

Blenheim Gardens RMO Estate Parking Enforcement Policy and Regulations 2008



FINAL

Document Control

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Revisions	Author		
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3	Governance Board	13.03.08	13.03.08
4	Estate Residents	14.03.08	28.03.08

Final amendments were made to this policy on 29th April 2008

Document

This estate parking and enforcement Policy and Regulation document should be read in conjunction with our approved contractor Night Hawk Security Contract Policy and Procedures. A copy of this document is available on request.

Policy

Blenheim Gardens RMO parking enforcement Policy and Regulations is to ensure the fair, equal and consistent distribution of both residents' and visitors' parking permits on Blenheim Gardens Estate. The aims of this policy are:

1. To provide a parking enforcement policy that reflects local parking enforcement needs
2. To provide an effective, clear and transparent parking enforcement service on the Blenheim Gardens Estate for the residents of the estate
3. To ensure permits are distributed in line with residents' tenancy or lease obligations and that consistency in the distribution of permits is achieved
4. To ensure the parking arrangements on the estate are monitored and periodically reviewed

Scheme operation times

The clamping scheme will be in operation 24 hours a day, 7 days a week, 365 days of the year. Parking on cross hatch areas, pavements and outside bin chambers or garages is not permitted at anytime.

Regulations for use:

1. Parking permits will only be issued to tenants, leaseholders or freeholders who are **not** in rent or service charge arrears.
2. Parking permits will be revoked if a resident goes in to either rent or service charge arrears after the permit has been issued
3. Parking permits may be issued to residents who are satisfying the terms of a Court Order or who are maintaining an agreement to clear their arrears (council tenants only) for at least 3 months.
4. Parking permits may not be issued to residents who have been served with a Notice of Seeking Possession, a Notice to Quit or who have had any form of other legal action initiated against them or any person in their household on any basis (nuisance etc.)
5. A parking permit will not be issued or will be revoked if a resident or a visitor to the estate has caused alarm, nuisance and/or distress to any RMO staff member RMO contractor, or other residents/visitors. This includes, but is not exclusive too, threatening behaviour and the removal of a wheel clamps etc. In the circumstance where a resident has unlawfully removed a wheel clamp and the DVLA have confirmed that the vehicle in question is registered to an address on this estate, the RMO will
 - Report the incident to the police

- Initiate tenancy/lease forfeiture action. This action may result in you losing your home.

Residents are reminded that they are responsible for all members of their household, including visitors to their address.

6. Parking permits may not be issued if you are in debt to the RMO for any reason (outstanding court costs, rechargeable works and/or Section 20 Invoices)
7. Permits are only valid for the Blenheim Gardens Estate.
8. Residents' permits will only be issued on receipt of a valid insurance and MOT certificate. A log book will also need to be produced and this **must** be for a vehicle registered to a property on the Blenheim Gardens Estate.
9. Visitors' permits are only valid for the period specified by the RMO, generally this will be until June of the following year.
10. The issue of a parking permit does not guarantee the right to park in a certain area or that a space will be available. Parking is available on a first-come first-served basis and no reserved parking bay scheme exists on the Blenheim Gardens Estate.
11. Disabled badge holders must be parked in a disabled bay and clearly displaying a Blue Badge. Disabled badge holders are also entitled to park in **any** parking bay for up to 3 hours so long as a valid Blue Badge (including time clock) **or** a disabled permit issued from the estate office is clearly displayed in the wind screen of the vehicle.
12. Disabled badge holders who are already utilising a 'free' garage will not be entitled to a 'free' visitor's or resident's permit. However, residents who hold a Blue Badge but do not utilise a garage will be issued with a 'free' resident's permit.
13. One free visitor's permit will be provided per household where a resident is receiving formal care (community care, social services etc.). Evidence confirming receipt of formal care is to be provided on the request of a permit.
14. The permit must be displayed clearly in the windscreen of the vehicle. Any vehicle not clearly displaying a valid parking permit will be clamped and/or removed.
15. Vehicles will be clamped if they are parked on double yellow lines at any time, single yellow lines during the scheme's operational hours, on the pavement, or in any other specified 'no parking' areas (access gates, in front of garages, in the mall etc.), even if they are displaying a valid parking permit.
16. Any vehicle parked on a crosshatch area can be towed away even if a valid parking permit is displayed.
17. Vehicles will be clamped if they fail to display a valid tax disc even if they have a valid parking permit.

18. Vehicles will be clamped if they are displaying an illegible or defaced permit. Illegible permits can be exchanged at the RMO office with the relevant proof of residence being provided.
19. Any parked vehicle taking up more than one parking bay will be clamped.
20. Clamped vehicles may be towed away immediately or at anytime if the clamp removal fee is not paid.
21. If a permit is lost or destroyed, a fee of £15.00 plus VAT is payable for the issue of a replacement permit. You will be required to sign a form confirming the loss or destruction of the permit. The permit will be cancelled immediately and any vehicle found to be subsequently using the permit will be clamped. If the permit is found by the resident and the resident does not notify the estate office, the resident may be refused a permit in future.
22. The selling or transferring of a permit is not permitted under any circumstances. Where the RMO has reasonable reason to believe a permit has been sold or transferred to a third party, the permit will be revoked and the resident may be refused a parking permit in the future.
23. The tenant, leaseholder or freeholder will not do or permit to be done anything in connection with the use of the parking permit which, in the opinion of the Blenheim Gardens RMO, may be or become a nuisance or annoyance to, or in any way interfere with, the quiet or comfort of the tenants on the estate or of any other person.
24. Abusive behaviour will not be tolerated and, should any incidents occur, the RMO may revoke all parking permits issued to the person(s) concerned and members of their household.
25. Removal of a wheel clamp constitutes two criminal charges of theft and criminal damage. If the wheel clamping company see an illegally parked vehicle that has previously been clamped and has subsequently had the clamp illegally removed, they will clamp and remove the vehicle immediately even if the vehicle was clamped originally on another estate. In such circumstances the police will be notified.
26. If a clamp is illegally removed from a vehicle, the parking permit(s) for that household will be immediately revoked.
27. Blenheim Gardens RMO may at any time summarily rescind the parking permit if a tenant, leaseholder or freeholder neglects to observe any of these regulations.
28. All persons being issued with a permit will need to sign a form to confirm that they have seen and accept the terms and regulations for issue and use of the permit(s).
29. In exceptional circumstances, the RMO may suspend the estate parking scheme in certain areas if required (funerals etc.).

30. Abandoned vehicles deemed by the RMO to present a health and safety risk to employees, residents or visitors of the estate will be removed within 24 hours of being noticed or reported.
31. The responsibility of applying and ensuring that a valid parking permit is displayed at all times is that of the residents. The RMO accepts no responsibility whatsoever for vehicles where permits have not been renewed.
32. The parking of vehicles more than 2.00 metres high or 1.83 metres wide or 3.8 metres long requires written permission from the RMO.
33. Blenheim Gardens RMO reserves the right to withhold or revoke any permit issued at anytime and this is at the discretion of the Estate Director and/or Governance Board.
34. Permits with a Lambeth logo on the front will become invalid on the 1st September 2008. Residents will be notified of this change no less than 5 weeks before this change commences. A notice regarding this change will be circulated, by hand to all residents. Notices will also be displayed around the estate.
35. Blenheim Gardens RMO reserves the right to amend these regulations as necessary at anytime without prior notification.

Permit charges:

From 1st April 2008 the following charges will be applied:

A resident's permit is £5.00. One resident's permit will be issued per household unless a joint tenancy is in operation.

A visitor's permit is £5.00 (inclusive of VAT) for all tenants, leaseholders and service charge paying freeholders who have complied with the terms and conditions of their tenancy or lease. The duration of this permit is 1 year.

Freeholders who do not pay a service charge will be charged £15.00 plus VAT for a visitor permit.

Subsequent visitor's permits are £15.00 plus VAT to a maximum of 4 permits per property.

Daily visitor's permits will be charged at the rate of £1.00 per day (inclusive of VAT)

Weekly visitor's permits will be charged at the rate of £5.00 (inclusive of VAT)

Parking permits will be issued to RMO approved contractors/staff free of charge.

Payment Methods:

In person at the RMO Estate Office;
24 Prague Place,

Blenheim Gardens Estate
SW2 5ED

By Cheque made payable to Blenheim Gardens RMO

By Cash

Complaints and Appeals:

All complaints and appeals must be made directly to Night Hawk Security. Night Hawk Security operates a 24hr service. If you have **any queries** or if your vehicle has been clamped please contact Night Hawk Security Control room on **0870 063 8409** for clarification.

Parking contract Meetings:

Parking contract meeting will be held quarterly on the last Tuesday of the month. Information regarding these notices will be displayed around the estate. This is an open meeting and all residents are encouraged to attend.

Data Protection

Blenheim Gardens RMO operates in line with the L.B. Lambeth's Data Protection Policy and Procedure and will process your information primarily for the purpose of providing a parking enforcement service to residents. Blenheim Gardens RMO may however, use your information to update our resident profile information in order to provide and review our service provisions in relation to the needs of the community.

We may also use your information to prevent and detect fraud and to protect public funds. This will include the photocopying and recording of vehicle information and verifying residency status and parking entitlement on the estate. We may therefore disclose to, or request your information from, the DVLA, law enforcement agencies or other such organisations.

In line with its duty to protect public funds and as managing agents of the council, we shall undertake investigations involving the random auditing of vehicles and users who hold a valid parking permit to counter suspected fraudulent use of its parking service.

Risk Management:

It is essential that the cost of a parking permit is increased to match projected cost of this contract. This is an operational requirement since the organisation will incur costs under this contract for the removal of vehicles. Night Hawk Security will undertake and complete their operative risk assessments for undertaking work on the estate

Equalities Impact Assessment:

The following equalities impact assessment was undertaken in the development of this policy. Blenheim Gardens Estate consists of mixed tenure properties: social

tenancies, leaseholders and freeholders. However, since some freeholders pay a service charge and others do not, the Governance board of the RMO considers it reasonable to request a contribution from non-service charge paying freeholders for the management, maintenance and administration of this parking contract.

Financial Impact Assesement:

The following financial information was considered during the development of this policy:

- The potential cost to the RMO in executing this contract
- The impact this contract and regulations may have on the RMO's revenue collection performance
- When setting the permits charges, the following available information was taken into consideration by the Governance board of the RMO:
- The collection rate of rent (101% in year March 2008)
- Level of debt on estate 2.5% or £30,731
- % of tenants receiving some form of Housing Benefit (60.2%)

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Danny Howcroft, Estate Director for Blenheim Gardens RMO 29.04.08