

PROTOCOL FOR THE MANAGEMENT AND OPERATION OF RESIDENTS PARKING EXEMPTION SCHEME AND VISITOR PERMIT SCHEME

Cumbria County Council (“the Council”) is the highway authority and the traffic authority for the County of Cumbria and is responsible for de-criminalised parking enforcement in the District of Eden.

The following criteria, terms and conditions, shall be applied to the operation of The Residents Parking Exemption Scheme/Visitor Permit Scheme (“the Scheme”) in the District of Eden, unless and until replaced by further terms and conditions

1 Preamble

- 1.1 The Scheme shall exempt vehicles displaying a permit from the time limited parking restrictions with exemptions which are in force by reason of the Traffic Regulation Order to which this Protocol is appended.
- 1.2 Residents of any “household”, being any property with a discrete postal address, may apply for a Permit. Any Permit that is issued for the purpose of exempting the holder from time limited parking restrictions shall be valid only in the Zone in which the household is situated or the street which the permit is issued for.
- 1.3 Any Permit that is issued under the terms of the Scheme shall not imply an exclusive right for the holder to park in any place nor overcome the legitimate rights of other users of any public roads and highways.

2 Residents Parking Exemption Areas

- 2.1 The areas/zones in which the Scheme shall apply are listed in the current Traffic Regulation Orders which is in force for Penrith:

3 Eligibility and Conditions for the Issue of Residents Permits

- 3.1 The criteria for eligibility and the conditions of operation of the Scheme in Penrith are set out in Schedule 1 of this Protocol.

4 Appeal

- 4.1 There shall be a right of Appeal as detailed at clause 8 of the Protocol. The decision of the Council shall be final and binding upon the appellant.

Schedule 1
Criteria for the Entitlement to Permits

1 Application of Protocol

- 1.1 The following criteria shall be equally applied to all applications for the issue of any Residents Permits and Visitors Permits.

2 Entitlement to Residents Permits.

- 2.1 Save as provided in paragraphs 2.5 and 2.6, residents of a household abutting a road which is affected by time limited parking restrictions shall be entitled to receive a maximum of two (2) permits "Residents Permits".
- 2.2 Each Residents Permit shall be issued in respect of a specific vehicle. Where additional vehicles are owned or operated by the same household the details of such vehicles may be added to one of the Permits, provided that only the vehicle that is displaying the Residents Permit shall be exempt from the time limited parking restrictions at any time.
- 2.3 Where any household has a need to park a vehicle that is associated with their employment a Residents Permit may be issued in respect of that vehicle but such issue will be included in the total entitlement of the household as referred to at paragraph 2.1 above.
- 2.4 Where any household has less than two (2) vehicles there shall be no transferable entitlement of Residents Permits to any other household or persons whatsoever.
- 2.5 Notwithstanding the provisions of paragraph 2.1 above, where the household has the benefit of any off-street parking at the property, the entitlement to Residents Permits shall be reduced to one (1) only.
- 2.6 Notwithstanding the provisions of paragraph 2.1 above, where the household has benefit of an off-street driveway and a garage at the property, there shall be no entitlement to any Residents Permits whatsoever.
- 2.7 Business premises which are located on a road which is affected by time limited parking restrictions shall not be entitled to a Residents Permit except in the case where the premises contain living accommodation for which Council Tax is paid and providing also that the occupier is registered for Council Tax at the premises.

3 Visitors and Tradesmen

- 3.1 Each household abutting a road in Penrith which is affected by time limited parking or resident only parking restrictions shall be issued with one (1) "Visitors Permit" capable of holding the details of a maximum of 60 'visits' (limited to 1 calendar year) by tradesmen or other visitors. Proof of residency must be supplied before a Visitors Permit is issued. Additional Visitor Permits may be issued in exceptional circumstances.
- 3.2 Provided that the details of the date of the visit and details of the vehicle are completed and that the Visitors Permit is clearly displayed in the front windscreen of the same vehicle, the Visitors Permit shall exempt that vehicle from the time limited parking restrictions for the whole of the date as is recorded upon the Visitors Permit.

- 3.3 Tradesmen with business at a household abutting a road which is affected by time limited parking restrictions may use the residents Visitors Permit with the permission of the resident provided that it is completed and displayed as above for the duration of their stay.
- 3.4 Business premises shall not be entitled to receive or use a Visitors Permit in respect of the same address as the business.
- 3.5 A Visitors Permit that has been altered, overwritten, contains erasures or is illegible shall not be valid.
- 3.6 When there is a requirement for a replacement Visitors Permit it shall be a requirement that the old Visitor Permit is handed back to the Council's Parking Services.

4 Resident Parking Only Areas

- 4.1 Save as provided in paragraphs 2.5 and 2.6, residents of a household abutting a road which is affected by Resident Only parking restrictions shall be entitled to receive a maximum of two (2) permits "Residents Permits".
- 4.2 Each Residents Permit shall be issued in respect of a specific vehicle. Where additional vehicles are owned or operated by the same household the details of such vehicles may be added to one of the Permits, provided that only the vehicle that is displaying the Residents Permit shall be exempt from the time limited parking restrictions at any time.
- 4.3 Where any household has a need to park a vehicle that is associated with their employment a Residents Permit may be issued in respect of that vehicle but such issue will be included in the total entitlement of the household as referred to at paragraph 2.1 above.
- 4.4 Where any household has less than two (2) vehicles a flexible permit may be provided if required, the permit must be kept at the property for which it is registered to and can be used for visitors to the property.
- 4.5 Notwithstanding the provisions of paragraph 2.1 above, where the household has the benefit of any off-street parking at the property, the entitlement to Residents Permits shall be reduced to one (1) only.
- 4.6 Notwithstanding the provisions of paragraph 2.1 above, where the household has benefit of an off-street driveway and a garage at the property, there shall be no entitlement to any Residents Permits whatsoever.
- 4.7 Business premises which are located on a road which is affected by Resident Only parking restrictions shall not be entitled to a Residents Permit except in the case where the premises contain living accommodation for which Council Tax is paid and providing also that the occupier is registered for Council Tax at the premises.

5 Application for a Residents Permit

- 5.1 All applications for the issue or renewal of any Residents Permit shall be in writing using the form provided and such forms shall be taken to or sent to a Council office together with all of the proofs of residential qualification and vehicle ownership that are required.

- 5.2 Upon receipt of any such application the Council's staff shall check the proofs provided and note these onto the Application form which documentation shall be passed to the Council's Parking Services for processing.
- 5.3 Provided that all details on the Application Form have been completed and all proofs have been duly seen and noted by the Council's staff they may then issue a "Temporary Permit", valid for fourteen (14) days only, to cover the processing time required for each application. Temporary Permits shall not be renewed or replaced with further Temporary Permits once an application has been made except in the case where the Council's Parking Service has been incapable of processing an Application and then only with the expressed authority of the Council's Parking Service.
- 5.4 Duly completed applications which satisfy the conditions as set out herein shall result in the issue of a formal Residents Permit, which will be sent by the Council to the applicant's home address by Post within 14 days. Where any Application is refused the applicant shall be informed of this in writing together with information regarding appeals.

6 Proofs of Entitlement

- 6.1 At the time of receipt of an Application for a Residents Permit applicants shall supply the Council's staff with the following proofs of entitlement;
- a) Proof of payment of Council Tax (not NNDR) at the same address as that for which the Residents Permit is required **or** Rent Book showing the status of the applicant as a paid up tenant provided that the tenant shall not be the same person as the Landlord.
 - b) Proof of ownership and registration of the vehicle at the same address as that for which a Residents Permit is required
 - c) In the case of leased vehicles or business vehicles, proof of leasing at the same address **or** a certificate provided by the Leasing Company or the vehicle owner that states that the vehicle is normally operated by the applicant and is required to be operated from his address.
 - d) The expired Permit, which will be retained and replaced with a temporary Permit as described at 4.3 above.
 - e) Any other proof that is capable of demonstrating a 'Residential' entitlement, or legitimate use of the vehicle at the specified address.

7 Qualifying Vehicles

- 7.1 Residents Permits shall only be issued in respect of self-propelled vehicles, **including motorcycles with or without sidecars**, that are demonstrably for personal daily use are registered to the property and do not exceed 3000kg in weight.

Caravans and trailers **do not** qualify for a Residents Permit.

8 Validity of Residents Permits

- 8.1 The period of validity of any Residents Permit shall be at the discretion of the Council. Normally a Residents Permit shall be valid for not less than one (1) calendar year
- 8.2 Each Residents Permit shall be marked with an Expiry Date. It is the responsibility of the user to note the expiry date and to make appropriate timely arrangements for its renewal.

- 8.3 The period of validity of any Visitor's Permit shall be unlimited provided that there is remaining space in it for entry of further visitors' vehicle details, (without deletions or alterations in any way to the Visitors Permit).
- 8.4 A Residents Permit, or Temporary Permit, or Visitor Permit shall be invalid for any of the following reasons;
- a) Where it is displayed in a Zone for which it has not been issued
 - b) If it is displayed in such a manner that it is not clearly visible and able to be read by an attendant standing outside the vehicle
 - c) If it is displayed on any vehicle whose registration mark is different to the registration mark shown on the Permit
 - d) If the Permit has been defaced or altered in any way
 - e) If the Permit has been copied or reproduced or the image has been electronically manipulated in any way
 - f) If it has been declared lost or stolen
 - g) If it has been sold-on with the vehicle for which it was originally issued
 - h) Where it is subsequently found that an Application form contains deliberate omissions or false statements and the resident has been informed that the Permit is withdrawn.
 - i) Where the Permit has been withdrawn for any other reason and a notice of this has been sent to the address given by the resident.

9 Appeals against a refusal to issue a Permit

- 9.1 Where an Application for issue or renewal of a Residents Permit has been made and rejected by the Council's Parking Service there shall at all times be a means of Appeal to the Cumbria County Council Traffic Team Leader for Eden.
- 9.2 All Appeals must be made in writing to:
- Parking Appeals Team Leader
Parking Services
Cumbria County Council
P O Box 415
Carlisle
CA1 9GU
Email: parkingpermits.eden@cumbria.gov.uk*
- 9.3 The determination of any Appeal must be given in writing to both the appellant and the Council's Parking Service within 10 working days.
- 9.4 No further Temporary Permits shall be issued to an applicant whilst an Appeal is being considered.
- 9.5 The decision of the Cumbria County Council Parking Appeals Team Leader for Eden or their appointed agent shall be final and binding upon the applicant.