

Barnet Parking Policy

Foreword

Driving and parking in London is a highly emotive subject, with the demands of the motorist to get their destination quickly and parking easily competing with need for better air quality, pedestrian safety, traffic control and a finite supply of parking spaces.

The London Borough of Barnet's Parking Policy seeks to balance a number of these conflicting demands and priorities. In acknowledging that Barnet is a diverse borough with complex traffic and congestion matters our Parking Policy does not offer a "one-size fits all" solution.

The borough's road transport emissions are currently among the highest in London with exhaust emissions from standing traffic being a major contributor to air pollution which is damaging our health. Unusually for a London Borough we have a high number of town centres which we aim to keep vibrant and diverse and encourage people to visit. We also have a population that has on average over one car per household and who want to park easily and near their home.

Our aims are to: -

- keep traffic moving,
- make roads safer
- reduce air pollution,
- ensure as much as possible that there are adequate parking places available on the high street and
- that residents can park as near as possible to their homes.

To support these aims we need robust traffic management for our road network and effective but fair enforcement. We acknowledge that the availability and pricing of parking has an impact on attractiveness of our town centres and so plan to set different prices for on-street parking across the borough.

This builds on a review of high street car parking undertaken from late 2012 where new prices and where possible, some free short stay parking areas have meant parking numbers on the high street have increased. The Council needs to ensure there is a steady turnover of motorists to support local trade. If shoppers drive to their local town centres to discover that there is nowhere to park, they may not return.

In order to ensure a steady turnover of parking spaces in our town centres we will set pricing to ensure spaces regularly become free for new shoppers. We are proposing that prices are set at a level that aspires to an occupancy rate of 85 per cent of parking spaces being on average occupied, meaning that on high streets parking spaces are available at all but the busiest times.

We have a number of Controlled Parking Zones and use them to not only ease congestion but aim to ensure parking is available for residents. These will continue to be used and enforced appropriately.

We aim to increase the availability of funding to implement traffic management improvements in and around our schools. This will include taking positive action to prevent any parent parking, promote car sharing and improve cycle parking facilities and will encourage more children to walk and cycle to and from school.

Summary – Parking and Traffic Management in Barnet

Keeping the traffic moving

The borough currently hosts approximately 145,000 cars. This equates to 1.06 cars for every household in Barnet and some 914,000 trips are made by Barnet residents each day (LTDS 2006-09) of which 50% are made by car or motorcycle, 11% by bus, 1% by bicycle and 29% on foot (other trips are by rail or tube etc.).

Of these journeys, 52% of trips originating in Barnet are wholly contained within the borough, 43% to locations elsewhere in London and 5% to destinations outside London.

We regulate parking in the borough for several reasons including:

- to manage the road network to keep traffic moving and reduce congestion
- to support business in the borough by ensuring customers can find parking spaces
- to promote sustainable transport in line with the Mayor of London's transport strategy
- to deter long term commuter parking
- to maximise compliance with parking regulations and minimise the need for penalty notices (parking tickets)
- to improve road safety, preventing dangerous parking that can obstruct traffic or obscure oncoming vehicles
- to enhance the quality of life for residents and to contribute to improvements in air quality
- to meet the needs of disabled people, some of whom will be unable to use public transport systems and depend entirely on the use of a car
- keeping our footways clear

In particular, we recognise that the borough, one of the largest in London in both its road network and population, is diverse being particularly urban to the south and almost semi-rural in the north means that we need to tailor the way we regulate differently across the borough.

Making roads safer

With serious casualties in Barnet on the rise (Casualties in the London Borough of Barnet 2013 by borough and percentage change over 2012) whereby there were 210 pedestrian casualties (+19%), 8 Fatal accidents (+14%), and 123 Serious injuries (+17%) so we will extend the use of enforcement powers at accident hotspots and enforce on footway parking

We will continue to use preventative methods to improve safety on the roads around schools where the school run causes serious congestion and child safety concerns. We will continue to work with schools and support school travel plans in order to reduce car journeys through increased car sharing. The latest recorded level of (unshared) car use for school travel is 38%. Targets are to reduce the level of (unshared) car use to 28% in 2014/15 and then by another 1% annually to reach our goal of 25%.

Reducing air pollution

The borough's road transport emissions are currently among the highest in London. CO₂ emissions from ground-based transport in Barnet make up 24% of all emissions in the borough, compared with 19% London wide.

Exhaust emissions from standing traffic can be a major contributor to air pollution which is damaging to health, contributing to both cardiovascular and respiratory diseases. It is estimated that in London, there are 1,600 premature deaths and 1,500 respiratory hospital admissions as a result of air pollution.

We acknowledge that the emissions levels in the borough are also affected by the presence of major roads including the M1 motorway the A406 North Circular Road and the A41, but by ensuring that traffic keeps moving and by supporting the use of public transport, low emission vehicles and alternative non-polluting forms of transport, including electric cars, cycling and walking we will aim to reduce pollution.

Town Centres and parking

We are proposing to introduce variable prices across the borough with the aspiration to have 85% of town centre parking spaces occupied on average at any one time. This figure will apply to both on-street parking and council owned car parks. This follows successful implementation of pilot schemes for site specific charging in town centres during 2012 and 2013.

Our goal of 85% is a proportion of occupancy that will provide parking spaces for people seeking to use shops and other businesses in town centres. This will ensure that drivers are not discouraged from travelling to these areas for fear of failing to find a parking space through a regular turnover of parking spaces.

Using various car parking charges across the borough in accordance with local circumstances should support this aspiration.

We will strive to continue to make it easy to pay for parking and look at improved solutions whilst balancing the cost of operating of such methods to ensure value for money.

In order to measure this approach we will conduct an initial on site short term parking survey to derive a baseline for each area. The data will inform our strategy to achieve an 85% occupancy rate. We will then survey again every 3 years. We will also relate the survey data to levels of transactions and continue to monitor transactional activity to help us achieve our target.

Parking for residents

We use Controlled Parking Zones (CPZ's) to ensure suitable parking is available to local residents at restricted periods as well as ease congestion by deterring inconsiderate and inappropriate parking while dissuading commuting motorists from driving into these areas.

CPZs have typically been introduced in residential areas around shopping centres and major transport hubs such as underground stations where commuter parking has developed. The timing of CPZs varies, often limited to an hour a day around transport hubs, but operating

for most of the working day close to shopping areas although all-day (24 hours) controlled parking zones can be considered if appropriate.

To ensure that parking controls continue to reflect current priorities, it is proposed that each CPZ is reviewed every four years as part of a rolling programme. In addition we will ensure that residents can park near their homes by monitoring the demand within a CPZ against the capacity for each CPZ.

Fees & Charges

All parking permit prices will be set by the Council's annual fees and charges process which is reviewed annually.

Footway Parking

We will ensure footway parking only happens where it can be undertaken safely. In addition, will ensure that parking places are properly signed and marked where necessary to ensure that cars do not park in such a way as to cause an obstruction to pavement users.

Section 1- Policy Framework

In developing our Parking Policy we have taken into account the Council's Corporate Plan, the Mayor of London's Transport Strategy as well as relevant legislation.

1.1 The Mayor of London's Transport Strategy (MTS)

This was published in May 2010 and sets the strategic direction for London's transport, the key objectives are to:

- support economic development and population growth
- enhance the quality of life for all Londoners
- improve the safety and security of all Londoners
- improve transport opportunities for all Londoners
- reduce the effects of transport on climate change

The Council's response to this Strategy is set out in our Local Implementation Plan (LIP), detailing how the borough intends to implement the MTS locally.

The Mayor's strategy also requires Barnet to submit a Parking Enforcement Plan as an integral part of demonstrating how these objectives are to be met and this policy document supports that purpose.

1.2 Corporate Objectives

Included in the Council's Corporate Plan, are the following strategic objectives:

- To create the right environment for the promotion of responsible growth, development and success across the Borough
- To support families and individuals that need it - promoting independence, well-being and reducing dependency
- To improve the satisfaction of residents and businesses alike within the Borough by making it a desirable place to live, work and study

Our aim is that this Parking Policy addresses all of these priorities to some extent, recognising that it is essential for parking to be well managed so as to support successful growth and development.

Effective parking management has a direct impact on dealing with congestion, assisting traffic flow and improving accessibility to local businesses and amenities. Parking facilities for residents and visitors in areas subject to high demand can be protected so that people are able to access their homes more easily.

Kerbside space needs to be managed to deal with the requirements of motorists - especially those who may be disabled; public transport providers and others such as those requiring access to shops and services in town centres and local shopping parades.

Reduced congestion provides easier movement around the Borough, supporting the local economy and helping to promote independence and wellbeing amongst residents by facilitating access for example, to employment.

An effective parking regime will attract and retain business in the Borough, enrich lives in the community and will contribute to Barnet's reputation of being 'a great place to work and live.'

1.3 The Local Plan (Core Strategy)

The Local Plan (Core Strategy) was adopted by the Council on the 11 September 2012. Planning policies in the Core Strategy and Development Management Policies addresses the Council's aims in terms of improving its Town Centres. Of particular relevance for this policy is the commitment that states

"In order to promote competitive town centre environments and provide consumer choice, we will realise development opportunities for the town centres of Edgware, North Finchley, Finchley Church End, and Chipping Barnet. We will pursue the individual planning objectives for each centre as set out in their Town Centre Frameworks and ensure the delivery of environmental, design, transport, car parking and community safety measures. Development in these town centres will reflect the preferred sequential approach in the National Planning Policy Framework ...

We will, in order for them to compete with other centres and particularly out of centre retail parks and shops, support retail uses in town centres by improvements to the public realm, the public transport network, short-trip parking and accessibility by cyclists and pedestrians."

1.4 Statutory Framework

Parking control in Barnet is subject to the law, statutory guidance and best practice advice, all of which is referenced in legislation and advisory documents. The main statutory instruments include:

- Traffic Management Act 2004
- Road Traffic Act 2004
- Transport for London 2003
- Representations and Appeals 2007
- London Local Authority Act 1996
- Health and Social Care 2012
- Road Traffic Regulation Act 1984
- Traffic Signs Regulations and General Directions 2002

Policy Objectives:

- Managing the road network effectively
- Supporting business
- Promotes sustainable transport
- Supports the Mayors local implementation plan
- Supports our corporate priorities

Section 2 - Introduction

A profile of the impact of car use and parking in Barnet

2.1 Road usage and congestion

Barnet is now the second largest borough in London in terms of its population; it has the second highest level of traffic in terms of vehicle distance travelled together with the third highest total road length and the longest distance of TfL roads. Overall car ownership is higher than the London or Outer London average with 73% of households having access to a car compared with 70% for outer London¹

Barnet households have on average 1.06 cars¹ each. Since 2001 there has been a significant increase in the number of cars in the borough, and this trend is set to continue. The population and economy are expected to grow in the borough over the coming years and it is anticipated that increased demands will be placed on our transport network.

Transport for London (TfL)² predicts significantly increased congestion on the London road network by 2031 with noticeable effects from 2016 if measures are not introduced to manage this growth. Much of this growth is expected to be concentrated in our borough's regeneration areas, although we hope to mitigate some of these impacts through planning provisions for individual development proposals.

Traffic will continue to increase with no expectation of large scale capital investment in projects to widen existing roads or construct new ones, therefore better use has to be made of the existing road network and better management of it in order that congestion is contained.

As a large outer-London borough, Barnet has considerable variety in its environmental make-up, including diverse town centres and smaller local centres where many businesses depend on passing trade. Residents and visitors need access to a full range of local services, which include leisure, cultural, and recreational activities. It is inevitable that in a borough with high car ownership, many people will seek to use their cars for these purposes and this can often lead to significant congestion unless traffic management is effective and parking is appropriately managed at destinations.

2.2 Road Safety

2.2.1 Schools

The high proportion of pupils travelling to school by car and lack of availability of kerbside space in residential areas contributes to localised congestion and safety concerns, frustrating local residents and undermining the efforts of schools and many parents and carers who try to commit to alternative modes of travel.

¹ 2011 Census

² North London Highway Model

90% of all schools in Barnet now have a School Travel Plan (STP) in place³ resulting in reduced use of cars for travel to schools (an average of 12%). Despite this, the proportion of pupils still travelling to school by car remains the highest in London⁴. Some School Travel Plans are only partly adhered to however we will continue to work with schools to help and support them to encourage ownership.

When considering highway measures to complement School Travel Plans, we will seek to deter unnecessary school-generated parking, by putting appropriate parking restrictions and enforcement regimes in place.

By taking a comprehensive approach to tackling the school run

- We will seek to improve the effectiveness of our School Travel Plans to achieve a greater reduction in car based journeys and increase levels in walking and cycling to and from school
- We will implement complementary traffic management schemes outside schools, including preventing parking to drop off and pick up pupils

2.2.2 Accident Prevention

The management of parking has an important role in accident prevention and reduction. This is achieved primarily through the introduction of measures designed to improve junction visibility and prevent obstructive parking in lengths of road where such parking is considered to be inappropriate contributing to potentially dangerous situations.

We receive many requests to investigate parking issues - many on the basis of perceived or actual dangerous parking and parking on footways. In 2013, over 100 waiting restrictions were introduced in the interests of improving road safety.

Appendix 1 shows the trend of casualties in Barnet which show a rise in pedestrian casualties +19%, fatal accidents +14%, and serious injuries +17%, which gives cause for concern. In addition to Barnet specific data, 17% of all pedestrian casualties in London involved collision with a vehicle reversing, parked, slowing, stopping or moving off⁵. While these will not all be parking related, these are the types of manoeuvres that is expected to be recorded where parking is a factor. Traffic Junctions also continue to be a particular accident hotspot in Barnet as shown in Appendix 2.

This is why we will continue to introduce prevention measures and parking controls which will be enforced to improve safety by:

- Introducing parking measures across the borough where necessary to keep pedestrians as safe as possible
- Enforcing footway parking to keep pedestrians safe
- Increasing parking and traffic controls (no right/left/U turns and box junctions) near junctions to reduce accident hotspots, “rat running” and local congestion

³ As of 18th December 2013

⁴ NI 198 2009/10 Usual mode of travel to school pupils aged 5-15: by car=36%

⁵ Transport for London Surface Transport Better Routes and Places Directorate Topic Factsheet 2010- 3 December 2010

- Introducing moving traffic contravention enforcement at appropriate locations across the borough in particular to assist with preventing pedestrian and cyclist casualties

2.2.3 Journey Times

Transport for London's Travel in London report 5⁶ notes that up to the late 1990s, there was a trend towards slower vehicle speeds in London as traffic levels were increasing on a largely static road network. The report also notes that average speeds over the last six years appear to have stabilised.

Transport for London monitor delays on their "network of interest" which covers the Transport for London Road Network (TLRN) and main borough roads. The measured delay compares the journey time per kilometre with the time recorded in the early hours of the morning, which is considered to be "undelayed". This has been fairly consistent in Outer London in recent years although the levels of delay do vary in different months - especially in the morning peak time.

Inappropriately parked vehicles can contribute to delays to journey times and where this can be addressed through the provision of parking restrictions such as yellow lines, the Council will seek to introduce them.

2.3 Environmental Impact

2.3.1 Air Pollution

The borough's road transport emissions are among the highest in London. CO₂ emissions from ground-based transport in Barnet make up 24% of all emissions in the borough, compared with 19% London wide.

Exhaust emissions from standing traffic can be a major contributor to air pollution which is damaging to health, contributing to both cardiovascular and respiratory diseases. It is estimated that in London, there have been 1,600 premature deaths and 1,500 respiratory hospital admissions as a result of air pollution.

Since 1997, local authorities have been required to assess and review air quality in their borough in order to help them achieve compliance with national air quality targets. If these targets are unlikely to be met in any part of the borough, this area must be declared as an Air Quality Management Area (AQMA).

The whole of Barnet is a designated AQMA for both Nitrogen Dioxide and Particulates and traffic is a significant contributor to poor air quality in Barnet with the highest levels of oxides of nitrogen and particulates concentrated around major roads and junctions such as the A406, A1, M1, A41, A5 as well as at High Barnet, as shown in Appendix 3.

The car is projected to remain the dominant form of travel in outer London. As the population increases so will the demand for travel with a corresponding increase in transport emissions. The levels and trends of air pollution show improvements since the 1990's due to better control of industrial pollution with more efficient engines and exhaust

⁶ TfL (2012), Travel in London Report 5, <http://www.tfl.gov.uk/assets/downloads/corporate/travel-in-london-report-5.pdf>

abatement technology. However, levels of Nitrogen Dioxide and Fine Particles have frequently exceeded national targets due to the volume of traffic on busy main roads in the borough.

These increased emissions, may be mitigated by improved manufacturing and emission standards on newer vehicles and the increased use of electric vehicles presents an opportunity to reduce emissions harmful to health in the local area. For electric vehicles to become more popular, infrastructure will be required to allow such vehicles to be conveniently recharged on or near the road network.

Section 3- Objectives of this Parking Policy

3 Keeping the traffic moving

3.1 Legal Position

It is the duty of the Council to manage its road network to ensure as far as reasonably practicable that traffic flows expeditiously as per section 16 of the Traffic Management Act 2004 and to ensure that it exercises its functions under the Road Traffic Regulation Act 1984, so far as practicable, to secure the expeditious, convenient and safe movement of vehicular and other traffic and the provision of suitable and adequate parking facilities on and off the highway .

To achieve this, we may take steps we see fit to contribute to securing more efficient use of the road network and the reduction or elimination of congestion⁷. Such action may involve the Council using its powers to regulate or co-ordinate the uses made of any road or length of road under their authority.

3.2 Managing the Road Network Effectively

As part of our Network Management duties it is important that recognition is given to the competing demands of:

- through traffic
- pedestrian activity
- local access by a wide range of forms of transport
- parking
- deliveries
- servicing by utility companies in these areas.

Managing the road network in the Borough's town centres poses particular challenges as most have limited, if any, off-street parking facilities. On-street parking is relied upon in these areas to help members of the public access shops and other businesses. Due to the majority of town centres being situated on the Strategic Road Network (SRN), they are subject to congestion and greater numbers of pedestrian movements.

The SRN is made up roads in London which Transport for London (TfL) consider are of strategic significance, and for which TfL have a network management duty some of which are in the borough roads such as A5, A1000 and A598.

When seeking to improve the conditions for pedestrians, cyclists and bus traffic in the face of increasing road traffic, the Council's preferred approach is to review roads and transport corridors as a whole, considering the needs of all road users rather than focusing on making improvements to suit a single form of transport. The aim is to achieve a balance between competing priorities that supports the vitality and viability of our town centres and the need for distribution of goods and people.

⁷ Traffic Management Act 2004, Section 16

Failure to do this may lead to inappropriate traffic management measures which may result in unintended negative impacts for other road users.

Moving forward, we intends to implement a hierarchy of parking use that provides indicative priority for traffic management (See Appendix 4)

3.3 Reduce air pollution and encourage sustainable transport

Section 144 of the Greater London Authority Act 1999 requires authorities to have regard to the Mayor’s transport strategy which seeks to:

- encourage the use of more sustainable, less congesting modes of transport
- set appropriate parking standards
- Increase public transport, walking and cycling as a proportion of journeys, through investment in infrastructure, service improvements, promotion of smarter travel initiatives and further demand management measures as appropriate.

Key to achieving the Mayor’s strategic vision in the Borough of Barnet is the Local Implementation Plan (LIP), which is submitted to and approved by the Mayor of London. The LIP sets out the Council’s plans to:

- improve access to public transport for all
- improve the walking environment through better carriageway and footway surface quality
- carry out pedestrian, cyclist and road safety training
- incorporate electric vehicle charging points within developments and consider future roll out in car-parks and on-street
- improve road safety near schools by carrying out rigorous enforcement of parking restrictions, the consideration of new and amended parking restrictions in order to reduce parking and encourage other more sustainable forms of transport, such as walking, cycling and public transport.

National Planning Policy Framework (NPPF)⁸ is a key part of the government’s reforms to make the planning system work more efficiently and effectively. The framework acts as guidance for local authorities in making decisions about planning applications. It states:

“Transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. Smarter use of technologies can reduce the need to travel. The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel. However, the Government recognises that different policies and measures will be required in different communities and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”

“Encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. In preparing Local Plans, local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport.” Finally the NPPF states in

⁸ DCLG (2012), National Planning Policy Framework, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Para. 34 that “Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.”

“If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

- *the accessibility of the development;*
- *the type, mix and use of development;*
- *the availability of and opportunities for public transport;*
- *local car ownership levels; and*
- *an overall need to reduce the use of high-emission vehicles.”*

3.4 How the Council supports and promotes sustainable transport

The Local Implementation Plan (the Council’s planning document) aims to achieve consolidated growth in the borough, focusing on new developments being in accessible locations near public transport hubs, in town centres and/or where social and physical infrastructure is to be improved, thereby reducing the need for people to travel to and from those developments by car. Developments will be supported by travel plans that identify and provide the infrastructure, services and support that travellers and the new occupiers will need to make best use of all the transport options available.

The Council’s Local Implementation Plan notes that particular areas to the west of the borough will become better served by public transport as a result of planned regeneration and development.

The expected level of growth also places additional demands on the rest of the borough’s transport network. Action to address congestion, increase movement capacity and/or develop other transport options will also be needed.

The Local Implementation Plan also seeks to support the use of low emission vehicles including electric cars, through:

- the incorporation of electric vehicle charging points within developments, in car parks and on-street
- facilitating home based charging of electric vehicles by arrangements to permit and manage parking on small forecourts

In addition, we are currently investigating demand for charging points in Barnet and also continue to encourage provision for electric vehicles in new developments.

Furthermore when providing a vehicle crossover, we require no minimum depth of forecourt. This makes it easier for owners of electric vehicles - which are often smaller vehicles - to get their vehicle off the road to charge them.

3.5 Improving Bus Reliability

The Local Implementation Plan includes a target to reduce waiting time for buses and to improve reliability.

A dedicated bus lane exists along much of the A5 in the west of the borough. This bus lane, which is enforced through the use of CCTV, ensures that buses are given priority at the busiest times of day.

Furthermore, in managing and dealing with congestion on the borough's road network, through the introduction and enforcement of yellow lines for example, there should be an improvement to bus services.

3.6 Deterring long-term commuter parking

Careful management is required to protect the borough's town centres and other shopping areas from the negative impact of commuter parking, typically by people travelling into Central London.

The introduction of Controlled Parking Zones and other parking restrictions around transport hubs and town centres has been successful in deterring long-term commuter parking in areas where demand for kerbside space is highest.

In some areas, where it is appropriate to do so, provision exists to accommodate commuter parking through the provision of on-street long stay parking places and by allowing vehicles to be parked for long periods in some car parks (e.g. Bunns Lane car park near Mill Hill Station).

Reviewing competing demands for road space in town centres, shopping areas and transport hubs is fundamental to maintain a thriving business environment and if there are concerns that the balance is no longer being achieved, the Council will review this sensitively through appropriate engagement and consultation.

3.7 Supporting Business and the High Street

We recognise that the vibrancy and diversity of services offered in our town centres and local parades of shops depend on access by all who wish to use them. Good parking strategy and policy assists to encourage people to use local businesses as well as out-of-town retail developments. This will continue to be reflected in the provision of parking which encourages turnover whilst retaining loading and delivery facilities for businesses and customers alike, as well as adequate parking facilities for disabled badge holders.

We continue to engage with businesses in our town centres and local parades with a view to identifying and addressing any parking or loading issues which affects them.

As a result of this latest borough wide engagement during 2012 and 2013, we made a variety of changes to the parking arrangements in various town centres and local parades including:

- the relocation of parking places
- the introduction of credit/debit card pay and display machines
- cheaper parking tariffs
- the introduction of free short stay parking bays

This focus on town centre and local parades is on-going and changes made to date have been as a direct result of consultation feedback. These changes have seen improvements in parking provision with a resultant increase in patronage which we would anticipate will continue to improve with an aim to achieve an 85% occupancy rate.

Section 4 –Parking Provision

We use a range of methods to maximise short and long term parking in the Borough effectively. These include:

- the allocation of on street (e.g. in CPZs) and off-street (i.e. car parks) parking spaces
- the introduction of short-stay and long-stay parking
- the setting of fees and charges
- the use of effective enforcement

4.1 The allocation of On and Off-Street Parking Spaces

4.1.1 Legal Standpoint

The Road Traffic Regulation Act 1984 (RTRA 1984) states that local authorities may provide parking bays on-street and can also provide or create car parks where they believe this would relieve traffic congestion.

For on-street parking bays and within car parks the Council may apply particular conditions to regulate usage and to manage local parking demands.

4.1.2 Allocation of On and Off-Street Parking Spaces

The Council provides on-street parking bays as:

- part of CPZs where kerbside space is reserved for permit holders
- part of short stay parking schemes where achieving a consistent turnover of parking vehicles allows greater access to local shops and businesses

Several car parks located within the Borough offer:

- free of charge parking. These are situated in areas of comparatively low parking-pressure in order to encourage motorists to park off the highway
- the requirement of a charge to be paid for a vehicle to be parked
- permit parking for permit holders such as residents or business workers

The Council reviews both on-street and car park arrangements in light of any changes in local circumstances on a needs basis.

4.1.3 Short Stay Parking

Short stay parking bays are provided throughout the Borough, particularly near shops and businesses. Depending on the local demands, parking bays have a particular maximum stay period and motorists cannot return to the bay within a certain period of leaving, so to ensure that as many motorists as possible get an opportunity to find a parking space. The majority of parking bays require a charge to be paid for a motorist to park their vehicle and these charges can be varied in order encourage improved turnover of parking.

Like many London Councils, the London Borough of Barnet aims for an 85% occupancy rate which encourages good levels of use whilst ensuring that drivers do not have to drive around town centres looking for a parking space. This aids in managing traffic congestion. The turnover and occupancy of bays will be monitored giving consideration to review parking charges if there is a long term underuse issue.

Historically the Council adopted a standard parking charge structure across the Borough but is now flexible when introducing new or reviewing existing charges to ensure they are appropriate to the location and better serving the community⁹, whilst seeking to meet a 85% occupancy rate and ensure a regular turnover of parked vehicles.

In some areas, the Council has provided limited stay free parking which has a maximum stay period and a “no-return” period. These measures, primarily introduced near smaller local parades of shops, were introduced to encourage increased patronage and a regular turnover of parked vehicles.

This flexible approach illustrates a variety of parking charges within the Borough with various tariffs designed to suit local requirements.

4.2 The setting of fees and charges¹⁰

4.2.1 Legal Standpoint

Under the powers of the Road Traffic Regulation Act 1984 (RTRA 1984), local authorities may:

- impose charges for parking in car parks
- charge for parking in on-street parking bays (e.g. through the sale of permits/vouchers and through various short term payment methods)

The legislation provides for payment to be made via a parking meter or pay and display machine, or be indicated by a card, disc, token or similar. It also allows for the issue of permits. In recent years, it has been acknowledged that payment for parking and permits with or without display of a ticket, permit or parking device, is also possible via mobile phone other digital communication device or via the internet, which has resulted in many local authorities, including Barnet, utilising pay by phone and other payment methods.

When introducing on-street parking and setting parking charges, authorities must have regard to the purpose of the powers incorporated in the RTRA 1984. This is against the backdrop of the duty under the Traffic Management Act 2004 to manage the network so as to reduce congestion and disruption.

⁹ Action taken by Cabinet Member(s) Under Delegated Powers: Flexible Tariff Structure for On and Off-Street Paid Parking Places
<http://barnet.moderngov.co.uk/ieDecisionDetails.aspx?ID=3059>

¹⁰ For further information see: BPA (2011) Parking Practice Notes - Charging for Parking, <http://www.britishparking.co.uk/write/Documents/Library/ppns/PPN1%20-%20Charging%20for%20Parking%20-%20Aug%202011.pdf>

When designating parking places and setting charges, local authorities are not permitted to do so with a view raising income, although whilst not a purpose of the scheme, if there is an outcome that surplus income is produced, this in itself does not render the scheme unlawful.

Statutory guidance¹¹¹² confirms that:

- raising revenue should not be an objective of civil parking enforcement and authorities should not set targets for revenue or the number of Penalty Charge Notices (PCNs) / parking tickets they issue
- it is appropriate for local authorities to forecast revenue in advance
- parking charges should be proportionate, so authorities should not set them at unreasonable levels
- being self-financing does not need to be a necessary aim. However, if schemes are not self-financing those authorities will need to be certain that they can afford to fund them from within their existing finances

The Council will ensure that it complies with this statutory guidance.

4.2.2 How the Council Sets Parking Charges

In designating parking areas the Council sets charges for permits, vouchers and for short term paid-parking recognising that charges should be proportionate and reasonable.

Permits and Vouchers - To the present day the Council has, when charging for permits and vouchers, implemented a standardised flat permit and voucher fee within the Borough with incremental increases in cost depending on the number of permits obtained per household. The council has, through public consultation, explored a number of other ways in which charging could be applied.

A number of options were rejected, some due to little public support, and the flat fee option was also rejected as the Council has tried to take into account not only the comments on charging, but the support shown in the consultation for the aims and objectives of the policy, as well as the fact that the borough's road transport emissions are currently amongst the highest in London. CO2 emissions from ground-based transport in Barnet make up 24% of all emissions in the borough, compared with 19% London wide. It is clear from the consultation that there is support for reducing air pollution and so for this reason the council has decided to reject the flat rate mechanism currently in place for parking permit charges and plans to introduce a simple emission-based charging system based on three pricing bands. One for low emission cars below 110 CO2g/km, one for cars between this and 200 CO2g/km and one for cars above 200 CO2g/km with incremental increases in cost depending on the number of permits obtained per household.

The council is looking to improve the permit application process using more on line systems. As currently, if a resident changes car or moves into or out of a CPZ area they will have to

¹¹ Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions 2008, expanded upon in Operational Guidance to Local Authorities: Parking Policy and Enforcement <http://assets.dft.gov.uk/publications/tma-part-6-cpe-statutory-guidance/betterprkstatutoryguid.pdf>

¹² Operational Guidance to Local Authorities: Parking Policy and Enforcement <https://www.gov.uk/government/publications/operational-guidance-to-local-authorities-parking-policy-and-enforcement>

apply for a new permit which will be charged according to the bands described above, that is switching cars to a lower emission one could result in a refund whilst a higher charge may be levied for a car with higher emissions.

It is acknowledged that parking charges must not be set with a view to making a surplus (of revenue on the Council's special parking account) but should such a surplus arise, the Council will reinvest this in accordance with the requirements set out in the RTRA 1984 and summarised in Appendix 5.

4.2.3 Enforcement of Parking Regulations

Parking enforcement provides a tool to assist the authority to meet its traffic (and other transport strategies and goals, as set out in this policy. The idea is to encourage a high level of compliance by motorists with parking controls so as to best meet the objectives and the council's overriding duties, and penalty charges should dissuade motorists from contravening parking restrictions. The objective of Civil Parking Enforcement in Barnet is to maximise compliance and minimise the requirement for issuing of penalty charges, thereby positively contributing towards traffic congestion. It is important that the enforcement regime is a high quality service that is effective and fair, but also robust and supportive of the Council's and the Mayor for London's transport strategies.

The Council's parking enforcement service provides firm but fair enforcement of parking controls. Parking offences are subject to a variety of observation times dependent upon the type of parking offence which are clearly defined in the contract with the external parking enforcement service provider.

Section 5 - Parking Finance and Reporting

The permitted use of parking income and any surplus that may arise is described in Section 4.2.2 and Appendix 5 of this document. Any unspent surplus in the parking accounts, as described in Appendix 5, will be used for projects permitted under definitions in the RTRA 1984 or carried forward for such permitted projects.

Local Authorities are required to submit details of their parking income and expenditure including bus lane enforcement on an annual basis to the Department for Communities and Local Government (DCLG). The Council will publicise this information in an annual report and separately on the Council website.

The Council will also produce an annual parking report at the end of each financial year which includes the annual year end accounts for the special parking account. This report summarises the previous year enforcement activities and finances in line with guidance under the Traffic Management Act 2004.

Section 6 - Parking Control

Parking control within the Borough is vital, ensuring the road network is used efficiently. The Council will;

- manage parking regimes for new developments
- support the use of car clubs
- seek appropriate parking numbers at locations with highest public transport accessibility
- apply on-street parking management and controls appropriately
- consider introducing new Controlled Parking Zones (CPZs) where appropriate
- Implement traffic management schemes outside schools to ensure adequate and safe movement of traffic

The process for progressing new controlled parking zones is shown in Appendix 6

6.1 Methods of Parking Control

Various methods are available to control on and off-street parking, most of which are usually supported by a Traffic Management Order (TMO) produced by the Council.

This provides the necessary legal authority for enforcement action in respect of motorists who disregard restrictions set by these orders. This can result in the issue of a Penalty Charge Notice (PCN) - a parking ticket.

Examples of the type of restrictions within the borough are;

- Controlled Parking Zones (CPZ)
- Yellow line restrictions (double and single lines)
- Parking places
- Loading bays
- School keep clear markings
- Car parks

6.2 Controlled Parking Zones (CPZ)

A Controlled Parking Zone is an area wide scheme subject to a general restriction. Road signs relating to this general restriction must be placed at the entry and exit points to the area accompanied by appropriate yellow line markings where the general restriction applies. Any variations to the restriction within the zone, such as for loading, must be shown clearly by road signs.

The zone may contain parking bays which may be free of charge for a limited time or pay and display. In some cases these may be used by permit holders.

6.3 CPZ coverage

The Council currently has eighteen Controlled Parking Zones (CPZs) in the borough at the locations itemised in Appendix 7

6.4 Identifying the need for a CPZ/CPZ Extension/CPZ removal

Over the last thirty years, the demand on kerbside space utilised for parking vehicles in Barnet has increased steadily. The net result is that parking as an issue, has grown in significance amongst Barnet residents and businesses.

In January 1994, the Public Works Committee approved a prioritised list of areas within the borough which would be the subject of a future detailed investigations, consultation and design of Controlled Parking Zone measures in the borough, to follow the CPZs that had already been introduced in the borough by that stage.

The areas identified were mainly focussed around railway stations and town centres, to address issues caused by conflict demands for kerbside space – for example shoppers, workers, commuters etc. competing for kerbside space with local residents and their visitors, and to better manage parking in town centres – that is to ensure suitable turnover of motorists parking in the borough's High Streets.

In the main, the majority of the areas surrounding the town centres and railway/underground stations in the borough are restricted by way of CPZs, with the exception of: Totteridge and Whetstone Underground Station, Oakleigh Park Railway Station, Whetstone Town Centre, New Barnet Railway Station, Burnt Oak Underground Station, West Finchley Underground Station and the eastern side of Woodside Park Underground Station. It should be noted that this is the case following consultation in the all those areas, with the exception of Totteridge and Whetstone and Oakleigh Park stations and Whetstone Town Centre, which have never been subject to any consultation regarding area-wide controls.

In more recent years, given that areas surrounding the majority of town centres and transport hubs are already controlled, the Council has become more reactive than proactive in seeking to introduce CPZs, extend CPZs or remove CPZs from roads to address particular parking demand issues, and will in the main act, subject to there being available funding, if there is a significant indication from an area (e.g. through letters received, or via submission of petitions) that investigations into CPZ/CPZ extensions/CPZ removals are requested and supported by the local community.

A recent example of this is the introduction of the Garden Suburb CPZ (October 2013), as the Council only commenced investigations following representations from residents of a local road, support from local Ward Councillors, and consideration of the issues via the local Residents Forum and Area Environment Sub-Committee.

Prior to this the Council had extended approximately 8 CPZs into additional roads and removed the CPZ from 2 roads in the borough following representations made by members of the local community.

Moving forward, it is considered that the methodology of establishing the requirement of CPZs/CPZ extensions or otherwise be regularised in order to ensure clarity and transparency for the Council and the public alike.

6.5 CPZ Procedures and consultation

The majority of CPZs that are in situ were introduced as a result of feasibility, investigation, design and consultation having taken place following the decision of the 1994 Public Works Committee to investigate and progress the introduction of CPZs in the borough.

In most cases, parking surveys were carried out to establish demand for kerbside space throughout the day, and a CPZ designed based on the information obtained by those surveys and through site surveys. Once a CPZ was designed, this was subject to a consultation with the local community, by way of a statutory consultation, in accordance with the provisions of The Local Authorities (England and Wales) Traffic Order Procedure Regulations 1996, or preceding legislation.

Statutory consultation entails the proposal being advertised by way of a notice being published in a local newspaper and similar notices being erected on-street inviting the public to object to the proposal within 21 days of the date of the notice. In addition, letters inviting comment and objection are delivered to all identified affected properties – that is, those properties which the proposed CPZ directly affects, which depending on the locations will certainly be all properties within the boundary of the CPZ, and potentially some selected properties outside the CPZ boundary. The statutory consultation also requires details of the proposal and associated Traffic Management Orders to be sent to selected stakeholders again inviting comment or objection within 21 days of the proposal being advertised.

It is a statutory requirement that all objections are considered before a decision is made whether or not to introduce the proposal, and if so, with or without modification, and historically this process has taken place by way of an Officer report being considered at an Area Environment Sub-Committee, or by way of a decision being made by an Officer authorised to take such a decision under the Council Constitution.

More recently, prior to any statutory consultation taking place on a proposed CPZ, the Council has undertaken an informal consultation by way of a questionnaire designed to establish the local community's parking issues, habits and requirements. Analysis of the feedback has enabled the Council to make informed decisions on the best way forward, either at an Area Environment Sub-Committee or by an authorised Officer, which in some cases, has resulted in a CPZ not being proposed.

It has been noted that over the years, depending on the scheme, the extent and level of the local concern, the impact of Ward Councillors and the Cabinet Member in situ and the prevailing trend for decision-making within the Council at the time, the processes undertaken to progress CPZs have been varied.

Moving forward, although it is acknowledged that the process undertaken to progress CPZs can vary depending on the different demands, and the level of support etc., it is considered that the design, feasibility and consultation and decision-making in progressing CPZs should be regularised. Although there may be slight variations from time to time, a clear 'start to finish' process as set out in Appendix 6 would ensure clarity and transparency for the Council and the public alike.

At present there is no Council policy or standards relating to how it views results of a consultation and the responses received. For example although consultation response rates of between 30-40% can be expected, there is no guidance that much lower response rates

would be corporately unacceptable to base any decisions upon. Similarly, there is no policy or standard to say what exactly an acceptable majority is.

For example, if the results are 51% in favour and 49% against, this can be seen as a majority in favour rather than a somewhat mixed response. However, it must be remembered that this primarily applies to the responses to an informal consultation that seeks to ascertain whether there are any parking issues as once a formal or statutory proposal is in place, generally only responses in the negative are then forthcoming.

Therefore it can be seen that consideration should be given as to whether the Council should establish corporate standards in relation to CPZ consultation, consideration which can be called upon to assist the decision making process. Such standards would clarify what is expected and required in order for a CPZ to be progressed. They would also give the Council a clearer mandate as to what is an acceptable majority to proceed and, would be subject to less challenge by those who wish to question the Council's motives. Ultimately such an approach would ensure that the community could feel confident that the decision making process was open and transparent.

It is considered that any such standards that are adopted give due consideration to the rationale underpinning any parking initiative and the councils on-going statutory obligations that would include safety and network management duties as there is likelihood that on occasion measures would need to be introduced irrespective of the majority view.

6.6 CPZ Hours of operation

The CPZs within the borough have a variety of restrictions applied to them (see Appendix 7). These fall into two categories;

- “All day” restrictions where parking is restricted for the majority of the day to address issues relating to parking conflict. These areas are usually in the vicinity of shops and other amenities which many motorists would visit throughout the day.

And

- “One hour” or “Short-period” restrictions where parking is restricted for a short period on weekdays to address issues relating to long term parking throughout the day. These areas are usually in the vicinity of stations and other transport hubs or in some instances in the vicinity of town centres where parking by workers or shoppers would impact on residents parking.

6.7 Yellow Line Restrictions

Single yellow lines (usually indicating parking restrictions during the working day) and double yellow lines (no waiting at any time) are implemented through Traffic Management Orders (TMOs) made by the Council.

These waiting restrictions are used to:

- Facilitate road safety by keeping sight lines clear at junctions
- Facilitate commercial activity by "reserving" space that can be used for loading and unloading for a maximum period of 20 minutes

- Reduce congestion by preventing parked vehicles obstructing traffic flow

6.8 Traffic Management Orders (TMOs)

The majority of prohibitions and restrictions that apply to traffic on the public highway are put in place by Traffic Management Orders (TMOs) made by the Council under the provisions of the Road Traffic Regulations Act 1984 and other Traffic Management Order related legislation. Contraventions of the provisions of a TMO may give rise to the issue of a Penalty Charge Notice (parking ticket / parking fine).

The numerous types of traffic management orders are summarised as follows:

Permanent orders include:

- Yellow lines (single and double)
- Parking places
- Car parks
- Loading bays
- School Keep Clear

The council is moving to consolidate all its TMOs into two new map based orders.

Experimental Traffic Orders are used for a limited time, no more than eighteen months, to trial a traffic scheme after which they can be made permanent or abandoned.

Temporary Traffic Orders are made to temporarily prohibit, restrict or to suspend the use of a road due to highways works either planned or following an emergency, or to facilitate special events taking place on or off the road.

6.9 Parking Controls

In addition to CPZs and yellow line restrictions, other methods of parking control are used within the borough. These are;

- **Short stay pay by phone parking schemes**

This is paid parking used near busy local shopping parades in some cases incorporating an initial free parking period. Tariffs can vary from area to area to meet local demands in accordance with looking to attain an 85% occupancy rate.

- **Loading Restrictions**

These are used in conjunction with waiting restrictions in areas or at times where loading would be obstructive, dangerous or would increase congestion and delays during peak traffic periods. Loading bays are provided in the vicinity of shops where such facilities are required they are often now dual use with 15 minutes free for domestic vehicles outside of loading hours, signage will indicate this at each location

- **School Keep Clear Markings**

These have been introduced outside most schools in the borough to:

- ensure that drivers can see children wishing to cross the road.

- maintain sight lines for children crossing the road
- maintain good access for emergency vehicles

No stopping is allowed on markings (zigzags) which is an offence, even to pick up or drop off children. The Council will ensure that these restrictions are properly enforced by the Council's parking enforcement contractor through regular Civil Enforcement Officer visits to each school, and stringent enforcement of any contraventions.

- **Pedestrian Crossings**

Motorists parking on zigzag markings are liable to receive a parking ticket from either a Council Enforcement Officer or a Police Officer. If issued by the Police, the penalty is greater than that imposed by the Council and could result in penalty points being awarded.

- **Motorcycle parking**

There are a limited number of designated motorcycle bays across the borough accommodating a number of motorcycles in each. Consideration is being given to increasing this number.

6.10 Removal of lines

Any redundant road markings are entirely removed from the road surface and not masked out. The method of removal must take into consideration the environmental impact the operation will have at that location.

6.11 Signing

The Department for Transport's guidance states that road signs should normally be erected so the bottom of the sign is at a minimum distance of 2.1m above the ground. Throughout the borough, signs associated with parking schemes are either placed on lamp columns or on high posts, mainly situated at the front of the footway.

On occasion however, at the request of residents groups and ward members, signs have been placed on shorter posts at the back of footway in some residential areas to improve the streetscape, for example in Conservation Areas, but in general, the Council has recognises that signs should be erected at the minimum height (2.1m) as per Chapter 3 of the Traffic Signs Manual to reduce the potential for causing injury or attracting vandalism.

6.12 Conservation areas

Conservation Areas created by Local Authorities are locations of special architectural or historical interest where it is desirable to preserve or enhance the quality and character of the area. Adjustments to signs and lines that are less obtrusive can be introduced within these areas to minimise the impact on the character and appearance of the local area. Appendix 8 shows the current list of conservation areas within the borough.

6.13 Parking Controls Monitoring

The Council monitors compliance on its road network with monthly and annual reporting utilising data from site visits, counts and CCTV with special monitoring of schools, as well as from town centre, CPZ and general reports.

Where necessary and legal, levels of enforcement can be adjusted and again a process of monthly and annual reporting takes place. Residents can request changes to local enforcement through the relevant Ward councillor.

Section 7 - Permits and Vouchers

Designated parking places in a Controlled Parking Zone (CPZ) within the Borough are regulated by the issue of parking permits to residents and local businesses, or by vouchers to residents for their visitors to use.

There are occasions when additional needs within the local communities require that other classifications of motorist be granted parking permits. The council is committed to publicly consult following statutory provisions where necessary on any new permits type that could be provided to a specific group.

7.1 Permits and fraud

All permits and vouchers are monitored for validity and can be subject to fraud investigations at any time.

Section 8 - Enforcement

8.1 General

The Road Traffic Act 1991 empowered local authorities to take over the enforcement of parking controls on the roads for which they are the highway authority from the Police. Parking enforcement in such areas was termed 'Decriminalised Parking Enforcement' or 'DPE'.

8.2 What is enforced?

Civil Enforcement Officers (CEOs) patrol throughout the Borough, dealing with parking contraventions in relation to, but not limited to the following:

- on-street parking places
- car parks;
- yellow lines
- bus stops
- taxi ranks
- commercial vehicles
- loading restrictions
- suspended parking bays
- footways and verges
- double parking
- obstruction of lowered kerbs
- school keep clear restrictions
- disabled parking bays
- pedestrian crossings zigzag markings.

8.3 Contravention codes and observation period guide

Each parking contravention is identified with a specific code designated by Central Government. For most parking contraventions occurring in Barnet, Civil Enforcement Officer's (CEOs) are instructed to allow a certain period of 'observation time' to witness legitimate loading activity, or to allow motorists to obtain vouchers or pay and display tickets.

Each contravention has been reviewed and a suitable period of observation has been identified which must be given by a CEO before a Penalty Charge Notice (PCN) is issued as detailed in the table at Appendix 9.

CEOs must carry out their work openly, with fairness, courtesy and reasonableness and to comply with all guidance and codes of conduct. This includes CEOs advising motorists to move their vehicles, how and where to park legally or issuing Warning Notices where appropriate, rather than just issuing a PCN. To enable them to perform their duties effectively, CEOs must be familiar with the parking arrangements in the enforcement areas, permit information, Council policies, relevant legislation and any other information necessary.

8.4 Enforcement Objectives

The aim of enforcement is to maximise motorists' compliance with regulations as laid out in Appendix 10. This makes Barnet's streets safer for all road users, particularly children and other vulnerable pedestrians, prevents obstruction and delays (especially for buses and emergency vehicles) and ensures that parking bays are available for their intended use making the public highway a more pleasant environment.

Where non-compliance is evident, the Council's strategy is to enforce firmly but fairly, transparently and proportionately to assist in the delivery of the Council's obligations in ensuring that the borough's roads are safe, and enable traffic to flow.

The Council acknowledges that enforcement is not the only mechanism for increasing compliance. Effective communication with the public is essential so that they are aware of the rules and regulations. As a supplement to this Policy a guidance document is being made available to assist the public in understanding the various restrictions in place.

The Council also aims to encourage compliance through:

- Engaging the community in consultations and with effective communications when policies or practices have changed
- Visibility of Civil Enforcement Officers (CEOs) on-street
- Well maintained clear road markings and signs so that residents, businesses and visitors can see the restrictions which are being enforced
- Reviewing restrictions and enforcement practices to ensure that they remain fit for purpose and that the Council are responding to local needs

8.5 When does Enforcement take place?

Enforcement can take place 24 hours a day, seven days a week including public Holidays. Full details of operational enforcement hours are shown in Appendix 11. Drivers are responsible for checking signage within the vicinity of their desired parking location.

There is a dedicated hotline telephone number available on the Council website for the public to request enforcement action in cases where there is a specific problem.

8.6 CCTV Camera Enforcement

Bus lanes play a key role in offering buses priority on London's roads. Long stretches of continuous bus lanes enable buses to move more easily through London's congested road network, especially at peak times, with a high degree of certainty and reliability. This enables more efficient bus operation, better performance for passengers and encourages motorists to use public transport.

Motorist of private vehicles regularly travel in bus lanes and the Council plays a crucial role in deterring this through the use of CCTV enforcement of bus lanes during their operational periods.

Bus lane contraventions are automatically detected and recorded by the cameras then reviewed by CEOs who operate within the Council's guidelines. PCNs are then sent by post to vehicle keepers.

8.7 Moving Traffic Contraventions

London Councils' are provided with powers by the London Local Authorities and Transport for London Act 2003 which allows for the enforcement of moving traffic regulations.

Barnet will consider the introduction of the enforcement of these powers over time as there is increasing concern relating to the impact on traffic movement and safety in the Borough due to the increasing number of drivers who do not comply with the following types of restriction:

- No Entry signs
- One way only
- No left or right turn
- No U turn
- Give way
- Restricted vehicles only
- Keep clear
- Box junctions – requiring no stopping

It is intended that the locations where such restrictions exist will be reviewed to determine levels of contraventions so that these may be addressed by the Council taking up the powers to allow enforcement at the relevant sites.

Priority will be given to address known safety concerns at locations where abuse of regulations is affecting road safety.

The following issues will be considered:

- Review of accidents involving vehicles and pedestrians
- Areas close to schools
- Congestion hotspots
- Sites where there have been complaints raised with the Council about motorists driving irresponsibly and disobeying road signs

Many London authorities have been carrying out enforcement of moving traffic offences for a number of years and data will be obtained to understand the benefits of introducing such measures.

Unlike the Police, CEOs are not empowered to stop offending motorists and it is difficult for them to enforce such matters. As with bus lane enforcement, CCTV is generally used and has been demonstrated as being extremely effective using either static or mobile cameras.

The Council will roll out a programme of introducing static cameras at specific sites, supplementing this with some mobile devices at locations where this method is more appropriate or where it is considered that they will act as a greater deterrent.

8.8 Postal (Regulation 10) PCNs

In addition to issuing postal PCNs for bus lane contraventions, the Council under certain circumstances are able to issue PCNs by post to motorists who have driven away before the CEO can serve a notice or in cases where the CEO has been otherwise prevented from doing so.

8.9 Car Parks

Enforcement is carried out in all Council-owned car parks which allow pay by phone or permit holder parking. Most are open at all times, but only charge during certain periods.

8.9 School Parking Enforcement

The Council is committed to ensuring a safe environment outside schools. Enforcement of inappropriate parking around schools discourages poor driver behaviour reducing potentially dangerous situations.

There are numerous school keep clear markings outside schools within the Borough and these are rigorously enforced, however this is an area of enforcement that leads to the greatest level of confrontation from parents and as such needs further consideration of the enforcement methods available.

The Council has found that, more so than traditional foot patrols, the use of mobile CCTV to enforce parking near schools can be extremely effective. Evidence shows that parking a clearly marked CCTV vehicle outside a school acts as an extremely good visual deterrent. The aim is not to catch drivers out but to change their driving habits. As a result, the roads around schools are less congested and safer for pupils and parents, drivers being less likely to park on keep clear markings. Another benefit of this style of enforcement is that it can reduce the possibility of confrontation where CEOs may be put at risk.

8.10 Footway Parking Enforcement

Footpaths must be kept safe for pedestrians to use. Unauthorised footway parking creates an obstruction hazard for pedestrians and can make it difficult for a pushchair or wheelchair to pass safely without needing to divert into the road. Vehicles parked on the footway, can also cause particular problems for blind, disabled and older people.

8.11 Footway Parking

Many complaints are received from pedestrians, wheelchair users and those using pushchairs about inconsiderate car drivers who are parked on our footways, causing them to use the carriageway to get past.

In 1974 it became an offence to park a vehicle with 'one or more wheels on any part of an urban road other than a carriageway' in London (i.e. footway, grass verge, garden, space or land). The offence subsequently became decriminalised under the Road Traffic Act 1991 when local authorities were given powers to enforce footway-parking contraventions.

Unauthorised footway parking also causes increased maintenance costs and additional risks to the public. Damage to paving and grass verges caused by parked vehicles costs the Council thousands of pounds each year and such damage can create trip hazards resulting in injury. It is therefore important that those vehicles which are parked on the footway are enforced appropriately through the issue of a PCN.

The Council have provided some designated footway parking in certain roads. These are clearly defined as bays and marked on the footway with white lines. It is usual in these situations for the footway to have been strengthened to ensure that no damage is caused by the weight of parked vehicles. Where vehicles are parked in such bays they are considered to be parked compliantly. However, where vehicles are not parked properly within a marked bay, i.e. where one or more wheels outside of the bay markings this is considered to be non-compliant and a PCN will be issued.

The Council will ensure footway parking only happens where it can be undertaken safely. In addition, these proposals will ensure that parking places are properly signed and marked where necessary to ensure that cars do not park in such a way as to cause an obstruction and that there is clarity on enforcement. See Appendix 13 for further information.

8.12 Dropped Kerb Enforcement

The Council issue Penalty Charge Notices (PCN) to vehicles obstructing dropped kerbs that lead to private driveways and those used by pedestrians to cross roads.

Parking in this manner prevents residents and businesses from getting their vehicles onto the road or into their property.

Parking alongside a dropped kerb can also prevent pedestrians from crossing the public highway in a safe manner causing particular problems and possible dangers especially for people with visual impairments, disabilities and persons with pushchairs or wheelchairs.

The type of location and circumstances where this contravention is enforced is further described at Appendix 12.

8.13 Clamping and Removals (Abandoned and Untaxed Vehicles)

Abandoned vehicles are a particular problem in parts of the Borough. These vehicles are an environmental nuisance and are associated with anti-social behaviour. Abandoned vehicles not only cause an unnecessary hazard wherever they are dumped but they increase fears of crime and have a serious impact on residents' quality of life.

The Council does not generally clamp vehicles however, the Council reserves the right to do so at any time it deems necessary.

There are some exceptions to this with the removal of abandoned and untaxed vehicles where a bailiff has been commissioned to recover the debt. On such occasions the owner will deal directly with the relevant bailiff in order to recover their vehicle.

8.14 Loading and Unloading

There are exemptions to parking restrictions in most bays and on yellow lines to allow continuous loading and unloading activity to take place for up to 20 minutes.

This should not be confused with picking up or setting down passengers which also is permitted in most locations provided it is completed without delay.

Upon seeing a vehicle in a parking bay or on a yellow line, CEOs will observe a vehicle to determine whether loading or unloading is taking place and if this is not witnessed, appropriate notes of observations will be made and a PCN will be issued. Should a motorist wish to appeal, they would be required to provide as much evidence as possible that loading or unloading was taking place and this will be considered against the evidence provided by the CEO.

8.15 Warning Notices

The purpose of a Warning Notice is to inform motorists that a Vehicle is parked in contravention of parking restrictions and that normally, a PCN would be issued. The range of contraventions for which a Warning Notice can be issued should be the same as that for a PCN. In addition, a list of "actions" must be added so the driver is made aware of any necessary action to avoid receipt of a PCN in the future.

The Council will use discretion as to when a warning notice is issued. It is more likely to be used where a minor infringement has occurred and it is the first time the vehicle has been identified as non-compliant.

8.16 Persistent Evaders

Persistent Evaders (generally defined as individuals with three or more unpaid PCNs past the point of appeal) pose an issue in the Borough. This is because they continually park in contravention, resulting in nuisance for other drivers and in cases such as footway parking, a 'bad example' that can result in further non-compliance in the area.

It is desirable to target persistent evaders although this can be rather time consuming and as such requires sufficient resources to achieve positive results. With this in mind it is proposed that in future the following options may be deployed to tackle persistent evaders:

1. clamp and/or remove vehicles belonging to persistent evaders
2. refuse a permit request and/or withdraw a permit without refund until the full outstanding balances are cleared.
3. Removal of a Barnet Parking Permit

8.17 Representations, Appeals, Discretion and Mitigation

There is a defined process by which the Council deals with appeals against Penalty Charge Notices and this is further described at Appendix 15.

8.18 Funerals, Weddings and other Events

The Council allows specific parking suspensions and dispensations, in certain special circumstances for short periods of time, usually no more than 4 hours.. Dispensations are arranged for a variety of organisations, individuals under certain circumstances, however each application does have to follow the dispensation process

8.19 Suspensions

The council has the power to suspend parking bays on its own behalf or on behalf of third parties.

The Council will endeavour to provide as much notice as possible and the suspension will be clearly signed on street to show the parking bays that are affected by the suspension and the duration of the suspension. It should however, be recognised that there are occasions where suspensions are required for urgent/emergency works and in such circumstances the Council may not be able to give much advanced warning.

From time to time it is necessary to make arrangements to suspend parking bays for a short duration to allow specific activities to take place. Such activities include road works, works to the pavement or street furniture, tree pruning and works to public utilities street equipment.

Suspensions may also arise for special events such as street parties that require the road space to be cleared from vehicles. Other third party requests, such as building works, removals (domestic and commercial) and filming may also involve parking bays being suspended.

The Council will enforce these suspensions with the use of PCN's should any vehicle be parked at a location which has been suspended.

8.20 Heavy Goods Vehicles

The Council operate a number of restrictions throughout the Borough in the form of weight limits. These limits help to uphold road safety and make the street a more pleasant environment.

The London Lorry Ban Scheme applies to most of the Borough's roads and this works towards upholding road safety and making the street a more pleasant environment by preventing movement of heavy vehicles in residential streets at night and at weekends.

Section 9 -Parking for Disabled Persons

9.1 Blue Badge Scheme

This is a national scheme whereby a Blue Badge helps disabled people with severe mobility problems to have access to goods and services by allowing them to park close to their destination. The Blue Badge can be used on any vehicle in which the holder is travelling. The holder, whom must be present, does not have to be the driver but the concession must be for the benefit of the disabled person and not merely for the convenience of other people using the vehicle.

Blue Badges may only be issued to a person who has permanent and substantial disabilities which affect their mobility. The Blue Badges cannot be issued on a temporary basis. (Please see Appendix 16 for qualification criteria).

A Blue Badge entitles the holder to:

- park for up to three hours on single or double yellow line waiting restrictions, (single lines apply for a limited period but double lines apply 24-hours a day). The clock card supplied with the badge must be displayed and set at the correct time of arrival
- park for unlimited periods at Pay-by-Phone parking places, unless signage specifies a maximum stay for Blue Badge holders of three hours
- park at disabled badge holder parking places, either for an unlimited time or for the time shown on nearby signs

The Council will allow parking for up to three hours in any one space.

These concessions do not apply where loading restrictions are in operation but outside of those times, normal blue badge rules apply on single or double yellow lines. Stopping briefly to set down or pick up passengers is allowed if there is a loading ban or it is on a red route.

9.2 Blue Badge fraud and Disabled Persons Parking Badges Act 2013

Any misuse of a badge is an offence. It can be withdrawn under the following circumstances.

It is not permissible:

- for non-disabled people to use a Blue Badge for their own purposes – if they do so, they are liable to a fine
- to use a Blue Badge unless the holder is in the vehicle, or the vehicle is being driven to or from an area which is accessible only to vehicles displaying a blue badge in order to pick up or drop off the holder

As the concessions offered by Blue Badges are considerable, they are particularly valuable and prone to theft whilst being displayed in vehicles.

Blue Badge's do not display a vehicle registration. This is useful for badge holders who are passengers and rely on transport from a variety of sources. If a Blue Badge is stolen, the owner of the badge should notify the Council as soon as possible.

If Civil Enforcement Officers (CEOs) suspect a Blue Badge is being illegally used, they can take any one or a combination of the following actions:

1. issue a PCN (parking ticket)
2. challenge the vehicle driver for proof that they are the badge owner
3. challenge the vehicle driver that the badge owner is accompanying them
4. confiscate the badge where deemed appropriate to do so
5. report their suspicions/concerns to the authority

The Disabled Persons Parking Badges Act 2013 allows CEOs or authorised Council Officers to inspect and retain a badge without a Police presence if they have reasonable grounds for believing that it is false, it should have been returned, or is otherwise being misused.

Members of the public who suspect that a Blue Badge is being misused are encouraged to report the details, including the date, time, location, and vehicle registration and badge number to the Council's Assisted Travel Team, whom administer the Blue Badge Scheme.

9.3 Disabled Persons Bays

9.4 Designated Disabled Parking Bays

The Council decided that in order to better assist people in parking close to their homes, applications for a "Designated Disabled Parking Bay" to be provided close to the resident's home would be approved if specific conditions were met.

These Designated Disabled Bays allow only the applicant's vehicle to be parked in the bay, as they would need to clearly display their Blue Badge and a specific permit applicable to only that bay, in their vehicle.

The criteria for approval of an application and the process involved are described at Appendix 17.

9.5 Disabled Bays no longer in use

Residents granted Designated Disabled Person Parking Places are requested to inform the Council if a bay is no longer in use.

If a resident feels that a bay is no longer being used or is not required, this can be reported to the Council who will investigate and if appropriate will remove it.

9.6 General Disabled Parking Places

The Council has and will continue to provide standard disabled bays for non-residential purposes at locations where the Council consider it appropriate. The Council will limit parking to an appropriate maximum stay period (e.g. 3 hours) to ensure Disabled Parking Bays meet the requirements of those wishing to use them.

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