

## South Gloucestershire Council Resident's Permits

### Terms and Conditions - 2017

#### **Introduction**

This is designed to inform customers of the terms and conditions of the operation of parking permit schemes in South Gloucestershire. There are two Schemes, a waiver which is in paper form and virtual which is being introduced and paperless. Should customers need further information the staff in the Parking Services Team will be pleased to help, on telephone number: 01454 868000 or by post: PO Box 1954, Badminton Road, Yate, Bristol BS37 0DD.

#### Background

Permits issued under these terms and conditions are to households that are part of a formal scheme agreed by South Gloucestershire Council.

#### General

Permits are issued to residents of households in the agreed scheme area.

Permits will eventually all become virtual permits and linked to vehicle registration numbers.

Section one of these terms and conditions relate to resident's permits and section two to visitor's permits.

Section three considers enforcement.

#### SECTION ONE – RESIDENT'S PERMITS

##### Documentation required

- 1) Applying for a permit under a virtual scheme, you will need to provide proof of your residence within the zone (for automatic validation this must be your Council Tax number). By applying you agree to the Council checking your details against the Council Tax records if applicable.
- 2) Applying for a permit under a paper waiver scheme, you will need to contact Parking Services, who can send an application form out to you if eligible. The form will advise for you to send in your proof of residency, please provide one of the following:
  - a) A current Council Tax bill
  - b) A current tenancy agreement (signed and dated)
  - c) A current utility bill (for the last 3 months and showing the address details)

##### **Along with**

Proof of vehicle ownership, please provide one of the following:

- i) A VQ5 document (when applying for your vehicle)
- ii) A current vehicle insurance schedule

iii) Proof of company vehicle and authorisation to be kept at the property

- 3) Supplying an incomplete application or insufficient supporting document may delay your application.
- 4) Any person who regularly lives and sleeps more than four nights a week at premises within a residents' parking zone may apply for a permit. The council will require applicants to provide evidence to verify any information provided during the application process and this information can be requested at any time.
- 5) Residents' parking schemes are aimed at tackling problems caused by commuter and shopper parking, the schemes are not intended to solve parking problems outside of the times of operation of the scheme.
- 6) The vehicle used with the virtual permit must be registered to your address, the vehicle registration document must be provided to Parking Services on request. A letter of authority from the supplier is sufficient evidence in the case of a lease car or a letter from an employer is suitable in the case of a company car; however this information must be provided if requested by Parking Services. Failure to provide this information could lead to cancellation of your parking permit with no recourse to a refund. This will also apply to any paper waiver schemes requiring a vehicle registration on the permit.
- 7) Under the virtual scheme, all disabled persons holding a valid blue badge living within a resident parking scheme is eligible for a free permit for their personal use, or that of a registered carer. The Blue Badge must be provided to Parking Services on request. Failure to provide this information could lead to cancellation of your parking permit with no recourse to a refund.
- 8) If your Blue Badge details change, it is your responsibility to update your account details. Alternative parking should be sought until the Blue Badge is changed.
- 9) A virtual permit will be valid for one year from the date of issue, and will require renewal annually. A paper permit under a waiver scheme will be valid until a change in residence / vehicle occurs or a replacement permit is required.
- 10) A permit does not allow you to park illegally. Permit holders must park in accordance with the current traffic regulation order(s) in the vicinity and in accordance with the terms and conditions of the permit. Failure to do so may result in the issuing of a Penalty Charge Notice (PCN)
- 11) Parking permits have been introduced as a benefit to residents, giving them priority to park their vehicles within a reasonable distance of their homes during the hours that residents' parking zones are in operation. Abuse of paper parking permits by lending or selling permits to friends or commuters or by contravening the regulations of the scheme will result in the cancellation of all parking permits issued to an address.
- 12) A resident's virtual permit may only be applied for and used for a vehicle that is used / owned by a normal resident of that property, a person normally residing there for at least 50% of the year.

- 13) The maximum laden weight of a vehicle permitted to park in a parking bay is 2.0 tonnes and the maximum length is 6 metres, with a maximum of 12 passenger seats. Permits can only be used with:
- a) Passenger vehicles;
  - b) Car derived vans;
  - c) Goods vehicles with a taxation class of PLG.
- 14) Paper permits should not be shared or 'sublet' to other persons / vehicles.
- 15) Parking is only permitted in a Permit Holders Bay or a Shared Use Bay in the zone, designated area or car park for which the permit has been issued.
- 16) A virtual permit is only valid for the vehicle registration given. If you change your vehicle registration it is your responsibility to update your account details. Alternative parking should be sought until the vehicle registration is changed. This will also apply to any paper waiver schemes requiring a vehicle registration on the permit.
- 17) Virtual permits need to be renewed annually, except for permit schemes where the permits were issued in perpetuity, and it is the permit holder's responsibility to do this.
- 18) For schemes operating on a paper permit scheme and not virtual: If your permit is lost, stolen or damaged, you must apply for a replacement. A charge may be applied. Also any permit that has been copied or altered in any way will be considered invalid.
- 19) The permit (including virtual) is the property of the council and may be withdrawn at any time at the Councils discretion.
- 20) The permit is valid only for the area(s) and times shown on the permit or described online and must be clearly displayed or appropriately registered online.
- 21) A permit does not guarantee a space.
- 22) For virtual permits, where payment is required you will be able to pay online using the MiPermit system or can telephone the service provider on 0345 520 7007 for assistance. For paper waiver permits, where payment is required you will be able to pay by cheque or postal order to South Gloucestershire Council. Completed applications to be returned to Parking Services, South Gloucestershire Council, PO Box 1954, Badminton Road, Yate, Bristol BS37 0DD.
- 23) Any alteration to any permits after the permit has been issued may be subject to an administrative charge.
- 24) For paper permits no refund will be made if a permit is no longer required or returned to the Council by the permit holder or if cancelled by the council. We may offer a refund on any full remaining months on virtual permits, subject to the removal of a permit administration fee.

25) The Council may use the information you have provided to prevent and detect fraud. It may also share this information for the same purpose with other local authorities and organisations that handle and protect public funds.

26) Declaration By purchasing a residents permit, you make the following declaration:

I certify that my usual place of abode is at the address given and I do not hold a resident permit for any other zone.

- a) The vehicle assigned to the permit is registered to the address given or an authorised lease / company car assigned to me.
- b) I agree to surrender the permit if I cease to reside within the zone specified and accept that my permit may be cancelled automatically if the Council receives evidence that I no longer live at the registered address.
- c) I accept that the Council may cross reference the information I have provided with other records including Council Tax records.
- d) I accept that my permit(s) may be cancelled without warning if the information provided during this application is found to be untrue.

Specific Terms and Conditions for XXXXX resident's parking policy

27) Each Resident's parking scheme will have a specific number of permits per household it is normally permitted to apply for and the details of this will be included in the notification of the introduction of the permit scheme to residents.

28) The Virtual application system will also include details of any specifics, restrictions on numbers included, in the scheme.

SECTION TWO – VISITORS PERMITS

29) Any permission for a visitor to park in a residents parking area will temporarily use some of the space that, following public consultation, was allocated in the scheme for residents.

30) *There are no current provisions for visitor permits under the paper waiver schemes.*

31) Virtual Visitor Permits are purchasable by the Resident.

32) Virtual visitor permits should be used by residents when a visitor to their home needs to park a vehicle within their residents' parking zone. When applying for this type of permit you will need to provide proof of your residence within the zone (for automatic validation this must be your Council tax number). Visitor Permits are not available to businesses.

33) Each household covered by Residents Parking Restrictions under a virtual scheme, is entitled to 25 FREE visitors permits annually, via the online MiPermit system. Each visitor permit will permit parking for one day during the hours of restriction.

34) One further set of 25 visitor permits per residence can be purchased annually under a virtual scheme at a cost of £50 or an individual daily permit for £2 (maximum per household, per annum, is 25 permits).

- 35) Under the virtual scheme, all disabled persons holding a valid blue badge living within a resident parking scheme is eligible for a free permit for their personal use, or that of a registered carer. This permit will not count towards the total number of permits allocated to that household.
- 36) The virtual visitor allowance will allow parking for one day and the allowance will expire one year from the date of purchase if not used.
- 37) Upon arrival, a stay must be activated online, by text, mobile app or telephone for the required duration. If the stay is not activated immediately upon arrival, this may result in a PCN being issued.
- 38) The stay is automatically deactivated once the time requested expires.
- 39) The stay is activated for parking for one day.
- 40) It is the permit holder's responsibility to ensure a further stay is activated if a guest wishes to stay longer. Failure to do so may result in a PCN being issued. Once activated, the stay cannot be cancelled; if the stay is booked online in the future, the stay can be cancelled before it begins and you will not lose your allowance.

### SECTION THREE – ENFORCEMENT

#### Failure to comply with the terms and conditions

- 41) The details provided when applying for a permit are subject to verification. Parking Services can request evidence to verify the details provided and will complete regular checks throughout the year.
- 42) Failure to provide the requested information within the timescale set by the Council or any evidence of falsified information will lead to cancellation of all parking permits, with no recourse to a refund.
- 43) Where a dispute arises as to the eligibility of any applicant for a permit, the decision made by the Head of Parking Service in relation to the issue or subsequent cancellation of that permit, having taken into account all of the evidence available, shall be final.
- 44) Failure to display a valid paper waiver permit may result in the issuing of a penalty charge notice to the vehicle parked in contravention of the parking restriction.
- 45) More serious breaches of the terms and conditions such as misuse, selling on of paper permits, allowing non-residents to use permits may result in that household being excluded from eligibility of the scheme and affect your ability to obtain further permits either here or in other permit locations within South Gloucestershire.
- 46) Contravention of other parking (waiting) restrictions such as double yellow lines will lead to the issue of a Penalty Charge Notice, irrespective of a valid permit being displayed.

47) There is an appeals process to follow if a Penalty Charge Notice (PCN) is issued, details can be found on the PCN.

### Enforcement

This scheme will be enforced by the Council's Parking Services Team.

If you believe the scheme is being breached please report this to [park.legally@southglos.gov.uk](mailto:park.legally@southglos.gov.uk)

The Council reserves the right to make changes to these Terms and Conditions.

**Data Protection:** The Council will process any personal information in accordance with the Data Protection Act 1998. This authority is under a duty to protect the public funds it administers, and to this end may use the information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

### **Parking Permit Schemes - Frequently Asked Questions**

#### **What areas can be considered for a parking permit scheme?**

A scheme will only be considered where:

- All other measures to control parking have been investigated and discounted
- The assessment suggests a permit scheme would help solve the identified parking problem
- There is a clearly defined area with defined boundaries such as major highways or physical features severing easy access to other residential areas
- The roads within the defined area are adopted highway managed and maintained by the council
- Over 70% of affected properties responding to a consultation agree to a permit scheme
- The identified parking issues are not simply related to normal school pick up and drop off times where there is a school in the vicinity of the clearly defined area
- Normally, half of the dwellings/properties within an identified area have no off street parking

**Plus** the area should have an existing or proposed Traffic Regulation Order that limits waiting.

Parking permit schemes can include schemes for residents, small businesses and any other property owner that pays either business rates or council tax located within a scheme area.

#### **What if we do not have a Traffic Regulation Order (TRO) limiting waiting in our street?**

To convert an existing TRO into a parking scheme or if no TRO exists, it must be included on the local transport priority list to compete for inclusion in the capital programme.

#### **How many parking permits will I be able to apply for under the scheme?**

Usually up to two permits will be issued per property. Occasionally, the number of permits may be restricted to one per property, or, where space allows, there may be an option to purchase a third permit.

**What if I am a disabled blue badge holder?**

Blue badge holders are exempt from the annual permit charge. All disabled persons who hold a blue badge who are resident at an address within a virtual parking permit scheme area will be eligible for a free permit for their personal use or that of a registered carer **upon application**. The free permit(s) issued to the disabled resident(s) will not count towards the number of permits allocated to that property.

**If you don't already have one, you must apply for a blue badge to get a free permit.**

**If you think you are eligible, please apply by contacting the council on:**

**Email: [contravel@southglos.gov.uk](mailto:contravel@southglos.gov.uk) or call 01454 868004**

**Assistance is available if you need help completing the blue badge application form.**

**How much does a permit cost?**

Virtual permits will be subject to an annual charge. The charge for the first permit will be £30 per year and £45 per year for a second one. Occasionally and where there is space to allow a third permit, it would cost £60 per year. The council is making these charges to cover the costs of the schemes.

**How long will the permits be valid for?**

For new schemes, permits will be valid for a year and need to be renewed annually at a fee to be determined annually.

**What if I lose my permit?**

Lost permits will be cancelled and the individual will need to reapply for a new permit. Replacement of any lost permits will be subject to an administration charge.

**Can I park outside my house once the parking permit scheme is introduced?**

The provision of a permit does not guarantee a parking space.

**Can I get a permit for visitors / trades persons / health care professionals?**

Visitors' permits within virtual Residents' Parking Restriction areas are available on the basis of 25 FREE virtual visitor permits annually. Each virtual visitor permit will allow parking for one day. A further 25 visitor permits per residence can be purchased annually at a cost of £50 or an individual daily permit for £2 (maximum per household, per annum, is 25 permits).

There is a policy on Waivers and Dispensations for vehicles within Residents' Parking Restriction areas meeting certain criteria. A dispensation enables a vehicle to be parked as near as possible to the desired location, and would normally be for short durations, a day or two, but up to a maximum of two weeks. Longer works will be subject to further applications and must detail the exceptional circumstances. However, it does not allow parking on bus stops, taxi ranks, School Keep Clear markings, pedestrian crossing areas or anywhere that would cause an obstruction or a road safety hazard.

If you currently live in a parking permit scheme area and currently receive regular visits from a healthcare professional, your circumstances can be assessed by the council.

For more information on this, please contact parking services by emailing:

**[parklegally@southglos.gov.uk](mailto:parklegally@southglos.gov.uk) or call 01454 868000**

**Who will enforce the parking permit scheme and how often?**

Civil Enforcement Officers who work for South Gloucestershire Council will monitor the scheme. There is no additional funding available to provide a higher level of enforcement and parking permit schemes will be monitored as part of current patrolling patterns.

Failure to display a valid parking permit or purchase of a virtual permit could lead to a Penalty Charge Notice being issued.

Enforcement of parking in permit scheme areas can be made more successful if people tell us about any ongoing concerns they may have. The more specific the information regarding times of breaches and if they are repeat offenders will help the council to target enforcement.

If you have any concerns you want to tell us about, please contact parking services by emailing: [parklegally@southglos.gov.uk](mailto:parklegally@southglos.gov.uk) or call 01454 868000.

The Police remain responsible for the enforcement of obstruction offences. The Police may issue a Fixed Penalty Notice and / or remove your vehicle if you cause an obstruction when parking. Unless road markings show otherwise, parking on the pavement remains a criminal offence. Offences will be reported to the Police to undertake enforcement.

#### **Is it possible for individual streets to have a parking permit scheme?**

Yes, individual streets can have a parking permit scheme. The council may consult on a wide area for a scheme but as a result of consultation, it may be that in some streets there is a high level of support and in others there isn't. This could result in individual streets becoming a parking permit area.

#### **Is it possible for a section of a street to have a parking permit scheme?**

Yes - where there are particular issues in parts of a street, this area can be considered for a parking permit scheme.

#### **How long does it take to implement a parking permit scheme?**

Assuming there are already waiting restrictions in your street, and it has been agreed that parking permit scheme could be introduced in your area, the process of consulting with residents and property owners in the affected area, analysing the results, asking people to apply for permits and arranging for the permits to be issued can take over a year.

#### **How do we get a parking permit scheme agreed in the affected area?**

If it is agreed to consider introducing a parking permit scheme, the council will write to every property in the affected area and ask them to provide an opinion on if they support it or not. You will be given a deadline by which you must return a survey. For the scheme to go ahead, over **70% of properties responding** to a consultation must support the scheme. This means that if you wish to influence the final decision, you must complete the survey. Only properties that are directly contacted by the council will be able to respond.

#### **What happens if I do not respond?**

Only the people responding will be counted. If you fail to respond, an outcome could be that a scheme will go ahead or not go ahead without your opinion being taken into account.

#### **What does this mean in practice?**

In practice this means many outcomes could result depending on the number of properties responding. We will determine the outcome by looking at the proportion of "for" and "against" responses.

The following examples show a range of possible outcomes for a road with ten properties.



Scenario 1: vote count	Y	Y	Y	Y	Y	Y	N	N	No reply	No reply
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**Scenario 1 likely outcome:** in this case, over 70% of respondents support to the proposed parking permit scheme and on this basis it is likely to be approved

Scenario 2: vote count	Y	Y	Y	Y	N	N	N	No reply	No reply	No reply
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**Scenario 2 likely outcome:** in this case, only 57% of respondents support the proposed parking permit scheme and it will not be approved on this basis

Scenario 3: vote count	Y	Y	Y	Y	N	No reply	No reply	No reply	No reply	No reply
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**Scenario 3 likely outcome:** in this case only 50% of the properties responded but over 70% of respondents support the proposed parking permit scheme. On this basis it is possible the scheme will be approved **subject to further consultation with councillors**

**Can each property have more than one response?**

No, there can only be one reply per property within the proposed parking scheme area. Only responses from affected properties will be considered as part of the consultation.

**Will I be informed when I can apply for a permit?**

If a parking permit scheme is introduced, the council will contact all properties in that location and inform them that they can apply for a permit and how.

**I am in an existing parking permit scheme that was implemented prior to the new policy being approved in 2014, will my scheme change?**

It is intended to review existing parking permit schemes on a rolling programme starting in five years after 2014. All properties in the scheme will be consulted on whether they would still like to have permit parking, based on the new rules and charges. If there is sufficient support, a scheme will be progressed.

**I am a new resident wanting a parking permit for a scheme that was introduced prior to the 2014 policy, which rules apply to me?**

If you are a new resident / property owner moving into an existing scheme area that was implemented **prior to 2014** and you want a permit, you will be subject to the rules applied to that scheme when it was implemented. This means you will pay a one off charge for a permit on the same basis as existing property owners, until such time as the scheme is reviewed.

**What will happen if I change my car or use a hire car?**

If you change or need to use a different car such as a hire car, please contact MiPermit if a virtual scheme or Parking Services by emailing: [Parklegally@southglos.gov.uk](mailto:Parklegally@southglos.gov.uk) if a paper scheme. Your permit will not be valid with your new vehicle until the change has been made. You must be able to provide proof of vehicle ownership (or a letter of authority from your supplier in the case of a lease car or an employer in the case of a company car) if requested by Parking Services at any time.

**Why do I not have a physical permit to display in my vehicle?** We are introducing virtual permits which means there is no physical permit and nothing needs to be displayed in the vehicle. The permit information is linked electronically to your vehicle registration. The virtual permit provides much greater protection against fraud and should eliminate misuse. As there is no physical permit, your permit cannot be lost or stolen. – *Where applicable*

**How do I know what residents parking zone I am in?** A number / two letter nomica on the road signs within the zone identifies the zone you are in. Your permit will only allow you to park in residents parking bays in streets within your zone.

**What happens if I change my address?** If you change your address under the paper scheme, you would return your permit(s) to Parking Services with a cover letter stating the circumstances. If a virtual scheme, you must update your permit account and if you move out of the zone to which the permit relates, you must cancel your resident permit; these changes can be completed by logging into your MiPermit account. If you are moving to a different zone, please contact MiPermit, who will advise you how to proceed. It is a contravention to allow any type of permit to be used by an unauthorised person.

**How many permits can I have?** This will depend on the resident parking scheme you are in.

**How is a residence defined?** A residence is defined as a property being individually rated for the purpose of Council Tax. Houses that have multiple occupants but the Council Tax is for the whole building will be entitled to the same allocation as a single residence. If the property is a new build, part of a University campus or the property has been subject to a change of use (i.e. from business to residential or from house to flats) you may not be entitled to a permit.

**Will everyone need a permit?** Resident, visitor and other vehicles do not need a permit if they wish to park in an area that is not covered by a residents parking zone, in limited waiting bays that have a number of hours free parking as specified by the sign, off-street parking such as a private driveway or garage or on street outside of the hours of operation of the Residents Parking Scheme. Blue badge holders are allowed to park in any residents or pay and display bay on street free of charge for however long is required provided the Badge is correctly and clearly displayed in the windscreen of the vehicle. Parking charges may apply within car parks.

**Does having a parking permit guarantee me a parking space?** A parking permit does not guarantee that you will be able to find a parking space. Similarly having a parking permit does not give you any right to park outside your property.

**I no longer need my permit, can I get a refund?** We do not offer refunds on day permits for business on street, residents on street or visitor allowances. We may offer a refund on any full remaining months on other permit types, subject to the removal of a permit administration fee.

**How do I know where to park?** Parking bays are marked on the road with white lines. Only park within designated parking bays, do not park overlapping the white lines. The bays have been marked out to allow the maximum use of the space available without vehicles causing an obstruction. Failure to park within the bay markings may result in a PCN being issued.

**What are the rules on loading and unloading?** Single and double yellow lines mean that although you cannot park, you may be permitted to load and unload goods or persons. Each instance will be judged on its merits. You must not cause an obstruction and there must be evidence to the Civil Enforcement Officer that continuous loading or unloading is taking place. If there is no evidence of this, a PCN will be issued. For example, the terms loading and unloading could not be applied to an able bodied person leaving their vehicle whilst delivering or collecting a small parcel or item of shopping. Equally, do not leave your vehicle unattended in between loads otherwise a PCN may be issued. Think whether it is absolutely necessary for the vehicle to be parked in order to load and unload. The goods must be either too heavy, numerous, cumbersome or bulky to carry from a legitimate parking place. If in doubt, find a legitimate parking place. Please check for special waiting restrictions such as bus stop clearways (indicated by a thick solid yellow line) or loading restrictions (indicated by either one or two yellow lines on the kerb at frequent intervals) which prohibit loading/unloading.

**Can I have permits for my new development / new house?** New developments within zones are not entitled to permits. The exclusion applies to new development proposals or proposals which by virtue of demolition and rebuilding or sub division in zones where the number of parking permits in circulation exceeds the available on-street parking space. This will not currently affect blue badge holders for they are not required to display a permit providing they display their blue badge.

**Can I have more permits for my property as I have converted it to flats/bedsits?** Permits are not available to properties which are converted from their original use. However we will always consider cases where the request for permits would not put additional pressure on the parking currently available within a zone, provided that the conversion of the property resulted in a fewer number of permits being required for that property. For example a building contain 4 flats (all with a permit allowance) is reverted to a single dwelling thus the entitlement would revert to a possible maximum of 2 residents permits from the possible maximum of 8 residents permits.