



# County Durham Parking Policies (2024 – 2028)

**Draft for consultation - November 2024**

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## Executive Summary

The revised County Durham Parking Policies (2024 – 2028) was approved and adopted by Durham County Council's Cabinet in 2024. It is intended that these policies will cover a four-year period to the end of 2028.

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:

- Integrate traffic management policies with effective on-street and off-street enforcement
- Provide dedicated on and off-street enforcement
- Ensure income generated is retained locally and 'ring-fenced' to fund enforcement and highway improvements
- Provide parking exemptions, dispensations and waivers for diplomats and others as appropriate
- Be responsive to changing priorities, local factors and demand; and
- 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:

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

This policy document is one of a series of daughter documents to Local Transport Plan 3(LTP3). 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](mailto:parkingservices@durham.gov.uk)

Telephone: 03000 263985

# 1. Introduction

## Purpose of the Parking Policies Document

1. The County Durham Parking Policies Document (2024-2028) sets out our approach to parking across all 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.
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.
3. It is intended that the County Durham Parking Policies Document (2024 – 2028) will cover a four year period to the end of 2028. 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 Parking and Accessibility Standards (2019).

## Why is Parking important?

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.

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.
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.
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**

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.
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.
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 in Town and Local Centres**

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.
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 tourist attractions of national and regional importance parking for coaches is particularly important.
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.
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.
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, Bishop Auckland, Seaham and Barnard Castle.

### **Parking in residential streets**

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.
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.



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.
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 a 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.
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.
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. 4 County Durham Parking Policies 1 Introduction Special Events Parking in Durham City.
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 15 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.
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 include the Lumiere Festival, which can attract around 200,000 visitors over four days and the Durham Brass Festival. Further information regarding the Durham Park and Ride Service including park and ride concessions and smart cards is available from: [Durham City Park and Ride - Durham County Council](#). Management of Development Parking.

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 maximum parking standards in residential areas to minimum standards for different sized residential units.
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. These standards can be found at within the County Council's Parking and Accessibility Standards (2019) document.

## 2. Policy Context

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. The Council Plan for County Durham (2024-28)<sup>1</sup> is part of the framework which provides a 'golden thread' through the organisation from high-level strategic plans, through service plans and ultimately to teams and individuals. The Council Plan is the key corporate planning document which sets out our direction for the medium term. It shows how the Council will take forward the vision and sets out how we will make the council more efficient and fit for the future.
3. The County wide vision has been supplemented with priorities which includes the environment. The climate emergency is one of the most important issues facing humankind today. Whilst it is a global issue, there is a lot that can be done locally to respond to this challenge. The Council declared a climate emergency in 2019. The target, as an organisation, is to be net zero by 2030, with an 80% reduction to emissions. This will be achieved through offsetting, supporting low carbon vehicles, active travel and a reduction of unnecessary vehicle use through increased fares to fast internet and greater support of public or shared transport, and working with others across the council. This will further reduce emissions contribute towards our aim of a carbon neutral county by 2045.
4. The Council's Parking Policy document will support a number of the themes, priorities and objectives concerned with the economy and environment. 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.
5. 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.
6. 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.

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See Appendix D for references

## National Policy Context

7. 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 (2016-19) include:
  - Statutory guidance for local authorities in England on civil enforcement of parking contraventions (October 2022)<sup>2</sup>
  - The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 (S.I. 2022/71)
  - The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022 (S.I. 2022/576)
  - Parking Policy in England (27 June 2022)<sup>3</sup>
  - DfT operational sustainability strategy 2021 to 2025<sup>4</sup>
  - Decarbonising transport Climate smart parking policies (Local Government Association)<sup>5</sup>
  - Pavement parking: options for change (2020)<sup>6</sup> (the council provided a response to the consultation but is awaiting final recommendations from Government).
8. The legislation remains the Traffic Management Act 2004 (TMA) which provides for civil enforcement of parking and traffic contraventions.
9. 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.
10. 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.
11. 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

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See Appendix D for references

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.

12. 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
- 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.

13. The revised guidance issued in March 2015 introduced the concept of grace periods. From the 6 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).

14. The Council has responsibility for the enforcement of non endorseable parking contraventions across the whole of the County.

15. The Re-Think (Parking on the High Street)<sup>7</sup> document found that there was a relationship between amount of car parking and footfall levels and amenities in the town centre. It could not establish a clear relationship between car parking charges and the level of amenities; however, it did find that:

- 'The mid-range and smaller groupings of centres that charge more than the national average in accordance with their offer, suffered a higher than average decline in footfall for 2011.'
- The report is not conclusive that there is an exact relationship between tariffs and footfall but other reports such as the Portas Review (2011)<sup>8</sup>, Grimesey Review (2013)<sup>9</sup> underline the importance of parking in achieving more vibrant high streets.
- The British Parking Association supports the Positive Parking Agenda, a programme inspired by its local authority members, aiming to change the way parking is perceived nationally so that parking is all about "improving access to services and the economic vitality and vibrancy of town centre and high streets".
- The issues that impact on the health of a town centre is various, multi-faceted, overlapping and ultimately complex. The size of the centre, the public transport alternatives, consumer demographics, the composition and quality of the retail and leisure offer, the proximity of competing destinations, and many more issues, all play their part in the decision-making process for the consumer.
- The Grimesey Review states that, 'Each town needs a customer-led parking strategy, catering to the different needs of workers, visitors and local residents'
- The onset of online shopping, out of town shopping and now Covid 19 may lead to the erosion of traditional centres unless there is a plan to re-vitalise. 'Re-think (Parking on the High Street) document states, 'not thinking strategically about car parking can be an extra step towards the erosion of the town centre's viability and lead to the under-utilisation of a centre's assets.'

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See Appendix D for references

## National Planning Policy Framework (2023)

16. Planning policies on the provision of parking are now set out in the revised National Planning Policy Framework (NPPF) published December 2023<sup>10</sup>.
17. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It advises that the purpose of planning is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
  - a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
  - an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
18. Section 9 of the NPPF is specifically concerned with Promoting Sustainable Transport. NPPF paragraph 108 (e) states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.
19. NPPF paragraph 110 (d) goes on to advise that planning policies should provide for attractive and well-designed walking and cycling networks with supporting facilities such as secure cycle parking (drawing on Local Cycling and Walking Infrastructure Plans).

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See Appendix D for references

20. NPPF paragraphs 111 to 112 provides guidance on the setting of local parking standards for residential and non-residential development, and advises that policies should take into account:
- a) the accessibility of the development;
  - b) the type, mix and use of development;
  - c) the availability of and opportunities for public transport;
  - d) local car ownership levels; and
  - e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.
21. In addition, maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of the NPPF, Making Effective Use of Land). In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists. As part of the County Durham Plan, a dedicated SPD has been produced for Parking and Accessibility which reflect the requirements of the NPPF.

### **North East Transport Plan 2021-2035**

22. It is the first region-wide Transport Plan for the seven local authority areas in the North East, covering two Combined Authorities, brought together by what was the North East Joint Transport Committee but is now the North East Combined Authority as of May 2024, which is led by an Elected Mayor and cabinet. This North East Transport Plan sets out the transport priorities for our region up to 2035 and recognises the different needs of communities in the region. It is made up of around 243 schemes worth £6.8bn of transport investment. It considers why we travel, how those trips are made and how journeys can be improved. The Plan is for everyone, young and old, and for people traveling to, from, and within North East England.
23. The North East Transport Plan vision is: 'Moving to a green, healthy, dynamic and thriving North East'.
24. The objectives of the Transport Plan are:
- Carbon-neutral transport
  - Overcome inequality and grow our economy
  - Healthier North East
  - Appealing sustainable transport choices
  - Safe, secure network.



## **County Durham Parking and Accessibility Supplementary Planning Document (SPD) 2023**

25. Previously, the Council has set out its parking and accessibility requirements as a more general guidance document, for developers and officers to have regard to in assessing schemes. As part of the Examination in Public of the County Durham Plan, which took place in 2019/20, it was recommended by the Planning Inspector that this guidance be reviewed and set out more formally as an SPD. This would give the document greater status and make it a supporting document for Policy 21 (Delivering Sustainable Transport) of the County Durham Plan. The SPD has been developed in accordance with the Planning Practice Guidance (NPPG) and other relevant guidance and will replace the previous Parking and Accessibility Standards 2019.
26. A review of the 2019 standards was undertaken in 2023 and was adopted by Cabinet in 2023.
27. The 2023 guidelines for parking and accessibility<sup>11</sup> have been devised to help everyone understand how much parking space is required on development sites. They are designed to make sure there is enough parking at our homes and for our shops and employment locations. A higher provision of Electric Vehicle Charging Points will also be required at places of employment, supermarkets and other retail development. The standards also have been designed to encourage the more sustainable modes of travel including walking, cycling and use of public transport.

### **Durham City Sustainable Transport Delivery Plan 2019-35**

28. The Durham City Sustainable Transport Delivery Plan (DCSTDP)<sup>12</sup> provides a framework to deliver improvements to the Durham City transport network in order to promote sustainable travel. The Delivery Plan is a mixture of short and longer-term measures and supports both the existing and proposed Local Plan for the City, the existing Local Transport Plan and also the Durham City Air Quality Action Plan.

### **County Durham Plan 2020**

29. The County Durham Plan (CDP)<sup>13</sup> was adopted by the Council in October 2020 and is the statutory development plan providing the spatial land use planning framework for the County up to 2033. Infrastructure is a key element of the Plan and seeks to ensure that together with the delivery of new homes and business space, that transport opportunities and concerns are also considered and addressed through the planning decision making process.
30. Policies 21 to 24 of the CDP provide the key planning justifications covering sustainable transport. The council is committed to delivering a high quality

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See Appendix D for references

integrated and sustainable transport network which supports our aspirations for a strong economy, a vibrant tourism offer and improved quality of life for all of our residents, including reducing air pollution and emissions of CO2.

31. Whilst the CDP cannot directly change people's travel behaviour, it can help provide more sustainable transport choices. It is crucial therefore that the council, developers and other stakeholders deliver sustainable transport choices as development sites come forward via the planning system.
32. The CDP specifically focuses on Durham City, by seeking to reduce the dominance of car traffic, address air quality and improve the historic environment, through Demand Management and Sustainable Transport Improvements.

### **County Durham Plan Residential Amenity Standards Supplementary Planning Document (SPD) 2023**

33. This document replaces the previous version of the Residential Amenity SPD (January 2020). The SPD builds upon policies set down in the County Durham Plan and will form a material consideration for determining planning applications. It contains specific requirements that need to be taken into consideration when residential development proposals come forward. This SPD should be read alongside the Plan, along with further supplementary guidance as appropriate, and other key design guidance, for example the National Design Guide/Code, Manual for Streets and Secured by Design.
34. The SPD requires that where a garage is to be accessed directly from the road, it should be provided with a minimum drive length of 6 metres to ensure that a vehicle can be parked fully within the curtilage of the property so as not to obstruct the highway.

### **Durham County Council Charge Point Delivery Plan 2021**

35. Durham County Council's Charge Point Delivery Plan (CPDP) identifies specific actions the Council will undertake to increase the charge-point network in the county to facilitate the uptake of electric vehicles. The plan outlines 5 key actions which will facilitate the uptake of electric vehicles across County Durham for residents, businesses, and the Council's own fleet. The Plan additionally complements the Council's Climate Emergency Response Plan.

### 3. Aims and objectives of the Parking Policies Document

1. The aims of the Parking Policy document are to:
  - Improve Road Safety
  - Improve the appeal, quality and accessibility of public transport
  - Fulfil the transport role in the delivery and support of a vibrant and efficient economy by managing traffic flow
  - Build livable streets and neighbourhoods by managing and reconciling the competing demands for kerb space
  - Improve the local environment
  - Meet the needs of people with disabilities
  - Improve the access to Carbon-neutral transport within the county
  - Improve the access to more sustainable modes of travel
  - The provision of a safe and secure transport network.

#### **Our Objectives**

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 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.
  - Increase passenger journeys on the Durham Park and Ride service by continuing to provide a high quality accessible service.
  - Increase quality and accessibility of public transport through the enforcement of bus stop clearway markings and taxi ranks.
  - 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 liveable streets and neighbourhoods through the introduction and effective management of controlled parking zones and areas.
  - Preserve the historic environment of Durham City through the enforcement of the Historic Core Zone.
  - 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

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

### Civil Parking Enforcement

2. Civil Parking Enforcement (CPE) is the name given to the transfer of powers from the Police 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.
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. 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.
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 is provided in Appendix C.
6. The Council uses dedicated Civil 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.
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
  - 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).
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.
  9. 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.

### **Review of Traffic Regulation Orders**

10. 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.
11. 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.
12. 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.
13. 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

1. County Durham has a population of over 500,000 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:
  - Durham City
  - Peterlee / Horden
  - Seaham
  - Chester le street
  - Consett / Castleside / Leadgate
  - Stanley
  - Crook
  - Bishop Auckland / West Auckland
  - Newton Aycliffe
  - Shildon
  - Spennymoor
  - Barnard Castle

### Parking in Durham City

2. Within Durham City parking is available both on street in designated areas, or off street in public and private car parks.
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.
4. Parking Controls were first introduced in Durham City in 2000 with the implementation of a Controlled Parking Zone (CPZ). This zone has subsequently been extended as to accommodate evolving parking patterns within the city.
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.

6. Charges were increased in certain high occupancy pay and display areas in 2010, 2011 and 2012.
7. There is no discount for all day parking to discourage long stay car parking in the city centre.
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.
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
10. 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.
11. 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.
12. 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.
13. The Durham Park and Ride Service is operated flexibly by the Council through revised opening times to actively support major events within Durham City such as the Lumiere festivals, the annual Durham Brass Festival, Durham Regatta and Durham Miners' Gala. Further information regarding the Durham Park and Ride Service is available from <https://www.durham.gov.uk/parkandride>
14. 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.
15. Off Street Parking - There are 3 public off street car parks at the Sands (MSCP), Sidegate and Providence Row providing 406 spaces managed and enforced by the County Council's contractor NSL services.

16. Parking for Motorcycles - Motorcycles may park in any on street bay free of charge. Additionally, there are areas specifically for motorcycles at safe and accessible locations within the City.
17. 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. Work to improve the existing cycle routes parking infrastructure is ongoing. The Council's intention is to build a high quality network of cycle routes complete with cycle parking infrastructure.

### **Parking in County Durham's other Main Towns and Settlements**

18. On Street – The majority of 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.
19. On street parking in areas adjacent to the centres is predominantly uncontrolled. There is often substantial on-street parking capacity on unrestricted roads close to the major centres.
20. Areas where parking is not permitted are indicated by restrictions and are subject to a traffic regulation order.
21. The responsibility for enforcement of all limited waiting, disabled bays, loading bays and yellow lines is undertaken by Durham County Council following the introduction of County Wide Civil Parking Enforcement in June 2013.
22. A number of the 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.
23. Off Street – The County Council provide some, but not all, off street public parking in these settlements. Tariffs and terms of use for these car parks vary across the County and enforcement within the County Council's car parks is carried out by the appointed parking enforcement contractor.



## 6. Specialist Parking

### Disabled Parking

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.
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.
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.
4. The Council places a high priority and will provide enforcement action to address the misuse of disabled persons parking bays / the misuse of disabled car parking badges.

### Heavy Goods Vehicles (HGVs)

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. 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.
7. HGV driver hours are regulated in the UK by Vehicle and Operator Services Agency (VOSA) and are determined by the GB (Great Britain) domestic drivers' hours rules which restricts the number of hours per day to 10 hours. 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**

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.
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**

10. Provision for parking motor homes is made in selected 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**

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.
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.
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

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.

## 8. Policy 1: General Application

1. 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.
2. All parking controls will be introduced in accordance with relevant legislation, protocols and guidance.

### Guidance and Interpretation

3. 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
  - Motorcycles.
4. 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.
  5. 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 spaces 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 within designating parking areas for specific use or by applying parking charges.
  6. 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 when necessary.

## 9. Policy 2: Balance of Provision

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

### Guidance and Interpretation

2. The 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 must be considered.

## 10. Policy 3: Prohibition of Waiting (yellow lines )

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

### Guidance and Interpretation

2. Prohibition of waiting restrictions apply from the centre of the carriageway to the back of the highway on the side of the road that the lines are applied.

3. Vehicles are permitted to load /unload from these locations provided they comply with the observation times (policy 13), do not cause an obstruction or the area is not also subject to a loading restriction (policy 4).
4. 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.
5. Blue badge holders are permitted to park for up to three hours at these locations provided they comply with the blue badge legislation, are not causing an obstruction or having a negative effect on road safety and the area is not also subject to a loading restriction (policy 4).
6. A vehicle displaying a blue badge parked causing an obstruction may be subject to a fixed penalty notice issued by a police officer.

## **11. Policy 4: Prohibition of Loading / Unloading (yellow kerb marks )**

1. 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**

2. 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.
3. 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.
4. Vehicles are not permitted to load /unload from these locations.
5. Blue badge holders are not permitted to park at these locations.

## **12. Policy 5: Limited Waiting (parking bays)**

1. 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**

2. 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 13).
3. Blue badge holders are not subject to time limits at these locations provided they comply with the blue badge legislation

## 13. Policy 6: Motorcycle Parking

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

### Guidance and interpretation

2. In recent years there has been an increase in the number of motorcycles and scooters owned by local residents and used by them and others to visit our towns and cities.
3. 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.
4. 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 bay and council owned off street car parks. Motorcycles are not required to display a permit when parked in a permit Holder only area.

## 14. Policy 7: Coach Parking

1. As a major tourist destination, Durham City attracts large numbers of coaches. Coaches are a form of public and sustainable transport in comparison to the private car and should be given appropriate priority where possible. Due to the constrained highway network of many of the County's towns, coaches are often unable to access and park in convenient locations. Therefore, where it is feasible and appropriate, Durham County Council will endeavour to provide coach parking within its off-street car parks.

### Guidance and interpretation

2. Drop off and collection points should be provided, with 'out of town' spaces made available for layover. Where possible these should be made secure to allow safe overnight parking.
3. Where regular incidences of inappropriate or inconsiderate parking by coaches do occur, on-street parking restrictions will be considered.
4. On-street drop off and pick up areas will only be provided if there is no feasible off-street alternative. Durham County Council will aim to ensure that there is clear signage for coach drivers on the approaches to our towns and popular locations in order to reduce the likelihood of drivers entering inappropriate locations.

## 15. Policy 8: Electric Charging Bays

1. 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

2. Where electric charging bays are located within a pay and display area, there will 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 only be a charge for drawing current.
3. Any electric vehicle parked in an electric vehicle charging bay that is not connected to the charging post or charging their vehicle will be parked in contravention and will receive a penalty charge notice.
4. 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.
5. In order to ensure no net increase in street clutter, consideration will be given to transforming redundant electrical street furniture into electric vehicle charging points, such as disused phone boxes and parking meters.
6. Any proposed electric charging point should be accessible. This should include:
  - Ensuring the charging point is in a convenient location
  - Ensuring the charging point is easy to find
  - Ensuring the charging point is in an area that is not closed off to the public at certain times

## 16. Policy 9: On Street Pay and Display

1. 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

2. Pay and display parking allows the driver to choose the length of stay required but also ensures a turnover of the available space to encourage higher usage. This is intended to support the commercial activities in a retail area. Usage of pay and display bays will be managed by varying the tariff charged.
3. Vehicles are permitted to load/unload from these locations provided they comply with the observation times (Policy 13).
4. 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.
5. Blue badge holders are permitted to park without being subject to the charge provided they comply with the blue badge legislation.

## **17. Policy 10: Off Street Pay and Display**

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

### **Guidance and interpretation**

2. Providing good value, attractive and safe off-street parking will contribute towards effective traffic management, economic growth and provide improved access to services for many members of the community.
3. 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.
4. Short stay off-street, car parks should encourage short stay visitors to park off-street and not drive into and park in central on-street locations. Short stay, pay and display car parks should be located in convenient central locations within a short distance of the town centre or attraction. Stay times and tariffs should be practical so that visitors can access their desired destination.
5. Long stay car parks should be managed to encourage commuters and other long stay visitors to park away from residential areas or short stay car parks. Long stay car parks should be located on the periphery of town centres and be clearly signed from the main routes into the town centres. They should provide a cost-effective and attractive location to park.
6. Income from off street pay and display contributes to the cost of running the car park and covers items such as non-domestic rates, water rates, winter maintenance, maintenance of the car park infrastructure etc.

## **18. Policy 11: Car Parks Not Operated by Durham County Council**

1. Where Durham County Council does not manage or operate the car park, the Council will still aim to ensure that the car park meets the traffic management objectives set out within this Parking Policy document. This may be achieved during the planning process where a privately-owned car park is proposed.



## 19. Policy 12: Loading

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

### Guidance and interpretation

2. 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.
3. Loading is also permitted on areas where a “no waiting” restriction exists (Policy 3) provided the offence of obstruction is not being committed.
4. 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, 10 minutes in the case of commercial vehicles (20 minutes for commercial vehicles within Durham’s Historic Core Zone).
5. There is no time limit on the duration of a loading activity.

## 20. Policy 13: Observation Times / Grace Periods (See also Appendix B)

1. 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 permitted activity is taking place.

### Guidance and interpretation

2. 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 both on-street and off-street parking places covered with a Traffic Regulation Order, whether the period of parking is paid for or free. Any penalty charge issued before the expiry of the 10 minute grace period would be illegal, unless the vehicle itself is parked unlawfully for example where the motorist has not paid any required parking fee or displayed a parking ticket where required.
3. Examples of where the grace period do and don't apply are:
  - A vehicle parked in a resident’s 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 in 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).
- 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).

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

## **21. Policy 14: Disabled Parking**

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

### **Guidance and interpretation**

3. These mandatory bays may be enforced anytime of the day and will be supported with a Traffic Regulation Order.
4. 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.
5. Disabled persons parking bays will not be introduced in residential areas where little or no demand from commercial premises is evident.
6. Disabled persons parking bays will not be provided for use by an individual resident, property, or in residential areas.
7. Disabled persons parking bays will not be introduced without a Traffic Regulation Order and the appropriate regulatory signing.
8. Disabled bays introduced previously without an appropriate Traffic Regulation Order will be removed where necessary.

## 22. Policy 15: Blue Badge Enforcement

1. Inspection of blue badges will be in line with “The Blue Badge Scheme - Local Authority Guidance (England) and “The Blue Badge Scheme: right and responsibilities in England” produced by the Department for Transport.

### **Guidance and interpretation**

2. 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 powers to inspect badges.
3. It is an offence to fail to provide to produce a badge when requested to do so by an enforcement officer.
4. Anyone found to be displaying a blue badge in contravention of the Blue Badge legislation and relevant Traffic Regulation Order will be issued with Penalty Charge Notice.
5. 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.

## 23. Policy 16: Permit Parking

1. The policy defines the process by which permits will be considered in an effort to balance the competing demands of a variety of on-road users.

### **Guidance and interpretation**

2. A parking permit scheme may be considered in areas where there is more demand than spaces making it difficult for residents to access parking where they live. They don't guarantee individuals a parking space but help manage and prioritise parking spaces for those who are full time residents of those areas.
3. The introduction of a permit only restriction can result in displaced parking affecting neighbouring streets. This can impact on a town's vitality and economic wellbeing if not planned and implemented correctly. Where the impact of a scheme on a road or street has displacement implications or other impact on a neighbouring road the scheme will be extended to cover that road, or a separate scheme considered for the neighbouring area – even where no requests for such a scheme have been received.
4. When considering the introduction of a Permit parking scheme the following qualifying criteria should be satisfied:

5. Permit parking areas will only be considered for residential streets which are subject to a high demand for long stay commuter parking
6. 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 councillor(s) or be raised by the local councillor(s) on behalf of the residents.
7. At least 50% of the properties affected have no off-street parking provision
8. More than 40% of kerbside space is occupied by non-residents for over 6 hours in the survey period and more than 85% of the kerbside space is occupied by any vehicle during the same 6 hours.
9. Where support has been gained from at least 75% or above of the properties included within the proposed permit area.
10. 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.
11. 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 a limited period in the morning and a limited period in the afternoon (excludes Durham City).
12. Where permit areas are introduced, bona-fide residents shall, subject to any control on the number of permits available, be able to:
  13. purchase permits allowing them to park in any space within the area; and
  14. purchase visitors permits which would provide access for visitors to any space within the area.
15. Permit parking areas will not be used to address problems associated with school gate parking.
16. All new permit parking areas will be monitored for a period of 24 months after introduction to enable a comprehensive assessment to be made of their influence on parking behaviour in the immediate and surrounding area(s). The zone may be extended or reduced following this period of monitoring.
17. 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 of this nature. 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.

## 24. Policy 17: Removing a Residents Parking Scheme

1. In some cases, residents within an existing residents parking scheme may decide that it no longer serves the purpose for which it was implemented, and they wish to see the parking restrictions removed.

### Guidance and interpretation

2. The process for removing a resident parking scheme is similar to that for implementing or amending parking restrictions of this nature. Before a formal consultation is carried out, residents will need to demonstrate that there is a reasonable support for doing so. The County Council will then carry out an investigation to see what impact removing the residents parking scheme or part of the scheme will have on the neighbouring areas.
3. In most cases, any impact will be to the area, which is proposing to remove the parking restrictions, particularly if they are adjacent to areas which have parking restrictions in place and wish to retain them.
4. If there is no impact to neighbouring areas, the County Council will carry out a formal consultation of all affected households (normally those eligible for a parking permit) with the outcome assessed as per the method detailed above. Provided there will be no significant impact to other residential areas, the County Council will propose the removal of the parking restrictions.
5. To initiate an investigation into the removal of a resident's parking scheme, the following criteria must be satisfied:
  - There has been a fundamental change in the environment where the permit parking scheme currently operates.
  - There has been a proven reduced demand for on-street parking by non-residents in the area.
  - At least 50% of properties in any proposed area must have off-street parking.
  - Initial requests for the removal of a permit parking scheme must be accompanied by support from at least 25% of the households in the street and supported by the local councillor(s) or be raised by the local councillor(s) on behalf of the residents.
  - Where support has been gained from at least 75% or above of the properties included within the existing permit area.

## 25. Policy 18: Charges

1. Charges may be levied for designated parking spaces and permit holder areas.

### Guidance and Interpretation

2. Parking charges will be introduced to enable the Local Authority to effectively manage the parking within the County by moderating demand and targeting specific

types of users at different times of the day. The charging structure may be used to suppress demand during peak-time and encourage demand during off-peak in key strategic locations.

3. Prior to setting the parking charge levels it is important to understand and chart the availability of parking suited to different uses across a town and for different times so that the balance between supply and demand can be effectively managed. This assessment should consider: overall provision for different locations; occupancy levels and dwell times; opportunities to influence supply and demand.
4. Setting the parking tariff (price and duration) is an essential element of managing supply and demand and ensuring footfall is not deterred. Tariffs should be determined using knowledge of: role; demand; location; competition.
5. 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 financially attractive. Higher charges will be set on-street to encourage a high turnover of vehicles in commercialised areas.
6. Any charges will be sufficient to cover administration, operation, review and enforcement costs, as a minimum, and may generate financial surplus for investment in parking or highway and environmental improvements.
7. On street charges will also take into account the availability and cost of alternatives such as park and ride.
8. The level of charge will also take account of strategic parking and transport demand management objectives.
9. Income from parking needs to be managed efficiently to ensure that all of 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.
10. Motorcycles are exempt from pay and display and permit charges because of the difficulties of displaying a parking ticket or permit on the vehicle.
11. Disabled persons badge holders will be exempt from on street pay and display and permit charges.
12. The level of charges will be reviewed periodically in line with demand and the rate of inflation.

## **26. Policy 19: Car Club Bays**

1. 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**

2. A car club is an organization that provides cars to be booked by individuals on a pay as you go basis.
3. 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 operator should be expected to contribute towards administration, operation, review and enforcement costs.
4. Location of car club bays within controlled parking areas will need to take into account existing provision and demand for commuter or visitor parking.

## **27. Policy 20: School Keep Clear Markings**

1. No stopping school keep clear restrictions will be introduced only in conjunction with an appropriate Traffic Regulation Order and only in areas around the school where there is a higher than expected footfall.

### **Guidance and interpretation**

2. School keep clear markings define an area of no stopping. Their purpose is to create an area around school pedestrian entrances where there is a clear inter-visibility between drivers and pedestrians for road safety purposes.
3. The markings should NOT normally be placed on both sides of the road, but only on the side on which the entrance is situated. However, conditions may sometimes require otherwise, e.g. where there are school entrances on both sides of the road, or the road is so narrow that not to prevent parking on the opposite side to the school entrance is considered hazardous, or a patrol operates at that point.
4. Vehicles observed contravening these restrictions will be issued with Penalty Charge Notices. These will be introduced by post if the offending vehicle is driven off before the enforcement officer can place the notice on the vehicle.

## **28. Policy 21: Bus Stop Clearways (No Stopping)**

1. 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**

2. 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.
3. 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.

## **29. Policy 22: Enforcement**

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

### **Guidance and interpretation**

2. Enforcement will be carried out in a fair and consistent manner and will comply with the relevant 'Traffic Management Act, statutory guidance for local authorities in England on civil enforcement of parking contraventions, and any other subsequent or amended policies and/or guidance.

## **30. Policy 23: Waivers**

1. With the agreement of an 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**

2. Parking waivers do not allow parking in bus stops, at taxi ranks, on school keep clear markings, disabled bays or where a loading ban applies. A waiver there does not permit a vehicle to park causing an obstruction.
3. 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 shopfitters 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.
4. A waiver can be issued which is valid for one day and will exempt the 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.
5. A waiver does not allow a vehicle to cause an obstruction.
6. 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.

## **31. Policy 24: Vehicle Removals**

1. Only persistent evaders (three outstanding penalty charge notices which have progressed to enforcement agents and returned unrecovered) may have their vehicles removed.



## **Guidance and interpretation**

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

## **32. Policy 25: Representations**

1. 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 the policy the Authorised Officer is the Corporate Director of Regeneration, Economy & Growth.

## **Guidance and interpretation**

2. The grounds on which representations may be made are set out in the regulations and must be stated on the Notice to Owner (NtO).
3. Representations must be to either or both of the following effects:
  - that, in relation to the alleged contravention on account of which the NtO or 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 of 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.

## **33. Policy 26: Driveway Protection / Keep Clear Markings**

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

## **Guidance and interpretation**

2. 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.
3. Driveways obstructed as a result of the number of resident's 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.
4. Driveway protection and keep clear markings are advisory markings and cannot be enforced by Civil Enforcement Officers. If a vehicle is parked on a driveway

protection or keep clear marking it should be reported to the police on the non-emergency telephone number 101.

5. Driveway protection and keep clear markings will be monitored and they will be removed if their need has diminished or there is no external generator of traffic nearby. Likewise, any historic road markings of this nature will not be refreshed if the need for them has reduced or there is no external generator of traffic nearby.

## **34. Policy 27: Turning Heads in Residential Areas**

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

### **Guidance and interpretation**

2. Turning heads are designed to allow vehicles to turn easily at the end of roads and are not designed to be parking areas. However, due to the increase in car ownership there is often limited kerb space in residential areas to accommodate resident's vehicles and consequentially turning heads can often be used for parking.
3. 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.
4. Waiting restrictions or advisory markings will not be introduced in turning heads to resolve neighbourly disputes. Turning heads obstructed as a result of parked resident's 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.

## **35. Policy 28: Heavy Commercial Vehicles**

1. 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**

2. Operators of commercial vehicles over 3.5 tonnes must hold an operator's licence, 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 licence. Local residents can report any concerns about operators parking their goods vehicles on the roadside do DVSA direct.
3. 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 restrictions or cause an obstruction.

4. Heavy goods vehicles (HGVs) 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.
5. 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.
6. Any HGV parked wholly or partly on a footway or verge causing an obstruction may be issued with a Penalty Charge Notice.
7. Any HGV parked and the occupant(s) are suspected of causing a littering offence or perceived anti-social behaviour will have the details of the vehicle passed on to other authorities for further enforcement prosecution action.

## **36. Policy 29: Enforcement at Dropped Kerb Crossing Points**

1. Enforcement of parking across drop kerb crossings will be enforced by Durham Constabulary.

### **Guidance and interpretation**

2. Parking adjacent to a drop 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
  - Vehicles that enter or exit a property across a footpath
3. The Highway Code Rule 243 advises drivers that 'Except when forced to do so by stationary traffic DO NOT stop or park':
  - where the kerbs being lowered to help wheelchair users and powered mobility vehicles, or where it would obstruct cyclists; and
  - in front of an entrance to a property.
4. The extent at which obstruction is considered as a contravention code 27 of parking adjacent to a drop footway includes the height transition kerb stones between the lower and higher part of the kerb.
5. 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.
6. Exemptions to the contravention of parking 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 occupier's consent
- Waste collection trucks
- Road work vehicles

### **37. Policy 30: Use of Surpluses**

1. 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.
2. English authorities outside London must keep an account of all income and expenditure in respect of designated (on street) parking places which are not in a Civil Enforcement Area, designated (on street) parking places 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 2015](#) which sets out the minimum data that local authorities should be publishing, including on street parking. If an authority makes a surplus on its own 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).
3. Previous guidance said that local authority parking enforcement should be self-financing as soon as practicable. This is still a sensible aim, but compliant authorities 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 existing funding. The Secretary of State will not expect either national or local taxpayers to meet any deficit.

### **38. Monitoring the Parking Policies Document**

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 are 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 Councils policies are still relevant.

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.

## **39. APPENDICES**

## 40. Appendix 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 consider 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.
9. **The enforcement notice should not have been served because the penalty charge has already been paid.**

### **Other grounds**

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



## 41. Appendix 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 – None)

**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)

**14 Parked in an electric vehicle's charging place during restricted hours without charging. £70.00** (Observation period – None)

**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)

**17 The use of a vehicle on a road in the charging area to which a charging scheme applies without payment of the appropriate charge. £50** (observation period – none)

**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, 10 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)

**34j – Being in a bus lane - £70** (observation period – none)

**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)

**46 Stopped where prohibited (on a red route or clearway). £70.00** (Observation period – None)

**47 Stopped on a restricted bus stop or stand. £70.00** (Observation period – None)

**48 Stopped in a restricted area outside a school when prohibited. £70.00** (stopped 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)

**52g – Failing to comply with a prohibition on certain types of vehicle (goods vehicle exceeding max gross weight indicated) - £70** (observation period – none)

**61 A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways. £70.00** (Observation period – None)

**70 Parked in a loading place or bay during restricted hours without loading. £70.00** (Observation period – 5 minutes, 10 minutes for commercial vehicles)

**71 Parked in an electric vehicle's charging place during operating hours without charging. £70.00** (Observation period – None)

**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 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 – None)

**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)

**91 Vehicle parked in a car park or area not designated for that class of vehicle. £70.00** (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)

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

## 42. Appendix C - Annual Parking Report

10. In accordance with the Local Government Transparency Code 2015 the Council as Civil Parking Enforcement Authority will report upon its enforcement activities every year.
11. The parking annual report is published within 12 months of the end of each financial year on the Council's website on its 'Street parking enforcement and fines' web page. The report covers 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'.
12. 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 the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022
- 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.
- 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.

## 43. Appendix D - References

- <sup>1</sup> <https://www.durham.gov.uk/media/34954/Durham-County-Council-Plan-2022-2026/pdf/CouncilPlan2022-2026.pdf?m=63796952367360000>
- <sup>2</sup> <https://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions/guidance-for-local-authorities-on-enforcing-parking-restrictions>
- <sup>3</sup> <https://commonslibrary.parliament.uk/research-briefings/sn02235/>
- <sup>4</sup> [https://www.gov.uk/government/publications/dft-operational-sustainability-strategy-2021-to-2025#:~:text=The%20Department%20for%20Transport%27s%20\(DfT%27s,with%20the%20Greening%20Government%20Commitments.](https://www.gov.uk/government/publications/dft-operational-sustainability-strategy-2021-to-2025#:~:text=The%20Department%20for%20Transport%27s%20(DfT%27s,with%20the%20Greening%20Government%20Commitments.)
- <sup>5</sup> <https://www.local.gov.uk/publications/decarbonising-transport-climate-smart-parking-policies>
- <sup>6</sup> <https://www.gov.uk/government/consultations/managing-pavement-parking/pavement-parking-options-for-change>
- <sup>7</sup> [https://www.britishparking.co.uk/write/documents/re-thinking\\_car\\_parking.pdf](https://www.britishparking.co.uk/write/documents/re-thinking_car_parking.pdf)
- <sup>8</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6292/2081646.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6292/2081646.pdf)
- <sup>9</sup> <https://www.highstreetstaskforce.org.uk/resources/details/?id=a394edb5-34c8-4811-81f3-fb8e0bee71b5>
- <sup>10</sup> [https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF\\_December\\_2023.pdf](https://assets.publishing.service.gov.uk/media/669a25e9a3c2a28abb50d2b4/NPPF_December_2023.pdf)
- <sup>11</sup> <https://www.durham.gov.uk/article/3705/Transport-policy>
- <sup>12</sup> <https://www.transportnortheast.gov.uk/wp-content/uploads/2021/10/AST004-Transport-Plan-A4-North-East-Transport-Plan.pdf>
- <sup>13</sup> <https://www.durham.gov.uk/media/26916/County-Durham-Parking-and-Accessibility-Standards-2019/pdf/CountyDurhamParkingAndAccessibilityStandards2019.pdf?m=63772585126440000>
- <sup>14</sup> <https://www.durham.gov.uk/media/26914/Durham-Sustainable-Transport-Delivery-Plan-2019-2035/pdf/DurhamSustainableTransportDeliveryPlan20192035.pdf?m=637871858091570000>
- <sup>15</sup> <https://www.durham.gov.uk/cdp>