

NORTH LINCOLNSHIRE COUNCIL

**HIGHWAYS, PLANNING AND ENERGY
CABINET MEMBER**

PARKING DISPENSATIONS AND SUSPENSIONS

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 To seek Cabinet Member approval for a scale of fees and charges for the processing of parking dispensations and suspensions.

2. BACKGROUND INFORMATION

- 2.1 On 1 March 2010 the council introduced Civil Parking Enforcement (CPE) throughout North Lincolnshire.
- 2.2 Circumstances do and have arisen where individuals need to park in restricted areas for longer than is permitted or where parking is otherwise restricted. In such cases it may be appropriate for the council to issue a dispensation or to suspend a parking restriction, for which they are authorised to make a charge.
- 2.3 A dispensation can be granted to allow for such things as building works or removals to take place but only where there is no reasonable alternative parking available (see also Appendix 1). A suspension can be granted for such things as special events which take longer than the permitted time allowed to park on that restriction (see also Appendix 1).
- 2.4 The Traffic Regulation Order, which covers all the parking restrictions, does contain exemptions for certain organisations; for example, the emergency services and for vehicles being used in connection with the maintenance of roads, the laying, erection or alteration of sewers, gas, water, electricity or telecommunications equipment and vehicles being used in the service of the local authority in pursuance of its statutory powers or duties.
- 2.5 Some of the organisations whose vehicles are included in the exemptions have a statutory right to work in the highway and/or are covered by other legislation, such as the New Roads and Street Works Act (NRSWA) and the Traffic Management Act (TMA). The system of dispensations and the charges associated therewith applies principally to vehicles which do not fall into the above categories and are usually associated with work off the highway but have an essential need to wait in the highway for the undertaking of that work.

2.6 In deciding whether or not a dispensation is required, consideration will be given to the nature of the work, whether or not it falls into the exempted categories and, particularly, whether the persons or organisations undertaking the work are covered otherwise by highway-related legislation, such as the NRSWA or the TMA.

2.7 The highway authority will endeavour to apply the system of dispensations and suspensions fairly and equitably, including the charges applied, taking into account the nature of the work being undertaken. Consideration may be given to waiving costs, for example, in the case of town or parish council sponsored community activities.

3. OPTIONS FOR CONSIDERATION

3.1 Whether to approve the scale of charges as described in Appendix 1 to this report.

4. ANALYSIS OF OPTIONS

4.1 Approving the charges would cover the administrative and signage costs associated with granting a suspension or dispensation.

4.2 Not approving the charges would mean the council would not be able to recoup the costs incurred, which would result in a pressure on the 2010/11 highways revenue budget.

4.3 The charges would be introduced with immediate effect.

5. RESOURCE AND OTHER IMPLICATIONS

5.1 Finance

5.1.1 The proposed scale of fees and charges as shown in Appendix 1 will cover associated costs.

5.2 Staffing

5.2.1 The administration of the scheme can be covered from within existing staffing resources.

5.3 Property

5.3.1 None.

5.4 I.T.

5.4.1 An on-line application form will be created and made available to the general public.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Statutory

6.1.1 In our application to the Department for Transport (Dft) for CPE powers, we stated that we would have an appropriate policy for the management of dispensations and suspensions. The council is authorised by The Local Authorities (Transport Charges) Regulations 1998 (S.I. 1998 No. 948) to make charges, which cover costs.

6.2 Environmental

6.2.1 Allowing the parking of vehicles close to where the works/special event is taking place may reduce the need for multiple trips to the site and therefore lessen the environmental impact.

6.3 Diversity

6.3.1 A Stage 1 diversity impact assessment is available to inspect in the Safer Roads Team, Church Square House.

6.4 Section 17 – Crime and Disorder

6.4.1 In considering requests, the road safety and possible crime implications of any requests can be assessed by the council.

7. OUTCOMES OF CONSULTATION

7.1 In setting the scale of fees and charges, research has been carried out and comparisons made with charge levels in neighbouring authorities.

7.2 The report has been seen by the council's Legal Services Team, who have no objections to the proposals.

8. RECOMMENDATIONS

8.1 To approve the level of fees and charges detailed in Appendix 1.

SERVICE DIRECTOR HIGHWAYS AND PLANNING

Church Square House
P O Box 42
Scunthorpe
DN15 6XQ
Author: Sally Walker
Date: 18 June 2010

Background Papers used in the preparation of this report:

Dft Application for Civil Parking Enforcement .

Comparisons with neighbouring authorities.

North Lincolnshire Borough Council (Various Streets) (Prohibition and Restriction of Waiting and Street Parking Places) (Consolidation) Order 2009

APPENDIX 1

What is a Dispensation and Suspension?

A **Dispensation** allows a vehicle to be parked where parking restrictions apply (e.g. double/single yellow lines/loading bays) to allow for building works/removals etc. to take place. A dispensation is only granted in certain situations where it is essential that the vehicle needs to be on site or where no alternative parking is reasonably available. A dispensation only applies to a specific vehicle, on the date and location specified.

An example of where it may be essential for a vehicle to be on site is where the vehicle contains a generator needed for the works. Conversely, it would be expected that any equipment / tools be unloaded and alternative parking arrangements made, or if loading / unloading construction materials or spoil, then the vehicle should only be parked on site for the shortest period necessary to complete that operation.

Applications will not be granted where there is reasonable alternative off street parking nearby or if the reason the application is convenience rather than necessity. Dispensations will not be granted where parking would cause danger or serious obstruction to other road users or pedestrians.

A **Suspension** allows a vehicle to park within a Parking Bay if the bay is required for longer than the maximum stay the parking regulations allow.

There are only certain specific circumstances where parking places may be used to allow for building operations, removals, delivery of goods, special events etc., which may take longer than the permitted regulations allow.

- The council will take a balanced view when determining requests for suspensions or dispensations.
- Emergency suspensions or dispensations may be granted immediately, but only in very exceptional circumstances and certainly not simply as a result of lack of forward planning by the applicant.

Applying for a Dispensation or Suspension?

All applications should be received at least five working days before the required date. There is a £15 administration charge per application for the first day, and £10 for every day following, up to a maximum of £145. Suspensions or dispensations will not normally be granted for longer than fourteen days (including weekends). If there is reason to extend beyond fourteen days, additional charges may apply.

Applications to temporarily suspend off-street car park bays will be considered and charges will reflect the potential loss of income plus administration costs.

Charges will only apply when an application is granted.

To apply, please download the pdf below and send to the address shown.
Alternatively, you can complete the online form or e-mail, telephone or write to the council at the following addresses:

Email: parking.services@northlincs.gov.uk

Telephone 01724 297000

Address: North Lincolnshire Council, Parking Services, PO Box 42, Church Square House, Scunthorpe, DN15 6XQ

Note: You will need a suitable reader to view the pdf document. A reader can be downloaded free from the Adobe website (full instructions for downloading the reader are provided on the site).