnover of available space to encourage high usage. This is intended to support the commercial activities in a retail area. Usage of pay and display bays will be managed by the manipulation of the tariff charged.

7.25 Vehicles are permitted to load/unload from these locations provided they comply with the observation times (Policy 11).

7.26 Vehicles are permitted to stop at these locations for as long as it may be necessary to allow a passenger or passengers to board or alight.

7.27 Blue Badge Holders are permitted to park without being subject to the charge provided they comply with the blue badge legislation.

Policy 9: Off Street Pay and Display

Off street pay and display parking may be introduced in Durham County Council owned car parks in areas where parking demand is high and it is desirable to manage duration of stay.

Guidance and Interpretation

7.28 Providing good value, attractive and safe off street parking will contribute towards effective traffic management, economic growth and provide improved access to many members of the community.

7.29 Off Street Pay and Display car parks are typically introduced in town centre locations where commuters occupy spaces that ideally would be used by visitors. The introduction of off street pay and display parking is intended to support the commercial viability of town centres by increasing parking availability for visitors and therefore increasing footfall.

7.30 Income from off street pay and display contributes to the cost of running the car parks and covers items such as non domestic rates, water rates, winter maintenance etc.

Policy 10: Loading

Loading bays may be provided to support the commercial viability in commercial areas.

Guidance and Interpretation

7.31 Adequate opportunities for loading and unloading should be provided to support the viability of shops and businesses. This is particularly important for local community shops that generally have no off-street loading provision.

7.32 Loading is also permitted on areas where a “no waiting” restriction exists (Policy 3 / 11) provided the offence of obstruction is not being committed.

7.33 For vehicles to be exempt from enforcement action in a loading bay the vehicle must be seen to be actively involved in a loading and/or unloading operation. The Council will determine continuous loading to be when activity within the vehicle is seen to take place by a Civil Enforcement Officer during a 5 minute observation period (20 minutes in the case of commercial vehicles).

7.34 There is no time limit on the duration of a loading activity.

Policy 11: Observation Times/Grace Periods (See also Appendix B)

When determining if a vehicle is parked in contravention of a Traffic Regulation Order the vehicle will be observed for a period as detailed in Appendix B to ascertain whether a permitted activity is taking place.

Guidance and Interpretation

7.35 A penalty Charge Notice will not be issued to a vehicle, which is parked in a parking place, within 10 minutes from first being observed as being in contravention of the restriction. This grace period applies to on street and off street parking places provided under traffic regulation orders, whether the period of parking is paid for or free. Any penalty charge issued before expiry of the 10 minute grace period would be illegal, unless the vehicle itself is parked unlawfully (e.g. where the motorist has not paid any required parking fee or displayed a parking ticket where required).

7.36 Examples of where the grace period do and don't apply are:

- A vehicle parked on a residents bay overnight when controls are not in place (and the vehicle is allowed to park), will receive a 10 minute grace period from the moment controls commence.
- A vehicle that parks on a residents bay, shared use bay or pay and display bay when controls are already in force, and the driver does not display a permit/scratch card or pay and display ticket is liable for a PCN **without** the need for a 10 minute grace period (any usual observation periods apply).
- A vehicle parked on a single yellow line (and not in a designated parking place) outside of the hours of control will be liable to an immediate PCN **without** the 10 minute grace period when controls commence (any usual observation periods apply).
- A vehicle parked in a bay that is not designated for that class of vehicle can receive an immediate PCN **without** the 10 minute grace period if it parks when controls are already in force. 10 minutes grace **will** need to be given if it is parked legally before controls commence (any usual observation periods will apply).

7.37 For further clarification on grace periods and observation times see Appendix B.

Policy 12: Disabled Parking

Disabled persons parking places may be provided on street within commercial areas to assist disabled badge holders to access services.

To provide greater opportunities for blue badge holders to access disabled persons parking places, in areas of high demand, limits on the duration of stay may be introduced to achieve greater turnover of use.

Guidance and Interpretation

7.38 These mandatory bays may be enforced at any time of the day and will be supported with a traffic regulation order.

7.39 Subject to the determination of any objections through the normal statutory traffic regulation order process, disabled persons parking bays may be provided. However, the use of these bays cannot be restricted to an individual blue badge holder and must be available for use by any blue badge holder.

7.40 Disabled persons parking bays will not be introduced in residential areas where little or no demand from commercial premises is evident.

7.41 Disabled persons parking bays will not be provided for use by an individual resident, or property, in residential areas.

7.42 Disabled persons parking bays will not be introduced without a legal order and the appropriate regulatory signing.

Policy 13: Blue Badge Enforcement

Inspection of blue badges will be in line with 'The Blue Badge Scheme – Local Authority Guidance (England)' and 'The Blue Badge Scheme: rights and responsibilities in England' produced by the Department for Transport.

Guidance and Interpretation

7.43 The Council is keen to ensure that the Blue Badge Scheme provides the intended benefits to badge holders while seeking to prevent improper use. By virtue of Section 94 of the Traffic Management Act 2004, enforcement officers (as defined in Disabled Persons Parking Badge Act 2013) have the power to inspect badges.

7.44 It is an offence to fail to produce a badge when requested to do so by an enforcement officer.

7.45 Anyone found to be displaying a blue badge in contravention of the Blue Badge legislation and relevant Traffic Regulation Order will be issued with a Penalty Charge Notice.

7.46 Anyone found to be using a blue badge fraudulently will be recommended for summons to court for prosecution under the appropriate Act. The blue badge may also be seized and returned to the issuing authority.

Policy 14: Permit parking

Permit Parking Areas will only be introduced in line with the following qualifying criteria:

- 1. Permit parking areas will only be considered for residential streets within commercial areas which are subject to a high demand for long stay commuter parking.**
- 2. Initial requests for a permit parking scheme must be accompanied by support from at least 25% of the households in the street and supported by the local Councillors or is raised by the local Councillor on behalf of the residents.**
- 3. More than 40% of kerbside space is occupied by non-residents for over six hours in the survey period and more than 85% of kerbside space is occupied by any vehicles during the same six hours.**
- 4. Where support has been gained from at least 75% or above of the properties included within the proposed permit area.**

Guidance and Interpretation

7.47 The Council will not designate bays or areas for resident only parking.

7.48 The introduction of permit only restrictions inevitably results in displaced parking affecting neighbouring streets and can impact on a town's vitality and economic wellbeing if not planned and implemented correctly.

7.49 Permit parking can often cause inconvenience to residents, their visitors and families and may not be considered an acceptable or worthwhile solution by all residents.

7.50 Permit parking areas are designed to displace long stay commuter parking but not short stay visitors. To this end a permit scheme will only operate for 1 hour in the morning and 1 hour in the afternoon (excludes Durham City).

7.51 Where permit areas are introduced, bona-fide residents shall, subject to any control on the number of permits available, be able to:

- a. purchase permits allowing them to park in any space within their area; and
- b. purchase visitors' permits which would provide access for visitors to any space within the area.

7.52 Permit parking areas will not be used to address problems associated with school gate parking.

7.53 The level of development in the county is anticipated to increase parking pressures in urban areas and it is expected that there will be increasing demand for parking schemes. The provision of parking controls will form part of area wide proposals with the level of parking provided for residents balanced with other local needs Any new development or redevelopment of an existing property that leads to an increase in the number of dwellings will not necessarily qualify for the provision of parking permits.

Policy 15: Charges

Charges may be levied for designated parking spaces and Permit Holder Areas.

Guidance and Interpretation

7.54 Any charges will be sufficient to cover administration, operation, review and enforcement costs and may generate a financial surplus for investment in parking or highway and environmental improvements.

7.55 The level of permit charge will also take account of strategic parking and transport demand management objectives.

7.56 Income from parking needs to be managed efficiently to ensure that all the associated costs are met. This needs to include all administration, operation, review and enforcement costs and parking charges will need to be reviewed regularly to ensure they reflect any increased costs. A key principle is that all parking charges may generate a surplus but the use of any surplus shall be restricted to investment in parking, public transport, highway or environmental improvements.

7.57 The cost of on-street parking will be set higher than for any public off-street parking in the area to make the use of off-street parking more financial attractive than on-street parking in the general interests of road safety and access.

7.58 On street charges will also take into account the availability and cost of alternatives such as Park and Ride.

7.59 Motorcycles are exempt from pay and display and permit charges because of the difficulties of displaying a parking ticket or permit on the vehicle.

7.60 Disabled persons badge holders will be exempt from on street pay and display and permit charges.

7.61 The level of charges will be reviewed annually.

Policy 16: Car Club Bays

Parking bays specifically allocated for the use of car clubs may be introduced in areas where a demand for such is justified.

Guidance and Interpretation

7.62 A Car Club is an organisation that provides cars to be booked by individuals on a pay-as-you-go basis.

7.63 The level of parking provision for residents can be reduced by the provision of parking bays for car clubs. Once established as viable schemes, car club operators should be expected to contribute towards administration, operation, review and enforcement costs.

7.64 The location of car club bays within controlled parking areas will need to take into account existing provision and demand for commuter/visitor parking and where possible not be to the detriment of such.

Policy 17: School 'Keep Clear' markings (No Stopping)

'School Keep Clear' restrictions will be introduced only in conjunction with an appropriate Traffic Regulation Order and only in areas around a school where there is a higher than expected footfall.

Guidance and Interpretation

7.65 School 'Keep Clear' markings define an area of no stopping. Their purpose is to create an area around school pedestrian entrances where there is clear inter-visibility between drivers and pedestrians for road safety purposes.

7.66 Vehicles observed contravening these restrictions will be issued with a Penalty Charge Notice. This will be issued by post if the offending vehicle is driven off before the enforcement officer can place the notice on the vehicle.

Policy 18: 'Bus Stop' clearways (No Stopping)

Bus Stop Clearway restrictions will be introduced at bus stops where it is likely that public transport service access will be hindered by parked vehicles.

Guidance and Interpretation

7.67 These are areas of no stopping. Their purpose is to allow unhindered access to bus stops by public transport. This reduces congestion, improves road safety and allows ease of access to public transport particularly for the mobility impaired.

7.68 Vehicles observed contravening these restrictions will be issued with a Penalty Charge Notice. This will be issued by post if the offending vehicle is driven off before the enforcement officer can place the notice on the vehicle.

Policy 19: Enforcement

Enforcement will be conducted in accordance with Government legislation and guidance.

Guidance and Interpretation

7.69 Enforcement will be carried in a fair and consistent manner and will comply with the relevant 'Traffic Management Act, Operational Guidance to Local Authorities: Parking Policy and Enforcement' and any other subsequent or amended policies and/or guidance.

Policy 20: Waivers

With the agreement of the Authorised Officer a parking waiver can be purchased to allow vehicles to park on waiting restrictions to carry out essential work or services to premises where constant access to the vehicle is required and no other convenient parking is available.

Guidance and Interpretation

7.70 Parking waivers do not allow parking in bus stops or taxi ranks, school keep clears, disabled bays or where a loading ban applies. A waiver does not permit a vehicle to cause an obstruction.

7.71 The Council recognise that there are some circumstances where vehicles need to be parked in such a way that they cannot comply with the regulations, for example shop fitters or scaffolding lorries. The Council will issue special waivers to allow these vehicles to park without attracting penalties if it is considered safe to do so.

7.72 A waiver can be issued which is valid for one day and will exempt a vehicle from the Traffic Regulation Order restrictions. An administration charge will be applied to waivers. There is no discount for multiple days, weeks or months or for periods less than a day.

7.73 A waiver does not allow a vehicle to cause an obstruction.

7.74 A waiver will only be issued where constant access to the vehicle is required. Where appropriate and indicated by the Parking Manager materials should be off loaded and the vehicle relocated to an authorised parking area.

Policy 21: Vehicle Removals

Only persistent evaders (3 outstanding Penalty Charge Notices which have progressed to enforcement agents and returned unrecovered) may have their vehicles removed.

Guidance and Interpretation

7.75 Compliance factors will be periodically reviewed and discussions between Durham Constabulary and the Council will establish the need for vehicle removals in County Durham.

Policy 22: Representations

The Council's Authorised Officer will consider challenges, representations and appeals against Penalty Charge Notices (PCN's). Decisions to set aside a PCN can only be taken by the Authorised Officer or his representative. For the purpose of this Policy the Authorised Officer is the Corporate Director Regeneration and Economic Development.

Guidance and Interpretation

7.76 The grounds on which representations may be made are set out in the regulations and must be stated on the Notice to Owner (NtO).

7.77 Representations must be to either or both of the following effects:

- that, in relation to the alleged contravention on account of which the NtO was served, one or more of the grounds specified apply; or

- that, whether or not any of those grounds apply, there are compelling reasons why, in the particular circumstances of the case, the enforcement authority should cancel the PCN and refund any sum paid on account of it.
- Representations must be made within 28 days of service of the NtO. Discretion will be exercised when a vehicle owner gives a valid reason for the delay and has strong grounds for representations.

Policy 23: Driveway Protection/Keep Clear

Driveway protection/keep clear markings will only be considered in residential areas where parking is generated as a result of nearby business, retail, leisure, educational or similar facilities.

Guidance and Interpretation

7.78 Where driveways are continuously obstructed by vehicles using nearby facilities such as shops, sports facilities or schools consideration will be given to the introduction of driveway protection/Keep Clear markings.

7.79 Driveways obstructed as a result of the number of residents vehicles in a residential area will not be considered for driveway protection or Keep Clear markings. This type of obstruction should be dealt with between neighbours. It is expected that neighbours park considerately and respectfully.

7.80 Driveway protection/Keep Clear markings are advisory markings and cannot be enforced by Civil Enforcement Officers. If a vehicle is parked on a driveway protection/Keep Clear marking it should be reported to the Police on the non-emergency telephone number 101.

Policy 24: Turning Heads in Residential Areas

Waiting restrictions in turning heads will not be considered in residential areas.

Guidance and Interpretation

7.81 Turning heads are designed to allow vehicles to turn easily at the end of roads and are not designed as parking areas. However, due to the increase in car ownership there is often limited kerb space in residential areas to accommodate residents vehicles and consequentially turning heads are used for parking.

7.82 Where turning heads are continuously obstructed by vehicles using nearby facilities such as shops, sports facilities or schools consideration may be given to the introduction of waiting restrictions.

7.83 Waiting restrictions will not be used to resolve neighbourly disputes. Turning heads obstructed as a result of the number of residents vehicles in a purely residential area will not be considered for waiting restrictions. This type of obstruction should be dealt with between neighbours however if this is not possible then the obstruction should be reported to the Police on the non-emergency telephone number 101.

Policy 25: Heavy Commercial Vehicles

Parking by Heavy Commercial Vehicles (HCV) in urban areas should be reported to the Driver and Vehicle Standards Agency (DVSA) for enforcement of the HCV licensing conditions.

Guidance and Interpretation

7.84 Operators of commercial vehicles over 3.5 tonnes must hold an operator's license, which requires them to provide off-street parking for their vehicles when not in use. If an operator breaches these conditions, DVSA can take disciplinary action to curtail, suspend or revoke their license. Local residents can report any concerns about operators parking their goods vehicles on the road side to DVSA direct.

7.85 If the vehicle is privately owned and not used to carry goods then it can legitimately park on the highway provided it is under 7.5 tonnes in weight and does not contravene any waiting regulations or cause an obstruction.

7.86 A heavy goods vehicle (HGV) over the weight of 7.5 tonnes (usually identifiable by a yellow/red chevron board on the rear of the vehicle) parking overnight on the highway will be brought to the attention of the Police, as such vehicles should be parked at the commercial operating address. The Police may then object to the continuation of the Operator's License when it comes up for renewal.

7.87 Any vehicle causing an obstruction, but not contravening any waiting restrictions, should be reported to the Police on the non-emergency telephone number 101 who may consider whether the obstruction is severe enough to warrant enforcement.

7.88 Any HCV parked and the occupant(s) are suspected of causing a littering offence or perceived antisocial behaviour, details of the vehicle will be passed to other authorities for further enforcement/prosecution action.

Policy 26: Enforcement at Dropped Kerb Crossing Points

Enforcement of parking across dropped kerb crossings will be subject to staff availability and location and primarily limited to town centre locations where accessibility is being severely compromised.

Guidance and Interpretation

7.89 Parking adjacent to a dropped kerb becomes a contravention where a vehicle is parked on the carriageway alongside a place where the footpath, cycle lane or verge has been lowered to the level of the carriageway to enable easier passage to:

- Pedestrians crossing the carriageway;
- Cyclists leaving or entering the carriageway; and
- Vehicles that enter or exit a property across a footpath.

7.90 The Highway Code rule 243 advises drivers that 'Except when forced to do so by stationary traffic, **DO NOT** stop or park:

- where the kerb has been lowered to help wheelchair users and powered mobility vehicles, or where it would obstruct cyclists; and
- in front of an entrance to a property.

7.91 The extent at which obstruction is considered as a contravention code 27 of parking adjacent to a dropped footway includes the height transition kerb stones between the lower and higher part of the kerb.

7.92 During 2008 the Department for Transport deemed it unnecessary for the use of road markings or road signs to illustrate a prohibition for parking across a dropped kerb. Therefore enforcement authorities can issue penalty charge notices without the need for a Traffic Regulation Order.

7.93 Exemptions to the contravention of parking at dropped kerbs are:

- Setting down or picking up passengers;
- Loading or unloading a vehicle providing there are no loading and unloading bans in place;
- Vehicles used by emergency services;
- Vehicles parked on the carriageway across a dropped kerb that have the occupiers consent;
- Waste collection trucks; and
- Road work vehicles.

Policy 27: Caravans and Trailers

Enforcement action will be applied to Caravans/Trailers stored on the highway or on other public land.

Guidance and Interpretation

7.94 Caravans/trailers stored on the highway or public land constitutes an obstruction of the highway within the meaning of S137 of the Highways Act 1980.

7.95 Owners will be given 14 days to remove their caravan/trailer. If the caravan/trailer is not removed within this period further action will be taken which may involve removal and or disposal. Any costs associated with action taken will be the responsibility of the owner.

Policy 28: Use of Surpluses

Any surpluses generated through Civil Parking Enforcement will be invested by the Council in parking, public transport or highway improvements in accordance with County Council priorities.

7.96 English authorities outside London must keep an account of all income and expenditure in respect of designated (i.e. on-street) parking places which are not in a Civil Enforcement Area, designated (i.e. on-street) parking spaces which are in a Civil Enforcement Area and their functions as an enforcement authority. All authorities must comply with Part 2 of the Local Government Transparency Code 2014 (<http://tinyurl.com/l4jpoef>) which sets out the minimum data that local authorities should be publishing, including on parking. If an authority makes a surplus on its on-street parking charges and on- street and off-street enforcement activities, it must use the surplus in accordance with the legislative restrictions in Section 55 of the RTRA 1984 (as amended).

7.97 Previous guidance said that local authority parking enforcement should be self-financing as soon as practicable. This is still a sensible aim, but compliant applications for CPE will be granted without the scheme being self-financing. However, authorities will need to bear in mind that if their scheme is not self-financing, then they need to be certain that they can afford to pay for it from within existing funding. The Secretary of State will not expect either national or local taxpayers to meet any deficit.

8 Monitoring the Parking Policies Document

8.1 In order to understand effectiveness and in order to inform future reviews it is essential that the Council monitor and report upon the Parking Policy document. Monitoring and reporting is an important part of accountability. The transparency given by regular and consistent monitoring and reporting will help the public understand and accept civil parking enforcement. Monitoring also provides the Council with management information for performance evaluation and helps to identify where it needs to improve. Monitoring activity also enables the identification of any unintended consequences of individual policies and allows consideration of whether the Council's policies are still relevant.

8.2 The Council will monitor the Parking Policy document through the annual Parking and Transport Infrastructure Report. In addition the Council also publishes on an annual basis a report called the 'Parking Account' which provides details of our income and expenditure relating to administration, enforcement, on and off street parking, park and ride, the Durham City Road User Charge and Council operated bus stations. Together these two reports contain a range of detailed financial, statistical and performance targets which the Council must publish in accordance with guidance issues by the Secretary of State. Further information is set out in Appendix C. In addition to the matters set out in Appendix C the Parking and Transport Infrastructure Annual Report will in future monitor a number of equality and diversity issues in order to ensure that the document does not have an adverse impact on certain protected characteristics under the Equalities Act.

A Challenges, Representations and Appeals

We receive in excess of 10,000 items of written correspondence throughout the year relating to challenges, representations and appeals.

All officers dealing with these aspects are well versed in the collection, interpretation and consideration of evidence; writing full, clear but concise responses and presenting our case to adjudicators when necessary. Officers will always give proper consideration to extenuating or mitigating circumstances and respond in a timely manner.

We are also aware of our duty to act fairly and proportionately and will exercise discretion sensibly and reasonably and with due regard to the public interest. We always approach the exercise of discretion objectively and without regard to any financial interest in the penalty or decisions that may have been taken at an earlier stage in proceedings.

We aim to respond to all correspondence in the time periods recommended by the Secretary of State, which are currently 14 days for challenges and 21 days for representations. We consider that this is necessary to resolve any dispute at the earliest stage and to foster good customer relations. Once we have come to a decision, the person making the challenge, representation or appeal will be advised promptly what we have decided to do and why.

Specified Grounds for Representation

The grounds are:

1) That the alleged contravention did not occur.

This includes cases where a vehicle was allegedly loading or unloading in accordance with a Traffic Regulation Order, where a Penalty Charge Notice was allegedly issued too early by the Civil Enforcement Officer, or where a vehicle was allegedly displaying a valid permit, ticket, voucher or badge.

2) That the recipient: never was the owner of the vehicle in question; had ceased to be its owner before the date on which the alleged contravention occurred; or became its owner after that date.

Where a recipient makes representations under the second or third circumstances above, he or she is legally obliged to include a statement of the name and address of the person to whom the vehicle was disposed of (or from whom it was acquired, as the case may be), if they have that information.

3) That the vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner.

This ground for representations covers stolen vehicles, and vehicles which were not stolen but which were used without the owner's consent. It may apply in limited circumstances where a vehicle was being used by a member of the owner's family without the owner's consent, such as where the family member has no permission to use the vehicle and has taken the keys without the owner's knowledge.

4) That the recipient is a vehicle-hire firm and: the vehicle in question was at the material time hired from that firm under a vehicle hiring agreement; and the person hiring it had signed a statement of liability acknowledging his liability in respect of any Penalty Charge Notice served in respect of any contravention involving the vehicle.

The Secretary of State suggests that the Notice to Owner requests that the hire-firm supply to the authority the name and address of the person hiring the vehicle at the material time and a copy of the statement of liability. This information should be used to issue a second Notice to Owner on the person hiring the vehicle (who is deemed to be the owner of the vehicle for the purposes of processing the Penalty Charge Notice).

5) That the penalty charge exceeded the amount applicable in the circumstances of the case.

6) That there has been a procedural impropriety on the part of the enforcement authority.

The regulations define a procedural impropriety as a failure by the enforcement authority to observe any requirement imposed on it by the Traffic Management Act or the Traffic Management Act Regulations in relation to the imposition or recovery of a penalty charge or other sums. It includes, in particular, the taking of any step, whether or not involving the service of a document and the purported service of a Charge Certificate in advance of the time scale set out in the regulations. This will also be ground for a representation against a Penalty Charge Notice that has been served if a fixed penalty notice, as defined by section of the Road Traffic Offenders Act 1988, has been given in respect of that conduct, or the conduct constituting the parking contravention in respect of which the penalty charge notice has been given is the subject of criminal proceedings. This is only likely to be the case on or near pedestrian crossings.

7) That the Order which is alleged to have been contravened in relation to the vehicle concerned is invalid. This ground is only available in limited circumstances, because it does not apply to orders to which Part VI of Schedule 9 to the Road Traffic Regulations Act 1984 applies.

8) In the case where a Penalty Charge Notice was served by post on the basis that a Civil Enforcement Officer was prevented by some person from fixing it to the vehicle concerned or handing it to the owner or person in charge of the vehicle, that no Civil Enforcement Officer was so prevented.

That the Notice to Owner should not have been served because the penalty charge had already been paid in full or by the amount reduced by any discount set within the period set.

Other grounds

Any other reason not listed above which is felt should be considered.

B Codes for Parking on the Street and off street**OBSERVATION TIMES**

01 Parked in a restricted street during prescribed hours. £70.00 (parking on a waiting restriction during the hours of operation) (Observation period – 5 minutes)

02 Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force. £70.00 (parking or loading/unloading on a waiting restriction when a loading ban indicated by kerb markings is also in force) (Observation period – None)

05 Parked after the expiry of paid for time. £50.00 (parked after the time shown on the pay and display ticket.) (Observation period – 5 minutes to cover loading/unloading)

06 Parked without clearly displaying a valid pay & display ticket. £50.00 (parked without displaying a pay and display ticket or where the pay and display ticket has been obscured, is the wrong way round or has fallen to the floor.) (Observation period – 5 minutes)

16 Parked in a permit space without displaying a valid permit. £70.00 (to be used in a Permit Parking Zone where no permit is displayed) (Observation period – 5 minutes)

18 Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited £70.00 (observation period – None)

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. £50.00 (parked in residents' parking bay while displaying a permit that has expired or is incorrectly completed or is partially obscured) (Observation period – 5 minutes)

21 Parked in a suspended bay / space or part of bay/space. £70.00 (Observation period – None)

22 Re-parked in the same parking place within one hour of leaving. £50.00 (Observation period – None)

23 Parked in a parking place or area not designated for that class of vehicle. £70.00 (e.g. in coach stands, Loading Bays restricted to Goods Vehicles Only and motorcycle bays) (Observation period – None)

24 Not parked correctly within the markings of the bay or space. £50.00 (with one or more wheels outside the bay markings) (Observation period – None)

25 Parked in a loading place during restricted hours without loading. £70.00 (parked in a loading bay without any activity being observed) (Observation period – 5 minutes, 20 minutes for commercial vehicles)

26 Parked more than 50cm from the edge of the carriageway and not within a designated parking place. £70.00 (Observation period – None)

27 Parked adjacent to a dropped footway. £70.00 (Observation period – None)

30 Parked for longer than permitted. £50.00 (parked in a limited waiting bay beyond the time allowed) (Observation period – 5 minutes)

40 Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge £70.00 (this also includes where the disabled person's badge is displayed the wrong side up, with the details obscured, the clock not displayed where required and where the badge has expired) (Observation period – None)

42 Parked in a parking place designated for police vehicles. £70.00 (Observation period – None)

45 Parked on a taxi rank. £70.00 (Observation period – None)

48 Stopped in a restricted area outside a school when prohibited. £70.00 (parked on a mandatory School Keep Clear marking during the restriction period) (Observation period – None)

49 Parked wholly or partially on a cycle track or lane. £70.00 (mandatory cycle lane or track) (Observation period – None)

99 Stopped on a pedestrian crossing and/or crossing area marked by zig-zags. £70.00 (Observation period – None)

Codes for parking off street

73 Parked without payment of the parking charge. £50.00 (Observation period – 5 minutes)

74 Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited. £70.00 (Observation period – None)

80 Parked for longer than the maximum period permitted. £50.00 (Observation period – 5 minutes)

81 Parked in a restricted area in a car park. £70.00 (any area marked with diagonal yellow lines or hatching. The areas are normally in front of doorways, work areas or areas where the parking of a vehicle may be dangerous or cause an obstruction) (Observation period – None)

82 Parked after the expiry of time paid for in a pay & display car park. £50.00 (Observation period – 5 minutes)

83 Parked in a car park without clearly displaying a valid pay & display ticket. £50.00 (Observation period – 5 minutes)

86 Parked beyond the bay markings. £50.00 (with one or more wheels outside the bay markings) (Observation period – None)

87 Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge. £70.00 (this also includes where the disabled person's badge is displayed the wrong side up, with the details obscured, the clock not displayed where required and where the badge has expired) (Observation period – None)

89 Vehicle parked exceeds maximum weight and/or height permitted in the area. £70.00 (the maximum permitted weight is indicated on the tariff board signage at the entrance to the car park and/or adjacent to the Pay and Display machines if applicable) (Observation period – None)

92 Parked causing an obstruction. £70.00 (parked in such a position so as to cause an obstruction to other vehicles, or to pedestrians where it may cause danger. An example would be where a car is parked next to or on a ramp or on the approach road into a car park) (Observation period – None)

93 Parked in car park when closed. £50.00 (the hours of operation should be clearly displayed on signage at the entrance to the car park and/or adjacent to the Pay and Display machines) (Observation period – None)

95 Parked in a parking place for a purpose other than the designated purpose for the parking place. £50.00 (Observation period – 5 minutes)

C Annual Parking Report and Parking Account Report

In accordance with the Local Government Transparency Code 2014 the Council as Civil Parking Enforcement Authority will report upon its enforcement activities every year. In recent years the Council has published two separate reports:

- The Civil Parking Enforcement Report - This report details our enforcement activities over the previous financial year; and
- Parking Account Report - This report details our income and expenditure.

Both of these reports are published within six months of the end of each financial year on the Council's website on its 'Street parking enforcement and fines' web page^(x). Collectively both of these reports cover the financial, statistical and other data set out in Annex A of the 'The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions'^(xi).

Appendix A of the Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions requires the following information should be reported:

Financial

- Total income and expenditure on the parking account kept under section 55 of the Road Traffic Regulation Act 1984 as modified by regulation 25 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.
- Breakdown of income by source (i.e. on-street parking charges and penalty charges).
- Total surplus or deficit on the parking account.
- Action taken with respect to a surplus or deficit on the parking account.
- Details of how any financial surplus has been or is to be spent, including the benefits that can be expected as a result of such expenditure.

Statistical

- Number of higher level penalty charge notices issued.
- Number of lower level penalty charge notices issued.
- Number of penalty charge notices paid.
- Number of penalty charge notices paid at discount rate.

x The 'Street parking enforcement and fines' web page can be accessed here:
<http://www.durham.gov.uk/article/3492/Street-parking-enforcement-and-fines>

xi The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions can be accessed here: <https://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions>

- Number of penalty charge notices against which an informal or formal representation was made.
- Number of penalty charge notices cancelled as a result of an informal or a formal representation is successful)..
- Number of penalty charge notices written off for other reasons (e.g. an error by the civil enforcement officer or driver untraceable).
- Number of vehicles immobilised.
- Number of vehicles removed.

Performance against targets

- Performance against any parking or civil parking enforcement targets.
- Authorities should note the recommendations throughout this.
- Guidance on the areas where such targets might be appropriate.

Should you have any queries regarding the County Durham Parking Guidelines please contact:

Traffic Management Team:
Traffic Management
Durham County Council
County Hall
Durham
DH1 5UQ

Email: parkingservices@durham.gov.uk

Telephone: 03000 263985

