

Appendix D

The Council of the City of Newcastle upon Tyne (“The Council”) Parking Dispensations (Waivers), Exemptions and Suspensions Policy

Statement of Purpose

This document outlines the circumstances in which a vehicle will be granted a dispensation or an exemption from the usual parking restrictions or where it is appropriate for bay/bays to be suspended from general use.

1. Dispensations

What is a Dispensation?

The Council recognises that there may be occasions where it is necessary for a vehicle to be parked adjacent to a property on a section of public highway governed by waiting restrictions. If it is considered essential that the vehicle must be parked nearby then, in certain circumstances, the Council will issue a dispensation notice that will allow a vehicle to park lawfully in what would otherwise be a contravention of a Traffic Regulation Order.

Each application for a dispensation will be considered on its own merits taking into account the proximity of the nearest marked parking or loading bay and whether the activity for which the dispensation is sought could reasonably be conducted from that bay. The Council will also consider local traffic factors when making its decision.

When is a Dispensation appropriate?

Dispensations should only be considered if there are no pay and display bays or loading bays in the vicinity, which would suffice for the activity taking place.

Based on the above qualifications, dispensations can be issued for:

- Furniture removal vehicles engaged in furniture removal;
- Goods vehicles making large deliveries in respect of which it is reasonable to allow a longer period than the period normally permitted by the Traffic Regulation Order;
- Goods vehicles delivering bulky and/or heavy items where it would be impossible or hugely impractical to carry the item from the nearest parking place;
- The bridal and attendant’s vehicles at weddings.

What does a dispensation allow the vehicle driver to do?

A dispensation authorises a vehicle to park in contravention of a Traffic Regulation Order. It allows parking where alternative arrangements cannot be made for the following principal reasons:

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- Loading/unloading where the highway is subject to a formal loading restriction;
- Loading/unloading where the limited stay period is insufficient to complete the activities;
- Situations where the dispensation maintains road safety and supports the expeditious movement of traffic on the highway network.

What does a dispensation not allow a driver to do?

A dispensation does not permit general parking, nor does it allow the vehicle to remain in the restricted/prohibited area once the dispensation purpose has been fulfilled. The vehicle must be parked in accordance with the location, date and time and purpose specified on the dispensation notice and leave either as soon as the dispensation expires or when the purpose for which the dispensation is granted is completed.

Dispensations will not be issued for:

- Applications where parking may adversely affect the operation of disabled bays / doctors parking bays / taxi ranks or bus stops;
- Applications where a dispensation is sought to cover a period during which loading restrictions are in force;
- Locations within 50 metres of a signal controlled junction or pedestrian crossing markings, locations on a footway or any other location where parking may cause danger to pedestrians and/or road users or have the potential to cause serious obstruction/traffic flow impediment.

What will happen if a dispensation is not being applied correctly?

Enforcement Officers will be briefed on the issue of dispensation notices for their area on a daily basis.

A Penalty Charge Notice should be issued where the terms of the dispensation are not being complied with, for example if the vehicle is waiting at a different location, outside the times and date shown on the dispensation notice or is waiting for a different purpose.

When should a dispensation be applied for?

An application should be made at least 3 working days before the required date to allow the Council to inspect the site, if necessary, before approval is given.

What are the charges for a dispensation?

An administration charge of £12 per vehicle per dispensation is to be made. There is no discount for multiple days, weeks or months or for periods of less than a day.

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2. Exemptions

What is an exemption?

An exemption is granted where a vehicle, by nature of the activity it is being used for is classed as exempt from the parking restrictions.

When does an exemption apply?

The following vehicles are exempted from all Traffic Regulation Orders in all circumstances, provided that they are being used for their proper purpose and only for as long as reasonably necessary;

- Vehicles being used for fire brigade, police or ambulance purposes.
- Vehicles actively engaged in removing an obstruction from a highway.

The following vehicles are exempted in the circumstances shown below. In all cases there should be evidence that the exempted activity is taking place and that the vehicle concerned is actively engaged in this activity:

- Post Office and other vehicles engaged in the delivery or collection of postal packages;
- Electricity, gas, water and telecommunication companies, whilst engaged in laying or undertaking repairs to pipes or cables etc;
- Public Service Vehicles, transport bodies and other companies whilst waiting at an authorised stopping place, turning point or terminal
- The hearse and chief mourners' vehicles at funerals;
- Vehicles engaged in building, excavating or demolition works in circumstances where the vehicle is actively in use for the purpose.

All these exempted vehicles should be liveried, not private cars or vans and the exemption does not automatically extend to contractor's vehicles. If contractors are used the person holding the exemption should apply in writing to the Council to have their exemption extended to the named contractor stating which exempted activity the contractor will be carrying out on their behalf.

There are other exemptions that do not relate to specified vehicles but apply to any vehicle in the particular circumstances below;

- Where the driver needs to wait in order to avoid an accident
- Where the driver is waiting to load/unload.
- Where the driver has been ordered to wait by a police officer.

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3. Suspensions

What is a suspension?

A suspension is a temporary measure whereby a motorist can request that a bay or a number of bays are reserved for their use or are suspended from general use.

Please note that we cannot grant every request to reserve or suspend bays - depending on the circumstances we may bag the relevant meters or ticket machines off and cone and tape the appropriate area to stop other vehicles using the bays you have requested. If you wish to park vehicles in the bays we may also issue you with permits to display to prove that the correct vehicle is parked in the bay(s).

When can a parking bay be suspended from general use?

It may be necessary from time to time to suspend marked parking places. This action is taken when it is considered necessary to suspend the parking place for safety reasons, for essential building/maintenance works, furniture removals, filming, special events, weddings and/or funerals. We will, however, take into account the reason you want to take bays out of public use, the impact it will have on other people and the availability of other options.

The suspension does not permanently remove the legal status of the parking place – its only effect is to remove the bay from use during the suspension period.

When should a suspension be applied for?

Applications to suspend a parking place should be made no later than 3 working days before the required date. The notice period is not required in relation to emergencies or in respect of statutory undertakings (repairs or other works involving gas mains, water pipes, electricity cables etc) amongst other things. Emergencies will embrace action taken by the police to suspend the parking place immediately and without notice for reasons of security and public safety.

What are the charges for a suspension?

The charge for each suspension covers the processing of the application, staff costs and physical works such as coning bays, hooding ticket machines etc (There is no charge in relation to funeral directors).

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The costs are as follows:

1. A single £25 charge for each suspension application to cover invoicing, stationery, general administration and process management.
2. An additional cost of £15 per bay per day to cover staff costs, hooding of ticket machines and coning requirements (setting out, maintaining and removal).