

APPENDIX E - Parking Design & Implementation Policies October 2023

These documents form the operational guidance for Parking Design & Implementation. It gives clear direction and limitations on decisions officers make. Policies are subordinate to any legislation, central government guidance or local corporate policy that covers these areas of administration.

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Access Protection Markings (APM)

Updated October 2023

Introduction

This document sets out the qualifying criteria and process of implementation of Access Protection Markings (APM). These are also known as white lines across a driveway or legal dropped kerb.

Cost

Please refer to the current Fees and Charges document for the updated costs.

Criteria

To qualify for an access protection marking, the applicant must meet all eligibility criteria and submit a complete application to us:

1. The applicant must live in Brighton and Hove adjacent to a public highway. We cannot install an APM on private roads and/or housing land.
2. **A current council tax bill must be provided alongside the application. The applicant must be named on the council tax bill to prove residence at the address.**
3. An APM may only be installed where requested by an owner of a property where there is a legally dropped kerb.
4. If there are waiting restrictions, such as existing yellow lines, an application will not be considered and deemed unnecessary as the existing road markings are already enforceable by Civil Enforcement Officers.
5. Where a vehicle access is shared by two properties both properties will need to give consent, but this can be submitted on one application.
6. **If a valid blue badge is used to claim the concession of a free of charge APM, this must be registered to the applicant at the address they are applying for the APM for.**
7. APMs will not extend further than 1 meter at each side.
8. Dropped crossings are considered as vehicle or footway crossings.
9. **An APM will not be considered to prevent parking on the opposite side of a road from a vehicle crossover.**
10. If the APM is requested to be refreshed by the property owner, this will be at the expense of the applicant/property owner.
11. If the APM needs refreshing following roadworks, this will be done at the Council's expense.

Doctor and Ambulance Bays

Updated October 2023

Introduction

This document sets out the qualifying criteria of doctor and ambulance bays.

Cost

Please refer to the current updated Fees and Charges document for administration fees and/or cost of implementation.

Criteria for Doctor Bays

A doctor parking bay is available for doctor's who require a bay sited near their surgery or consulting room, enabling a quick response to emergency call outs.

1. An application must be made in writing. The application must outline a detailed description/reason the bay(s) are required, the name of the applicant, details of the surgery and contact information.
2. Each surgery can apply for a maximum of two doctor's bays.
3. Where a surgery has merged with another, we will consider further bays to accommodate the needs of the surgery.
4. Doctor parking bays are only provided to enable routine home visits or other emergency vehicle use.
5. Applications will only be considered to allow doctors to park close to a surgery where off street parking is not available.
6. The operational times for doctor bays will be 8am to 8pm.
7. A valid doctor parking permit must be displayed in the vehicle when parked.

Criteria for Ambulance Bays

1. An application must be made in writing. The application must outline a detailed description/reason the bay is required and the name and contact details of the applicant/organisation.
2. The bay can only be requested and used by an "ambulance vehicle". This is specified as a motor vehicle which is constructed or adapted, and primarily used for carriage of person to or from a place where they will receive medical treatment; and which by reason of design, marking or equipment is readily identifiable. Evidence of this must be supplied on application.

General Use Disabled Bay

Updated October 2023

Introduction

This document sets out the qualifying criteria and process of implementation of general use Disabled Bays within and outside of controlled parking zones **near shopping and leisure areas**.

Criteria

To qualify for a general use (unassigned) disabled bay on the public highway, the applicant or applying organisation must meet all the relevant eligibility criteria and submit a completed application.

- 1) A request in writing must be submitted.
- 2) No available suitable off-street parking spaces at the requested location or venue. A suitable available parking space could include but is not limited to be a driveway, garage, or hardstanding. Incline, width as well as the practicality and ease of accessibility for the blue badge holder are considered.
- 3) A constant need is identified where valid blue badge holders require to park closer to their destination to access goods, amenities, and services.
- 4) General Use bays will not be installed where the reason for the demand is only at certain hours of the day or week, such as schools or places of worship, as this would not be the most efficient use of the space at other times when there is no demand.
- 5) General use disabled bays will be time-limited to
 - a) 'Short stay' - 3hrs maximum stay,
 - b) 'Medium stay' - 6hrs maximum stay or
 - c) 'Long stay' - at any time (no maximum stay).

Location Criteria

To establish whether the request can be approved, site visits will be undertaken.

1. Layout of the road, crossing points, access, and incline of the location as well as the number of other disabled bays in the vicinity must be considered.
2. **Priority will be given to road safety.**

On approval, a Traffic Regulation Order (TRO) procedure is followed. This is a legal process which enables enforcement of the bay once implemented.

In the case of a rejected application, an appeal may be submitted by the applicant in writing. Such an appeal will be re-assessed by a senior member of the team.

Other Information

All bays are subject to reviews. If the bay is no longer in consistent use, we reserve the right to revoke and remove the bay.

No Loading Restrictions

Updated October 2023

Introduction

This document sets out the process and criteria of installing No Loading Restrictions.

Application

A request must be made in writing and must include a detailed description of the issue and exact location.

A site visit to assess the issue as stated in the request will be conducted.

Criteria

1. Loading restrictions will only be considered where no waiting restrictions have already been applied to the public highway.
2. Loading restrictions will only be considered at certain locations, such as traffic sensitive areas, main arterial routes, busy shopping areas and/or city centres, where loading is having a major continuous impact on traffic flow and causes congestion to all road users.

Parking Schemes (Controlled Parking Zones)

Updated October 2023

Introduction

This document sets out the requirements, criteria, assessment, and process of Controlled Parking Schemes (CPZs).

Criteria

1. New areas will only be considered following evidence of support from residents, businesses, and Ward Councillors.
2. Support for a parking scheme must be evidenced by a petition or deputation to the Transport & Sustainability Committee.
3. All proposed parking schemes must be added to the 'parking scheme priority timetable' and approved at a Transport & Sustainability Committee.
4. Where parking bays are unable to be installed on the public highway, waiting restrictions (yellow lines) shall be applied along the kerbside to protect the movement of traffic and prevent obstruction to all road users.
5. All white access protections markings will be removed upon implementation of a parking scheme. Double yellow lines will be marked across all legal vehicle crossovers & dropped pedestrian kerbs.
6. Consultation with residents, businesses and stakeholders will take place to establish overall support for a new parking scheme.
7. Wider transport improvement works, such as pedestrian crossings and bus stop build outs, will not be considered as part of the residents parking scheme consultation.

Personalised disabled bay

Updated October 2023

Introduction

This document sets out the qualifying criteria and process of implementation of Personalised Disabled Bays within and outside of controlled parking zones.

This policy shall be used in conjunction with the Resident Disabled Bay Policy.

A personalised disabled bay will only be considered as a last resort, and we will explore all other alternative solutions before considering an application for a personalised disabled bay.

Personalised disabled bays are difficult to administer and are often ineffective as the applicant still often finds other blue badge holders parking in the bay.

Cost

If the request is approved, the applicant is liable to an application fee and is required to obtain an annual permit for the bay. Refer to the current fees and charges document.

Criteria

To qualify for a personalised disabled bay on the public highway, the applicant must meet all the below criteria:

1. The application for a personalised disabled bay must be in writing. This must include a detailed description and outline frequency of the problems experienced.
2. Applications for a personalised disabled bay at an address where the applicant does not permanently reside at, will not be considered.
3. Applications for a personalised disabled bay, where the driver of a private motor vehicle lives at a different address, will not be considered.
4. A resident disabled bay must have been implemented for 12 months or longer before any application for a personalised disabled bay is considered.
5. The existing disabled bay will be monitored over a set period to establish the use of the bay.
6. A personalised disabled bay at a residential address will only be considered in highly congested central locations, such as near train stations, city centres, shopping, or leisure areas where there is a high level of visitors and there is high demand for access to goods and services.
7. A valid parking permit must be purchased and be clearly on display in the vehicle when parked in the bay.

Other Information

All bays are subject to review. If the parking permit has not been renewed, the bay is no longer in constant use or the applicant is deceased, we reserve the right to remove the bay.

Resident Disabled Bay

Updated October 2023

Introduction

This document sets out the qualifying criteria and process of implementation of Disabled Bays for general use (assigned) within and outside of controlled parking zones.

Cost

A non-refundable administration fee as stated on the current Fees and Charges Document is required at the time of application.

Criteria

To qualify for a resident disabled bay on the public highway, the applicant must meet all the relevant eligibility criteria and submit a complete application to us.

1. A completed signed application form to be submitted.
2. Permanently and primarily reside at the address within Brighton and Hove for which the disabled bay is applied for. A permanent resident is identified as living at the address for a minimum of 5 nights per week. Applications will not be considered for second or holiday homes.
3. Details of the blue badge holder.
4. Where the holder of a valid blue badge is not the driver of the vehicle, they must permanently live at the same address as the blue badge holder.
5. There are no available suitable off-street parking spaces. A suitable available parking space could include but is not limited to be a driveway, garage, or hardstanding. We will take incline, width as well as the practicality and ease of accessibility for the blue badge holder into account.
6. A valid driving licence registered to the applicant's address. Mitigating circumstances may be considered.
7. V5C, insurance certificate/schedule or mobility vehicle agreement where the applicant must be the registered keeper.
8. In the case where the holder of a valid blue badge is not the driver of a vehicle and the driver of the vehicle is unable to safely drop off the blue badge holder, as they cannot be left unattended for any duration, supporting evidence will be required.

Location Criteria

To establish whether an application can be approved, site visits will be undertaken.

1. Layout of the road, crossing points, access and incline of the location must be considered.
2. For walking disabilities, the requested disabled bay must be located within 50 metres of the residential home address specified on the application form.
3. For non-visible ('hidden') disabilities, the requested bay may be located at a suitable location near the home address specified on the application form. This may exceed 50m.
4. Priority will be given to road safety.

On approval, a Traffic Regulation Order (TRO) procedure is followed. This is a legal process which enables enforcement of the bay once implemented.

In the case of a rejected application, an appeal may be submitted by the applicant in writing. Such an appeal will be re-assessed by a different member of the team.

Other Information

All bays are subject to reviews. If the bay is no longer in consistent use, we reserve the right to revoke and remove the bay. Refer to the current Traffic Regulation Order (TRO).

Solo Motorcycle Bays

Updated October 2023

Introduction

This document sets out the qualifying criteria and application process for motorcycle bays.

Criteria

To qualify for a motorcycle bay on the public highway, the applicant must meet all eligibility criteria.

1. A request for a motorcycle bay must be made in writing. The request must contain a description as to why a new motorcycle bay is needed, an exact location and contact details of the applicant.
2. **The location where the motorcycle bay is requested must be within Brighton and Hove and on public highway.**
3. A motorcycle bay may be installed where requested, provided there is no established available motorcycle bay near the location.
4. A site visit will be carried out to establish suitability of the preferred location. We must consider noise disruption to nearby properties such as basement flats or incline of the road and weather conditions.
5. A motorcycle bay will be located as close to the applicant's request as reasonably possible.
6. We reserve the right to remove a motorcycle bay should this not be in frequent use. The bay will be monitored over a period to establish this.

Vehicle Crossovers

(Minor and Major Developments)

Introduction

This document sets out the process and criteria of vehicle crossover applications for addresses within controlled parking zones or where there are marked bays on the carriageway.

A minor development is defined as: -

- nine or less units of residential accommodation
- new commercial development of less than 1,000 square metres
- change of use of less than 1,000 square metres
- site area not exceeding 0.49 hectares where it is not known how many dwellings are to be created.

A major development is defined as: -

- ten or more units of residential accommodation
- a new commercial development of 1,000 square metres or more
- site area exceeding 0.5 hectares where it is not known how many dwellings are to be created.
- development site area is 1 hectare or more.

Cost

A non-refundable administration fee is payable by the applicant at the time of application. These are stated on the current Fees and Charges Document at the time of application.

The applicant is required to cover all costs involved including the Traffic Regulation Order (TRO) process (upfront and non-refundable), any mitigation on loss of on-street parking and necessary parking infrastructure on site (post TRO process).

Application

1. Applications will only be considered where the number of off-street parking spaces created is equal or more than the loss of on-street parking spaces.
2. Applications may not be considered in parking schemes where there is a permit waiting list in operation.
3. All parking restrictions require a TRO to be put in place.
4. If the application is approved in principle, we will contact the Vehicle Crossover Team and inform them that we will raise a request on the applicant's behalf to amend the TRO outside the property address stated on the application form.

5. All requests submitted are collected and considered as part of a larger TRO that takes place every 3 months. Cut off dates must be considered.
6. We will notify you of the outcome once the TRO process has taken place.
7. The TRO process involves consultation on the change of restrictions and if there are objections, these will need to be resolved before confirmation to proceed is issued.
8. Any that cannot be resolved will need to be withdrawn, restrictions will not be changed, and the parking restriction will remain. The application would stop at this time and no changes are permitted to be made.
9. If the vehicle crossover is not constructed and signed off within 2 years from the TRO date, the parking restriction can be reinstated, and a new application must be sought.
10. Once the vehicle crossover has been signed off, we will make changes on street within 8 weeks from this date.

Waiting Restrictions

Updated October 2023

Introduction

This document sets out the process and criteria of waiting restrictions. Waiting restrictions are defined as single or double yellow lines on the carriageway or upright signs.

Application

A request must be made in writing and must include a detailed description of the issue and exact location.

We will conduct a site visit and assess the issue as stated in the request.

Criteria

1. Where waiting restrictions at junctions are implemented on a main road, they will be continued into side roads.
2. The length of the waiting restrictions will be assessed during a site visit with the following criteria in mind:
 - Traffic flow
 - Junction capacity
 - Visibility and sightlines
 - The maximum turning space required by the largest vehicle which can be expected to make any turning movement.
 - Pedestrian facilities – this includes but is not limited to shops, museums, concert halls, hospitals, transport hubs such as train stations and sports facilities.
3. The council will also consider the provision of 'no waiting restrictions' at other locations where parking causes a persistent problem either regarding obstructions to the flow of traffic or road safety for all road users.
4. Waiting restrictions will not be considered to prevent parking on the opposite side of a road from a vehicle crossover.

