

## PARKING GUIDELINES & PROCEDURES

### ON STREET PARKING

There are a number of different types of parking places (bays) provided throughout the Harrogate District.

**Pay & Display** – The driver must purchase a parking ticket from the ticket machine which will be located on or adjacent to the street(s) in which the driver is going to park. Details of the charges and the permitted stay time are displayed on the front of the ticket machine, there are also signs displayed on the street informing drivers of the parking restrictions and the location of the ticket machine.

Charges apply between the hours of 8am-6pm Monday to Saturday of each week including Public Holidays except in Knaresborough where charges apply all days including Public Holidays. Drivers are responsible for ensuring that the correct amount of parking time is purchased and to check their parking ticket for the correct expiry time.

If a Pay & Display machine is not working the driver must purchase a ticket from a nearby machine.

**Residents** – Where residents parking controls are in place, unlimited parking time is available to residents whose vehicles display a Residents permit for that location. These can be purchased from Harrogate Borough Council through the reception at the Department of Development Services, Knapping Mount, West Grove Road, Harrogate or by contacting the Parking Administration Section on 01423 556622. To purchase a Residents parking permit you must provide proof of residency in the location you wish to park and proof of ownership of your vehicle. Additional guest permits are available for purchase by holders of Residents permits in most cases.

**Disc** – Where disc parking controls are in place, by displaying a clock disc motorists can park free of charge for differing periods between 5 minutes and 10 hours depending on the location in which motorists wish to park. The on street signage will inform motorists of the maximum stay time together with the restrictions prohibiting return to the same zone. Discs should be set to show the drivers arrival time and be clearly displayed on the vehicle windscreen or dashboard.

Discs can be obtained from various shops in the towns where disc parking is in operation or from Harrogate Borough Council. Drivers should read the on street signage to make themselves aware of the restrictions in force.

**Loading** – Only vehicles being used for the delivery or collection of goods (ie loading/unloading) can park in a Loading Bay. Loading/unloading means the delivery or collection of bulky, heavy or cumbersome items.

**Hackney Carriage (Taxi) Ranks** – Only registered Hackney carriages displaying a valid black and white licence plate numbered from 1 to 149 are allowed to park or wait in these spaces. Private Hire vehicles (red and white plate) are not allowed to use these ranks.

**Blue Badge Parking Bays** – A vehicle can only be parked in a ‘disabled parking bay’ if it has been used to convey a disabled person and if the vehicle is displaying a valid Blue Badge. The Blue Badge must be displayed with the side showing the expiry date and serial number face up (not the photograph side). Generally there are no time restrictions in these bays. However drivers should check the signage when they park.

**Permits** – There are a number of parking bays designated for use by permit holders only for example Doctors or Emergency Services. These bays can only be used by the designated permit holders with a valid permit displayed.

**Single/Double Yellow Lines** – The areas or lengths of these parking restrictions are clearly displayed on the carriageway. For further information on how the restrictions apply to vehicle drivers you should read the Highway Code. Generally, single yellow lines will only apply at certain times or days and the information on when the restrictions apply will be displayed on timeplates usually fixed to a pole adjacent to the section of road where the parking restrictions apply. Drivers should not park on Double Yellow lines at all, but there are exemptions for loading/unloading, Blue Badge holders and to allow the drop off or pick up of passengers.

NOTE: Blue Badge holders must display the blue badge together with the clock disc and can only park for up to 3 hours on yellow lines whilst the restrictions are in operation. They must not be parked so that the vehicle causes an obstruction of the highway or a danger to other road users.

Double Yellow lines with kerb markings indicate that restrictions are in place which prohibit vehicles from stopping or parking during the periods indicated on the accompanying sign. These restrictions also prohibit loading and unloading.

## **OFF STREET PARKING**

Harrogate Borough Council owns and operates a number of car parks throughout Harrogate District, the charges and maximum stay times vary depending on the location of the car park and the type of payment systems in operation (ie pay and display or pay on foot) also varies between individual car parks. Information with regard to charges, operating times, length of stay etc is on [www.harrogate.gov.uk/parking](http://www.harrogate.gov.uk/parking).

Season tickets offering discounted parking are available for most car parks information is on [www.harrogate.gov.uk/parking](http://www.harrogate.gov.uk/parking).

Conditions of use which apply at individual car parks are displayed within the car park on the Welcome and Tariff Boards. It is the driver’s responsibility to make themselves aware of the conditions which apply to motorists using the car park and to ensure that their parking ticket or permit is clearly displayed either on the vehicle dashboard or windscreen.

## **PARKING ENFORCEMENT – ON AND OFF STREET PARKING**

Harrogate Borough Council, as the Enforcement Authority, carry out parking contravention enforcement duties throughout the Harrogate District under the Traffic Management Act 2004. (Where the Penalty Charge Notice was issued for a contravention in an off-street car park, the Enforcement Authority is Harrogate Borough Council. In all other cases the Enforcement Authority is North Yorkshire County Council, with Harrogate Borough Council acting as its agent).

The enforcement duties are carried out by Civil Enforcement Officers (Parking) who have the powers to issue Penalty Charge Notices (PCNs) to vehicles that contravene the parking restrictions which are empowered by both the Harrogate Borough Council and the North Yorkshire County Council Traffic Regulations Orders. Parking restrictions can never be effective without the appropriate levels of enforcement which in turn bring benefits to the residents, businesses and visitors to the District.

### **PENALTY CHARGE NOTICE (PCN)**

A PCN may be issued by a Civil Enforcement Officer (Parking) to a vehicle which is observed to be contravening the parking restrictions which apply where the vehicle is parked.

The PCN will be attached to the vehicle windscreen or if the driver is present, handed to the driver of the vehicle. The PCN will clearly state why the notice has been issued and the contravention which has occurred. There are two forms of PCN; electronically generated by the CEO handheld computer or (if they are not in use) hand written.

### **INFORMAL OBJECTIONS, REPRESENTATIONS AND APPEALS**

Harrogate Borough Council has in place arrangements for dealing with informal objections, representations and appeals following the issue of a Penalty Charge Notice (PCN). They include details of how mitigating circumstances will be taken into account and set out the limits of officer discretion.

In dealing with objections and representations the Council aims to exercise a fair and consistent application of procedures.

***Informal Objections*** – Objections are an informal stage of the appeals process and must be made in writing within 28 days of the PCN issue date. They are dealt with by Parking Administrators, the Parking Administration Supervisor and the Parking Services Manager.

***Representations*** – Representations are the formal stage of the appeals process and cannot be made until the Notice to Owner (NtO) has been served. Representations must be made in writing within 28 days of receipt of the NtO. They are dealt with by the Representations Officer who works independently of the Civil Enforcement Officers and Parking Administration Team.

***Rights of Further Appeal*** – Following a rejection of representation, the owner of the vehicle can appeal to the Traffic Penalty Tribunal (TPT). This is an independent body who appoint adjudicators to consider the case, either by post, via a telephone hearing or at a personal hearing. Their final decision on a particular ‘case’ is binding on both the Council and appellant.

## **PROCESS AND TIMESCALES**

Objections will only be considered if received within 28 days of the PCN issue date. If the objection is accepted the PCN will be cancelled, waived or written off (see definitions below). If the objection is rejected the motorist will still have the opportunity to pay at the discounted rate of 50% (if the objection was received within 14 days of the issue of the notice) or at the full rate if received after 14 days.

A NtO will be issued 28 days after the date of service of the PCN, if full payment has not been received. The owner then has 28 days to make a representation. If a representation is accepted the PCN will be cancelled or waived.

If a representation is rejected the owner can either pay the charge or has 28 days to make an appeal to the TPT. The Council must provide a case file to the TPT and the appellant in the timescale specified by the TPT.

## **DEALING WITH OBJECTIONS AND REPRESENTATIONS**

In considering both objections and representations the Council will exercise discretion in dealing with mitigating circumstances. The Parking Administrators, Parking Administration Supervisor, Parking Services Manager and/or Representations Officer will check the Civil Enforcement officer’s notes/pocket book to see whether the circumstances are recorded. Witness statements or appropriate documentation should always be submitted in support of the driver’s comments.

***Write Off:*** Where the PCN is valid but a senior member of staff has considered the case and determined that the debt is unrecoverable or there is insufficient evidence to pursue enforcement.

***Waive:*** Where the PCN is valid but the owner has produced sufficient evidence and documentation for the Council not to enforce payment.

***Reduction:*** Where the PCN is valid but the Council considers that there are circumstances in which a discounted or reduced payment rate would be appropriate, and sufficient evidence and documentation has been provided.

**Cancel:** Where there is evidence produced and verified to show that the PCN was invalid; or the registered keeper whose details were provided by DVLA was not liable for the PCN; or where the PCN is valid, but sufficient evidence has been produced for the Council not to enforce payment.

## **REASONS FOR CANCELLING/REDUCING/WRITING OFF A PCN FOLLOWING RECEIPT OF A REPRESENTATION**

1. The contravention did not occur.
2. Not the owner of the vehicle at the time of the contravention.
3. The vehicle had been taken without my consent.
4. Hire firm who have supplied the name of the hirer.
5. The penalty exceeded the relevant amount.
6. There has been a procedural impropriety on behalf of the Council.
7. The traffic order was invalid.
8. The penalty charge has been paid, either in full or at discounted rate within discounted period.

### **Other representations accepted, mitigating circumstances on receipt of additional information.**

**Write Off:** Where a representation has been made and rejected by the Council, and an appeal has been made to the TPT.

- a) The appeal has been considered by the TPT and adjudication has been in favour of the appellent.
- b) The appeal has been made to the TPT and the Council considers that the appeal should not be contested.

**Reduction:** Where the PCN is valid but the Council considers that there are circumstances in which a discounted payment rate would be appropriate, and sufficient evidence and documentation has been provided.

## **COMPLAINTS PROCEDURE**

Dissatisfaction with an officer's decision (eg rejection of an objection/representation) is not a complaint. If a motorist is not satisfied with the service they have received from Harrogate Borough Council they can make a complaint using the "Help Us to Help You" forms. Following that, if they are not satisfied with the Council's response they can make a complaint to the Local Government ombudsman.

## **GENERAL INFORMATION**

### ***Waiver of Parking Restrictions:***

A waiver is issued to allow specified vehicles to park where waiting restrictions apply at a specified location.

The Council may exercise its discretion and issue Waivers only in exceptional circumstances, where it is decided that the vehicle is required to park near to or adjacent to a specified property. The decision made by the Council will be final, and where any application is rejected, alternative parking arrangements will have to be made.

The Council is not required to provide Waivers to allow drivers to park their vehicles in the vicinity of their location of work. This service is provided to assist bona fide operations for contractors and individuals where it is necessary for a vehicle to be parked contravening the parking regulations.

Waivers may be applied for by post or, in person at the Reception, Department of Development Services, Knapping Mount, West Grove Road, Harrogate between 8.30am and 2.00pm Monday to Friday, excluding public and bank holidays.

Any Waiver issued should be displayed on the vehicle in accordance with the conditions imposed so that it is clearly visible to a Civil Enforcement Officer (Parking) from the outside of the vehicle. Failure to do so may result in the issue of Penalty Charge Notice. No person shall exhibit on any vehicle any Waiver which has been altered, defaced, mutilated, or added to or upon which the figures or particulars have become illegible.

### ***Charges***

Per waiver for one day	£20.00
Per waiver additional consecutive days up to the end of the first 7 days	£ 5.00 £50.00
For each consecutive 7 days after	£35.00

### ***Suspension of Parking Restrictions:***

A suspension may be implemented after a request from any person who is intending to undertake work in the highway or on premises adjacent to the highway that necessitates the temporary reservation of a particular parking space for their exclusive use and for a parking bay to be coned off to restrict parking by any other motorist.

- Where a contractor is undertaking work on a property adjacent to a parking bay, and because of the nature and type of work, parking in the bay may cause a hindrance to the continuation of that work, a suspension can be requested to prevent other drivers from parking in that bay. In certain cases a Waiver may also be required to enable a particular vehicle to park in a suspended bay. (ie. Glazier needs to have a vehicle close by, but all other vehicles need to be kept away from the area of work for Health and Safety).

- Where a removal company wishes to undertake the delivery/removal of furniture from a property located within a Controlled Parking Zone and without a suspension, it could not be guaranteed that the parking bay would be available to enable the removal vehicle to park in reasonable proximity to the property.

Suspensions may be applied for by post, telephone or in person at Level 1, Jubilee MSCP, Cheltenham Road, Harrogate HG1 1DJ between 8.30am and 2.00pm Monday to Friday, excluding public and bank holidays.

### **Charges**

Per bay for one day	£ 32.00
Per bay for one week	£160.00
Per bay for two weeks	£220.00
Per bay for one month	£330.00
For each month thereafter	£220.00

### **HIGHWAY CONING SERVICE**

Harrogate Borough Council offer a service to place cones which prohibit parking on streets for various reasons ie. house removals, weddings, funerals etc. The service is offered on a customer request basis and can only be used on sections of road/ areas where there are no existing parking restrictions for a maximum period of one day.

Please note that for Coning works there is a charge for the service. For information on the charges that apply contact 01423 556693 is on [www.harrogate.gov.uk/parking](http://www.harrogate.gov.uk/parking)

### **CONTACT NUMBERS**

a) Report Faulty Payment Machines	01423 556693
b) Information on Residents and Guest Permits	01423 556622
c) Purchase of Season Ticket off street car parks	01423 556622
d) Report hazards within a Car Park	01423 556693
e) Request parking enforcement	01423 556693
f) Request highway cones, waiver or suspension	01423 556693
g) To discuss a PCN	01423 556611 or 556956
h) Request parking restrictions for your street	01423 556969
i) Traffic Penalty Tribunal	01612 425252

Information with regard to all parking matters including charges, locations of car parks, maximum stay times etc can be found on the Harrogate Borough Council's website [www.harrogate.gov.uk/parking](http://www.harrogate.gov.uk/parking)