Warrington Borough Council policy for Dispensations and Bay Suspensions.

1.0 Introduction

1.1 The Department for Transports guidance on Civil Parking Enforcement recommends that Councils have policies in place in respect of dispensations and suspensions to the parking regulations.

1.2 Certain parties, including the emergency services and statutory undertakers (e.g. gas, electricity, water, telecoms providers, local authorities and Royal mail) are permitted to park where parking restrictions are in force under exemptions in the Traffic Regulation Orders. Where not specifically prohibited, parking for loading and unloading may be permitted in areas subject to parking restrictions. In controlled parking zones (Residents parking areas) residents may park without time limit where others may not (providing a valid permit is displayed). National legislation also allows disabled (Blue Badge holders) drivers to park for a limited time on restricted roads.

2.0 Definitions

2.1 “Suspension” means suspension of the Traffic Regulation Order relating to a designated parking bay e.g. a pay and display, taxi or disabled driver (Blue Badge holder) bay or a limited waiting bay, which takes that bay out of use for its designated purpose.

2.2 “Dispensation” means consent to a driver to park at a specific location on a specific street, in contravention of the Traffic Regulation Orders in force for that location, where the driver has no automatic right to parking exemptions but can demonstrate a clear operational need to park for a defined period or periods e.g. for building or construction works on adjacent property where permanent access to the vehicle is essential for that purpose. The dispensation will normally be given on payment of an administration and monitoring charge.

3.0 Suspensions

3.1 It will be necessary from time to time to suspend parking places including residents and other bays. The action is taken when it is considered necessary to suspend the parking places for;

- Traffic movement and safety;
- Essential building / maintenance works;
- Furniture removals;
• Filming;
• Special events;
• Wedding or funerals.

The suspension does not permanently remove the legal status of the parking place. Its only affect is to remove it (or designated part of it) from use during the suspension.

3.2 Applications for suspensions of parking places must be made in writing to Warrington Borough Council and must be received not later than ten working days before the required date of suspension that cannot be met by any other reasonable means, and outweighs the needs of the resident, disabled driver or other permit holders displaced by the suspension.

3.3 Emergency suspensions may be implemented by the police in the interests of public safety or security, or for evidence gathering or by statutory undertakers for emergency works, without prior notice, provided Warrington Borough Council is notified at the earliest practicable time. Ten days notice is not mandatory in regard to emergencies.

4.0 Dispensations

4.1 A dispensation authorises a vehicle (or vehicles) to park in contravention of a Traffic Regulation Order. It allows parking where alternative arrangements cannot be made for the following reasons;

• Loading/unloading where this activity is either normally prohibited or the permitted period is unsufficient; or
• Situations where alternative arrangements would be unsatisfactory.

4.2 A dispensation does not permit general ‘parking’. It does not allow the vehicle to remain in the restricted/prohibited area once the dispensation purpose has been fulfilled. At that time the motorist is required to park elsewhere and lawfully.

4.3 Based on the above, dispensations can be issued in the following circumstances;

• Furniture removals;
• Building/maintenance/repair works where close proximity to the site is essential;
• Goods deliveries in respect of which it is reasonable to allow longer that that normally permitted by the regulations;
• Vehicles essential to filming operations;
• Other circumstances in which the council may reasonably regard the requirement to be essential.

4.4 Dispensations will not be issued for;

• Applications where parking may adversely affect disabled/doctors/police bays, taxi ranks or bus stops;
• Applications where loading restrictions are in place if the dispensation is requested during restricted period(s);
• Locations within 50 metres of a signal controlled junction, the entry/exit pedestrian crossing markings, on a footway and/or other locations where parking may cause a danger to pedestrians and road users, and/or serious obstruction/traffic flow impediment;
• Request where there are doubts concerning the validity of the application;
• Applications in respect of vehicles where dispensations have been issued more than twice within four weeks before the date of the application. The Council has discretion to vary this ban if it is considered that it is otherwise reasonable to approve the application.

4.5 Dispensations will not be agreed where there is possible danger to pedestrian or highway safety. Instances where dispensations will not be agreed are:

• On bends
• On brows of hills
• On clearways or fast flowing roads
• Adjacent to school entrances
• Where driver or pedestrian sight line visibility is impaired. (Except in extenuating circumstances dispensations will not be issued for continuous periods in excess of five days and will not authorise parking for more than two vehicles at any one location unless the Council is satisfied that the road width and length and precise location permit this safely).

4.6 The conditions of use which are stated on receiving the dispensation should be adhered to. The dispensation must be clearly displayed on the lower near side of the vehicles windshield. Any abuse of such dispensation may result in them being withdrawn.

5.0 Charges

Dispensation

5.1 An administration/monitoring charge of £15.00 per vehicle per day is to be made prior to the dispensation being issued.
Suspension

5.2 An administration charge of £15.00 per 5 meters (car length) to be made prior to the suspension being granted.