

Barrier-Controlled Car Parks Policy

Introduction

These documents form the operational guidance and strategic link for the Transport Monitoring team in relation to the daily operation and monitoring of the 5 Council-owned barrier-controlled car parks. It gives clear direction and limitations on decisions officers make. All policies apply at all five barrier controlled car parks, unless otherwise stated, comprising:

- The Lanes car park (Black Lion Street, BN1 1ND)
- Regency Square car park (Regency Square, BN1 2FG)
- London Road car park (Providence Place, BN1 4GE)
- Chapel Street car park (Chapel Street, BN2 1RW)
- Trafalgar Street car park (Blackman Street , BN1 4DY or Whitecross Street, BN1 4DZ)

Approval committee date:

1.1 Aim of Policy

This policy document sets out the standards for the running and administration of Brighton and Hove City Council barrier-controlled car parks along with eligibility requirements for obtaining a season pass for use in barrier-controlled car parks, or requesting changes to season passes. In addition to meeting audit requirements the approval of this document formalises the procedures already in place, promotes consistency, and supports officers in their decision making.

1.2 Policy Scope

The policy is subordinate to any legislation, central government guidance or local corporate policy that covers these areas of administration.

1.3 Council's Corporate strategy

The parking policy is linked to improving access to the city for residents and visitors with the provision of parking facilities that are remotely monitored and controlled and promoting choices that support the council's carbon neutral strategy.

1.4 Equalities Impact Assessment

The Equalities Impact Assessment for the **Pay and Display machine Removal in Brighton and Hove 2023** states that the 5 council-run off-street barrier-controlled car parks will continue to have Pay on Foot machines to allow users of private vehicles to have a choice of payment methods.

EIA no. EEC56

1.5 Last reviewed by and date: First issue

Contents - Parking Permits

Standard Tariff

1	Tariffs, Refunds and Other Charges.....	3
2	Conditions of Use	5
3	Blue Badge / Disabled Parking Bay.....	6
4	Electric Vehicle Parking Bays.....	7
5	Abandoned Vehicles	8
6	Hotel Discounted Ticket Payments (The Lanes car park)	9
7	Brighton Centre Discounted Payments (Regency Square car park)	10

Season Passes

8	Tariffs, Refunds and Other Charges	11
9	Conditions of Use	12
10	Reduced Cost Season Passes	14

Appendix 1

Standard Tariff

1 Tariffs, Refunds and Other Charges

This document sets out policies for tariffs, refunds and charges related to parking within the barrier-controlled car parks owned by Brighton and Hove City Council and operated by the Transport Control Centre.

Tariffs

All tariffs for parking within the barrier-controlled car parks can be found in the latest fees and charges committee documents. The cost may vary for those that make payment for The Lanes car park via the hotel that is situated above the car park or for Regency Square car park for those that make payment via the Brighton Centre.

The current tariffs will be displayed at each car park on tariff boards at or before the vehicle entry and in proximity to the Pay on Foot machines.

Tariff time periods are agreed as part of the fees and charges committee documents and as such, no alteration will be made to a tariff if only part of a set time period has been used.

The price for the ticket shall be inclusive of VAT and a VAT receipt can be obtained at the payment machines once a transaction is completed.

Any increases or changes to tariffs will be advertised on site at the car park and on the Brighton and Hove City Council website in advance.

Parking tariffs must be paid in full prior to the vehicle exiting the car park.

Refunds

In the event of an over-payment or an over-charge, which is due to equipment or software failure, customers are entitled to claim back any monies which were paid in excess of the tariffs displayed on the tariff information boards.

Customers will be offered car park credits in lieu of a refund to be used against future parking at a Brighton and Hove City Council barrier-controlled car park. These credits can be redeemed within 12 months of issue against a future charge at a payment machine before the payment is processed by the customer.

All requests for a refund must be made in writing via email to trafficcontrolcentre@brighton-hove.gov.uk or by using the web form on the Brighton and Hove City Council website. Alternatively, requests can be made via post to Transport Control Centre, Hove Town Hall, Norton Road, Hove, East Sussex BN3 4AH.

A refund will not be issued if an over-payment is made due to customer error or negligence and Brighton and Hove City Council will not be accountable to rectify the cost at a later date.

Brighton and Hove City Council will only consider refund requests for transactions that have been completed using the Pay on Foot equipment within the car park.

Other Charges

Lost tickets

Lost tickets will incur an administration charge. Where a time of entry cannot be verified by Automatic Number Plate Recognition the fee for a lost ticket will be charged at the 24-hour rate plus an the administration charge.

Inability to pay at Pay on Foot Machines

In circumstances where payment cannot be made prior to exit, the vehicle driver will be invoiced for the cost of parking plus the administration fee.

Abandoned Vehicles

In accordance with the Removal, Storage and Disposal of Motor Vehicles (Amendment) Regulations 2023 any vehicle not including a 2 wheeled vehicle, equal to or less than 3.5 tonnes deemed to be abandoned may at the discretion of Brighton and Hove City Council be subject to:

- a storage surcharge per 24 hour period or part thereof.
- A removal fee where the vehicle is upright and not substantially damaged
- An increased removal fee where the vehicle is not upright or substantially damaged or both
- A disposal fee where the vehicle is not recovered.

2 Conditions of use

This document sets out the conditions of use for users of the barrier-controlled car parks owned by Brighton and Hove City Council and operated by the Transport Control Centre.

Conditions

Upon a vehicle entering this car park an agreement is formed whereby the vehicle user is permitted to park for the duration of their stay providing that the user makes full payment of the amounts set out by the tariff prior to their exit from the car park.

In order to commence parking the customer must use the entry equipment to obtain a ticket which must be used to enter and exit the car park at all times. Car Parks controlled with security doors will require the ticket holder to use their ticket to gain pedestrian entry to the car park.

Customers must park wholly within the markings of a designated space. The Council reserves the right to nominate specific bays for designated use.

A ticket will permit one vehicle only to be parked in the car park. Once the ticket has been used to remove the vehicle from the car park, it cannot be used again.

The Council does not accept liability for any damage to or loss of vehicles or their contents which is the result of acts or omissions outside the reasonable control of the Council or its contractors.

The Council shall not be liable in respect of any death, personal injury, loss, or damage sustained by any person entering a car park howsoever the same may be caused, unless caused by the negligence of or breach of statutory duty by the Council.

Any vehicle that is too high or too wide for the bays of the car park are not permitted to use within the car park and alternative parking options should be sought by the customer.

Vehicles whose height exceeds the entry restriction at the car park will not be permitted admission into the car park. Trailers, caravans, boats, or other towed conveyances are not permitted to enter the car parks.

Motorcycles, mopeds, tricycles, or quad bikes are not permitted to enter the car parks.

Customers shall not conduct any repairs, renovations, additions, or alterations to any vehicle whilst it is parked in the car park.

The Council reserves the right to refuse admission to any or all of its car parks if circumstances dictate.

3 Blue Badge / Disabled Parking Bays

This document sets out the conditions of use for users of Blue Badge parking spaces within the barrier-controlled car parks owned by Brighton and Hove City Council and operated by the Transport Control Centre.

Conditions

Blue Badge holders are not exempt from payment and no discounted tariffs are offered for Blue Badge holders.

Any vehicle parked within a Blue Badge / Disabled parking space must be displaying a valid Blue Badge at all times, the time clock does not need to be set.

Where a valid Blue Badge is not displayed a Penalty Charge Notice can be issued to the vehicle by a Civil Enforcement Officer.

The Council will not consider any request for a refund or reduction of parking tariff to offset the cost of a Penalty Charge Notice that has been issued.

All appeals against a Penalty Charge Notice must follow the procedure specified on the Penalty Charge Notice. The Transport Control Centre and car park staff do not have any influence over how the Penalty Charge Notice is administered or appealed.

When using a Blue Badge, drivers must at all times comply with all statutory conditions and legislation relating to Blue Badges.

4 Electric Vehicle parking Bays

This document sets out the conditions of use for users of Electric Vehicle charging spaces within the barrier-controlled car parks owned by Brighton and Hove City Council and operated by the Transport Control Centre.

Conditions

Electric Vehicles using charging points within the car parks must pay the parking tariff in addition to any electric vehicle charging fees paid.

There are marked parking spaces for the charging of electric vehicles within the car parks and electric vehicles should not commence charging unless they are parked wholly within one of the marked spaces.

The electric vehicle charge is delivered from equipment that is monitored by a service provider on behalf of Brighton and Hove City Council. Users of this equipment will need to follow any instructions for use that are displayed on the equipment.

Electric Vehicle users will need to supply their own charging cable to connect the vehicle to the charger. The user should ensure that the cable is checked to ensure it is free from faults, damage, or defects, that it is used in accordance with manufacturer instructions and that it does not pose any risk to other users of the car park.

Any queries relating to charging costs or vehicle compatibility should be directed to the charging equipment service provider.

Any queries about a refund of charging costs will need to be taken up with the service provider.

5 Abandoned Vehicles

This document sets out the measures and action related to vehicles within the barrier-controlled car parks that may be abandoned.

Conditions

A vehicle will be treated as abandoned where the vehicle remains in the car park for a period of 14 days or more without prior notification having been given in writing to the Transport Control Centre.

Any vehicle that is deemed to be abandoned shall be subject to the standard tariff for the first 14 days it is parked within the car park. From day 15 a storage surcharge will be applied in addition to the standard tariff rates until the vehicle is claimed or removed. The storage surcharge will be applied per 24 hour period.

Once a vehicle is identified as abandoned transport control centre staff will seek vehicle and registered keeper details from the DVLA. A notice will be sent to the registered keeper informing them that they will need to make contact and remove the vehicle. Any outstanding charges will need to be paid prior to the vehicle leaving the car park.

Where a vehicle is not moved in the designated time since a notice has been issued, Brighton and Hove City Council will remove the vehicle at cost to the registered keeper. The registered keeper will be invoiced for all outstanding costs including parking charges, storage surcharges, removal fee and disposal fee.

6 Hotel Alternative Rate Ticket Payments (The Lanes car park)

This document sets out the eligibility and requirements for discounted parking at The Lanes car park operated by the hotel. A condition of the lease of the building above The Lanes car park allows the hotel use of The Lanes car park to provide parking for its customers. The hotel has a ticket validation machine at its reception desk and can, at the operator's discretion, provide alternative parking rates.

Eligibility

Eligibility for alternative rate payments at The Lanes is solely at the discretion of the hotel operator.

Conditions of use

Customers must take a ticket at the car park entry to gain access to the car park. Once the customer has parked their vehicle, they must retain their ticket to present at the hotel reception and to gain entry via the pedestrian doors.

When a customer wishes to end their parking session, they must present their entry ticket to a hotel staff member at the reception desk. The hotel will charge the customer accordingly.

The entry ticket must be validated using the equipment provided to the hotel by Brighton and Hove City Council. The validator will produce a parking voucher which will be used in conjunction with the entry ticket at the vehicle exit.

At the vehicle exit the customer will need to scan the entry ticket followed by the parking voucher. The parking voucher confirms payment has been made and allows the vehicle to exit without further charge.

Council officers can not apply the alternative rate at the Pay on Foot machines as the parking voucher can only be obtained at the ticket validator in the hotel.

Council officers are unable to permit a vehicle to exit where the driver is unable to produce a parking voucher without having previously been notified by the hotel reception staff. Officers are unable to check hotel systems for confirmation of payment. In circumstances where a voucher cannot be presented and the hotel have not notified the Transport Control Centre, the customer will be required to return to the hotel reception or pay the parking tariff at a Pay on Foot machine within the car park.

Parking vouchers issued by the hotel can only be used to allow the exit of a single vehicle once. If the customer returns to commence additional parking sessions within the car park they will be required to follow the same procedure for each parking session.

7 Brighton Centre Alternative Rate Payments (Regency Square car park)

This document sets out the eligibility and requirements for discounted parking at Regency Square car park operated by the Brighton Centre. There is the option for the Brighton Centre to provide alternative rate parking for delegates of conferences held at the Brighton Centre via a ticket validation machine at its reception desk.

Eligibility

Eligibility for alternative rate payments at Regency Square car park is at the discretion of the Brighton Centre management team or their designated operator in accordance with the conditions of use.

Conditions of use

Delegates must take a ticket at the car park entry to gain access to the car park. Once the customer has parked their vehicle, they must retain their ticket to present at the Brighton Centre reception and to gain entry via the pedestrian doors.

When a delegate wishes to end their parking session, they must present their entry ticket to a Brighton Centre staff member at the reception desk. The staff member will charge the delegate accordingly.

The entry ticket must be validated using the equipment provided to the Brighton Centre by the Transport Control Centre. The validator will produce a parking voucher which will be used in conjunction with the entry ticket at the vehicle exit.

At the vehicle exit the delegate will need to scan the entry ticket followed by the parking voucher. The parking voucher confirms payment has been made and allows the vehicle to exit without further charge.

Council officers can not apply the alternative rate at the Pay on Foot machines as the parking voucher can only be obtained at the ticket validator in the Brighton Centre.

Council officers are unable to permit a vehicle to exit where the driver is unable to produce a parking voucher without having previously been notified by the Brighton Centre reception staff. Officers are unable to check Brighton Centre systems for confirmation of payment. In circumstances where a voucher cannot be presented and the Brighton Centre have not notified the Transport Control Centre, the delegate will be required to return to the Brighton Centre or make payment of the appropriate tariff rate in full at a Pay on Foot machine within the car park.

Parking vouchers issued by the Brighton Centre can only be used to allow the exit of a single vehicle once. If the customer returns to commence additional parking sessions within the car park they will be required to follow the same procedure for each parking session.

Season Passes

8 Tariffs, Refunds and Other Charges

This document sets out policies relating to tariffs, refunds and charges related to season passes used for parking within the barrier-controlled car parks owned by Brighton and Hove City Council and operated by the Transport Control Centre.

Tariffs

All tariffs for car parking season passes within the barrier-controlled car parks can be found in the latest fees and charges committee documents.

The correct tariffs will be displayed on the Council website on the relevant car park page.

Season pass prices and validity periods are agreed as part of the fees and charges committee documents and as such, no alteration will be made to the cost or validity period.

The price for the season pass shall be inclusive of VAT and a VAT receipt can be obtained once a transaction is completed.

Any increases or changes to tariffs will be advertised on site at the car park and on the Brighton and Hove City Council website in advance.

Refunds

All refunds of season pass cards will be subject to an administration cost. The administration cost will be deducted from the refundable balance.

Customers that wish to cancel their season pass before the season pass has expired may apply for a refund of any full remaining months of validity. Where a pass has less than a month of validity remaining, no refund will be offered.

All requests for a refund must be made in writing via email to trafficcontrolcentre@brighton-hove.gov.uk or by using the web form on the Brighton and Hove City Council website. Alternatively, requests can be made via post to Transport Control Centre, Hove Town Hall, Norton Road, Hove, East Sussex BN3 4AH.

A refund will not be issued if an over-payment is made due to customer error or negligence and Brighton and Hove City Council will not be accountable to rectify the cost at a later date.

Other Charges

Lost season pass cards will incur an administration charge for replacement. Payment of the administration cost will need to be made in full prior to a replacement pass card being despatched.

9 Conditions of use

This document sets out the conditions of use for users of the barrier-controlled car parks owned by Brighton and Hove City Council and operated by the Transport Control Centre.

Conditions

Once issued with a season pass the customer must keep the season pass with them at all times that you intend to use the car park. The season pass can be used to permit entry or exit to the car park and may be required in situations where the Automatic Number Plate Recognition (ANPR) fails to recognise the Vehicle Registration Number (VRN).

Car Parks controlled with security doors will require the season pass holder to use their season pass to gain pedestrian entrance to the car park.

If a season pass does not operate the entry and/or exit barrier, then the holder must contact an operator to activate the barrier. Operators can be contacted by using the emergency assistance button located on the equipment. Failing to contact an operator and choosing to take a day ticket instead will result in the day ticket charge needing to be paid prior to exit.

In the case of regular default of production of a valid season pass, the Council shall have the right to charge the customer for the parking, without refund.

A season pass does not guarantee a space, nor shall it entitle the customer to any particular space in the car park nor to priority over other customers. Passholders must park within the marking of a designated space. The Council reserves the right to nominate specific bays for designated use.

A season pass will permit one registered vehicle to park in the nominated car park at any time except where time restrictions are specified prior to purchase.

Passholders will not be able to park any vehicle other than the vehicle that was registered during application. If the passholder changes their vehicle permanently or uses a temporary vehicle for example a courtesy vehicle they may use their season pass providing they have given prior notice via email to TCCteamleaders@brighton-hove.gov.uk.

The Council provides only a place to park in return for payment and cannot guarantee the security of customers' vehicles and their contents. The Council does not accept liability for any damage to or loss of vehicles or their contents which is the result of acts or omissions outside the reasonable control of the Council or its contractors.

The Council does not accept liability for any damage to or loss of vehicles or their contents which is the result of acts or omissions outside the reasonable control of the Council or its contractors.

The Council shall not be liable in respect of any death, personal injury, loss, or damage sustained by any person entering a car park howsoever the same may be

caused, unless caused by the negligence of or breach of statutory duty by the Council.

The Council reserves the right to refuse admission to any or all of its car parks.

No repairs, renovations, additions, or alterations can be carried out to any vehicle whilst it is parked in the car park.

The passholder shall not at any time tow any vehicle, Trailers, caravans, boats, or other conveyances into the car park.

The passholder shall not at any time at the car park sell, hire, exhibit for sale or conduct any negotiations or dealings whether legal or illegal or carry out any illegal or immoral acts.

A season pass shall remain the property of the Council, to which it shall be surrendered on expiration.

Any passholder whose vehicle enters the car park and remains parked for 60 consecutive days or more without leaving the car park shall automatically attract a storage surcharge and will be invoiced.

Passholders shall abide by any other Terms and Conditions as published in the Car Park or on the Brighton and Hove City Council website. Failure to comply with the Terms and Conditions will result in the season ticket being cancelled.

10 Reduced Cost Season Passes

This document sets out the eligibility for reduced cost season passes for the barrier-controlled car parks owned by Brighton and Hove City Council and operated by the Transport Control Centre.

Eligibility

The applicant must own or lease/rent a property within the parking zone applicable to the car park that they wish to purchase a reduced cost season pass.

If the applicant is eligible for a resident parking permit, then they must provide evidence to show that they have made application for the permit and are being held on the waiting list.

Where a business wishes to apply for a reduced cost season pass, the applicant must own, lease, or manage a property within the parking zone applicable to the car park.

To ensure eligibility, verification is required for all applications. Documents must be dated within 3 months and addressed to the applicant. A list of accepted documents can be found in Appendix 1.

Conditions of use

Reduced cost season passes can only be used in accordance with the time restrictions specified for the pass type at each relevant car park. Applicants that wish to park outside of the specified times will be required to purchase a full cost season pass to allow them to do so.

Reduce cost pass holders shall abide by all other standard conditions of use and any other Terms and Conditions as published in the Car Park or on the Brighton and Hove City Council website. Failure to comply with the Terms and Conditions will result in the season ticket being cancelled.

Appendix 1

Acceptable address verification documents for season passes.

The document must be dated within 3 months and show the applicants name unless otherwise stated.

Accepted documents include.

- Council Tax bill – issued within the last 12 months.
- Signed tenancy agreement – issued within the last 12 months.
- letter from letting agent on headed company paper confirming tenancy which must include name, address, and date of tenancy.
- utility bill
- solicitor's completion letter
- mortgage statement
- credit card bill
- letter from central government
- letter from local government
- bank statement
- store card statement
- mobile phone bill
- insurance documents
- Doctors Letter / NHS Letter

Accepted vehicle documents include:

- Motor Insurance Schedule/Statement of Fact
- Lease/Hire Agreement
- Signed Company Letter on official headed paper stating the vehicle is kept and used by you at your address.

Accepted documents to verify address for season passes issued to business or professionals.

The document must be dated within 3 months and show the business name unless otherwise stated.

- Business rates - issued within the last 12 months.
- Tax Returns – dated from the last full financial year.

- Central Government Letter
- Local Government Letter (parking related letters will not be accepted)
- Solicitor's letter
- Business mortgage statement
- Business credit card bill
- Business bank statement
- Business insurance documents
- Business Utility Bill