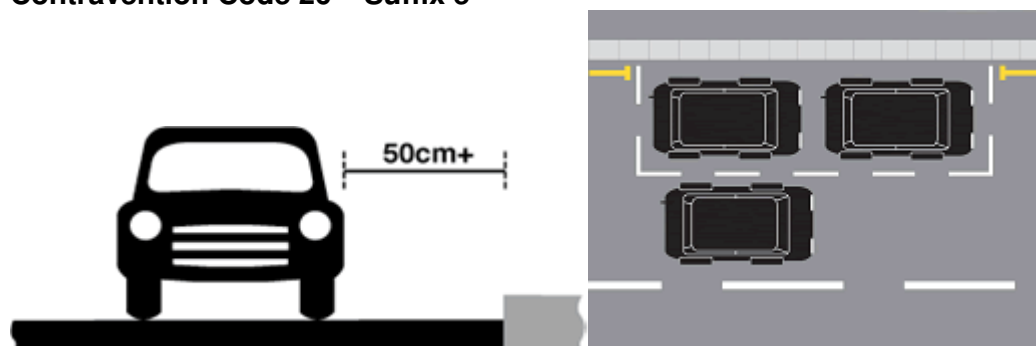


Enforcement Policy and Penalty Charge Issuing Criteria for Double Parking and Parking at Dropped Kerbs

Vehicle parked more than 50cm from the kerb and not within a designated parking place.

Contravention Code 26 – Suffix e



Loading/unloading can take place providing that the vehicle is not causing a danger to the public.

In Stoke on Trent, our policy is that the vehicle must be a minimum of *one metre* from the kerb prior to a Penalty Charge Notice being issued.

An initial observation period may be applied before a Penalty Charge Notice is issued. If the vehicle is attended, the driver will be asked to move on. If the driver refuses, a Penalty Charge Notice will be issued.

- The contravention of double parking applies when a vehicle parks on any part of the carriageway and no part of the vehicle is within 50cm of the edge of the carriageway.
- Although parking more than 50cm from the edge of the carriageway may not cause problems for smaller vehicles to pass, the passage of ambulances, fire appliances, buses, waste collection vehicles and other essential vehicles could be obstructed.
- In instances where obstruction is caused to passing vehicles the council's policy is to issue a Penalty Charge Notice to the offending vehicle, subject to the exemptions listed below. Civil Enforcement Officers will observe for such offences when patrolling their daily patrol route. When a complaint is received by the council regarding a single incident, response will be subject to best efforts, subject to staff availability and/or being mobile. Where there is a complaint (or series of complaints) regarding persistent and repeated offences, a patrol beat may be modified on a temporary basis, again on a best efforts basis. In determining allocation of resources, particular attention will be paid to offences that impede the passage of those with disabilities.

Exemptions to the Contravention of Double Parking

- Vehicles which are parked wholly within a designated parking place or any other part of the carriageway where parking is specifically authorised;
- Vehicles used by the fire, ambulance or police services;
- Where loading or unloading is taking place; and
- Vehicles used for waste collection, building works or road works.

Parked adjacent to a dropped footway Contravention Code 27 – Suffixes jo



This contravention occurs when a vehicle is parked alongside a dropped kerb used for access to and from a roadside property or for pedestrians to cross at.

The contravention of parking adjacent to a dropped kerb applies where a vehicle parks on the carriageway next to a place where the footway, cycle track or verge has been lowered to the level of the carriageway (or where the carriageway has been raised to the level of the footway, cycle track or verge) to assist:

- Pedestrians crossing the carriageway;
- Cyclists entering or leaving the carriageway; or
- Vehicles entering or leaving the carriageway across the footway, cycle track or verge (e.g. property driveways).

Parking alongside a dropped kerb etc can cause considerable inconvenience and put vulnerable road users at severe risk. Parking adjacent to a dropped kerb at an access to premises can cause considerable nuisance to drivers trying to enter or leave the premises.

The Highway Code advises drivers “DO NOT STOP OR PARK....where the kerb has been lowered to help wheelchair users and powered mobility vehicles, or where it would obstruct cyclists’ use of cycle facilities... except when forced to do so by stationary traffic”.

In instances where a vehicle parks alongside a ‘tactile paving’ dropped kerb the council’s policy is to issue a penalty charge notice to the offending vehicle, subject to the exemptions listed below.

Exemptions to the Contravention of Parking at Dropped Kerbs

- Alighting from a vehicle;
- Vehicles used by the fire, ambulance or police services;
- Where loading or unloading is taking place;
- Vehicles used for waste collection, building works or road works;
- Vehicles parked outside a driveway to residential premises with the occupier’s consent (but see note below); and
- Vehicles parked outside a shared driveway to residential premises by, or with the consent of, residents at those premises.

Note: it is illegal for the owner of a driveway to ‘rent out’ space on the public highway across the driveway entrance. Where there is evidence that the owner’s consent to park across a driveway entrance is based on payment, the vehicle remains liable to the issue of a penalty charge notice.

Driveways to Residential Premises

1. The council will only respond to a complaint of a vehicle parked outside a single driveway in instances where the complaint has been received from the occupier of the affected premises. In such instances the council requires the complainant to

provide relevant requested information (name, address, contact details), and confirm that they are the occupier.

- Where there is a persistent problem at dropped kerbs next to private driveways and the occupier of the premises concerned submits a written request for enforcement action to be taken against any vehicle parking there, the Council's CEOs may issue PCNs to vehicles at those locations. However this would also include the resident's vehicle. In such cases a patrol beat may be modified on a temporary basis.

Blue Badge Holders

It should be noted that although valid Blue Badge holders may park for up to 3 hours on yellow line restrictions, where it is safe to do so and providing they are not causing an obstruction, they are not exempt from the prohibition of double parking or parking at dropped kerbs.

Specific Penalty Charge Notice Issuing Criteria

Code	Contravention Description	Enforcement Criteria
26	Parked more than 50cm from the edge of the carriageway and not within a designated parking place (Double Parking)	Enforcement only undertaken if obstruction is caused to passing vehicles (especially emergency and public transport vehicles) Observe the vehicle to ascertain if loading or unloading is taking place. Instant issue of a penalty charge notice after this period if none seen. Blue Badge holders not exempt.
27	Parked adjacent to a dropped footway (kerb)	Enforcement action against vehicles parked across a private driveway only to be undertaken if occupier of premises has asked council to do so. Name, contact details and confirmation of residency to be obtained before issue of a penalty charge notice. If picking up/setting down of passengers is observed, allow as long as necessary for activity to take place. Observe the vehicle to ascertain if loading or unloading is taking place. Instant issue of a penalty charge notice after this period if none seen. Blue Badge holders not exempt.