

# **CONTROLLED PARKING ZONES IN WEST SUSSEX**

## **COMMON QUESTIONS AND ANSWERS**

### **What is a Controlled Parking Zone (CPZ)?**

A CPZ is a method of controlling or managing on-street parking across a wide area.

It is designed primarily to assist people living in areas where they experience difficulty in parking on the road close to their homes, for example, as a result of existing waiting restrictions (e.g. yellow lines) or large numbers of non-residents who park for long periods.

It can also make it easier for shoppers, visitors, healthcare providers and tradespeople to park, enhance road safety, ease congestion and remove obstructions to private accesses by eliminating indiscriminate parking.

There are seven CPZs currently operating in West Sussex - Billingshurst, Bognor Regis, Chichester, Crawley, East Grinstead, Horsham and Worthing.

### **How does a CPZ work?**

Within a CPZ, large signs are located at all entry points, informing motorists of the waiting restrictions that apply on-street within the area they are entering i.e. the days and hours during which parking is controlled

During those days/hours of control, most parking is permitted only in designated parking bays (marked with white lines). Signs are positioned next to all parking bays showing the days/hours of parking control and the type of parking permitted, e.g. Permit Holders Only.

In some roads such as cul-de-sacs, signs may be located at the entrance that state 'Permit Holders Only Beyond This Point'. Exactly the same rules apply as the rest of the CPZ but there are no parking bays marked on the road. Although repeater signs might be required, this approach reduces the overall set up and maintenance costs for the County Council as well as the visual impact of the CPZ.

Permit holders can park a vehicle in any parking bay or road where permit parking is allowed, within the zone specified on the signs. Normally this would be within their own road or close to their home. Wherever possible, parking bays are located

outside or near residential properties although parking in a particular space cannot be guaranteed. In 'Beyond This Point' roads, permit holders do not need to park in designated bays as these are not marked.

Free limited waiting or pay and display bays may also be provided within a CPZ and these can be used by visitors and shoppers etc without the need for a permit. These bays are clearly indicated by signs. Some of these bays may also be shared with permit holders.

Double and single yellow lines also prohibit parking on junctions and along certain lengths of road at certain (or all) times.

### **Why might an area need a CPZ?**

The County Council receives a number of concerns/complaints regarding on-street parking from people in many parts of West Sussex. These mainly relate to unrestricted roads being congested with vehicles for long periods, some of which have been inconsiderately or dangerously parked.

In addition to the impact upon residents and local businesses, inconsiderate parking can be detrimental to both the environment and personal safety. Emergency/refuse vehicles can be obstructed in narrow roads with parking on both sides. Footways and verges are often damaged and pedestrians obstructed by parked vehicles. Pedestrians, and in particular children, are more likely to be involved in an accident when crossing the road if it is congested with parked vehicles.

The provision of yellow lines and/or limited waiting bays may improve the situation in certain roads but these types of waiting restriction apply to all road users and so where they are introduced, parking problems can simply be moved to an adjacent road/area. A CPZ that incorporates the use of permits allows particular users such as residents to park for longer periods.

This management and control of on-street parking also supports the County Council's other policies to tackle congestion and pollution, encourage use of public transport and walking/cycling and improve road safety and residential amenity.

### **Who introduces a CPZ and how is it managed?**

The County Council introduces a CPZ. As the local Highway Authority for West Sussex, it is already responsible for on-street parking policy across the county and has powers to introduce and use a variety of waiting restrictions, charges and permits with the purpose of reducing congestion, improving road safety or giving priority to particular types of parking. It also oversees the enforcement of those waiting restrictions.

The County Council has appointed the District and Borough Councils to undertake many of the existing day to day functions of its on-street parking management, including enforcement, permit administration, receipt of payment of Penalty Charge

Notices and maintenance of Pay and Display machines, all in addition to the District and Borough Council's management of their own off-street car parks.

The following summarises who is currently responsible for what:

### **County Council Responsibilities:**

Parking policy guidelines and strategy - Civil Parking Enforcement policy decisions, setting the guidance for District and Borough Councils to implement. Traffic Regulation Orders, Setting on-street parking charges, guidance for parking in new residential developments

Parking on the road - Design, consultation and implementation of CPZs and any other on-street waiting restrictions such as yellow lines.

Parking for Blue Badge holders – issuing of Blue Badges, reports of fraud, installation and removal of disabled parking bays

Highway Maintenance – Sign and line maintenance on the highway, applications for dropped kerbs, road resurfacing.

### **District and Borough Council Responsibilities:**

Off-street parking (car parks, not including private car parks) – off-street parking charges, sign and line maintenance

Day to day management of CPZs - handling any parking enquiries relating to a CPZ, issuing permits and dispensation notices, organising parking bay suspensions and maintaining pay & display machines

Enforcement – recruitment of Civil Enforcement Officers, issuing of Penalty Charge Notices, handling challenges and appeals, enforcement patrols

### **How is a CPZ enforced?**

Civil Enforcement Officers, working for the District or Borough Council (or a contractor in Arun and Worthing/Adur Districts) are employed to enforce the waiting restrictions within a CPZ. Any vehicles parked in contravention of the waiting restrictions in a particular area are liable to receive a Penalty Charge Notice.

### **Advantages of a CPZ**

A CPZ can:

- improve traffic flow and safety by preventing dangerous, obstructive or inconsiderate parking
- improve air quality and reduce congestion from non-local traffic circulating in an area looking for free parking
- improve access for emergency vehicles and buses
- share out the parking amongst different users and for different purposes and also enable the reclamation of areas for public realm improvements
- increase the opportunities for short term parking close to shops and businesses by promoting turnover of vehicles
- improve the amenity of an area with vehicles being parked in a more orderly fashion
- pay for itself and for other improvements such as implementation and enforcement of electric vehicle charging infrastructure
- deal with the parking problems within an area in one go rather than require the County Council to keep coming back to individual roads every few years.
- Create an environment which better encourages more sustainable forms of transport such as walking and cycling.

### **Disadvantages of a CPZ**

- Still encourages some ownership and use of private vehicles
- During the hours that the CPZ operates there is a charge for most motorists to park on the road
- The total amount of space on the road used for parking may be reduced in some roads compared to now in order to allow for turning movements, access and visibility.
- Residents are restricted to parking within their own zone and can not use adjacent areas when capacity in their zone is exceeded
- Unless someone is a permit holder, parking in some areas could be limited to short stays only
- Depending on the demand, the number of permits issued to a household may also be limited
- More cars may try to park in adjacent areas or private roads that are unrestricted
- Having a permit would not be a guarantee of a particular parking space at any times
- The CPZ may not be able to deal with parking problems caused when the numbers of residents' cars exceed the road capacity, usually overnight.

### **Can my road be left out of a CPZ?**

Within a CPZ, the objective is to include all roads and not to exclude individual roads as any unrestricted roads could be free for anyone to park in and so parking problems may quickly develop.

A number of roads will remain outside of a CPZ and in these roads, unrestricted and free parking may still take place unless a waiting restriction (e.g. yellow lines) is in place.

### **Are private roads included within a CPZ?**

Mostly not. The County Council can only use its powers to introduce waiting restrictions, charges and permits on the public highway. In some cases it is possible to introduce yellow lines on private roads for safety/access reasons but only if these are specifically requested. In most cases the landowners consent will also be required.

Residents who live in private roads or in developments that are serviced by a road with no public right of access (e.g. gated) are not entitled to park within a CPZ during the days/hours of restriction. This is because the demand from such locations, many of which contain multiple occupancy dwellings, would put too much pressure on parking in the surrounding area. In addition to car parks, some on-street parking (limited waiting, pay and display) would be available to use or other permits could be available in roads with spare capacity.

### **Where can I park within a CPZ?**

Each road within a CPZ is marked with parking bays reserved only for permit holders at certain times of the day and/or short stay bays that anyone can park in for a certain period. Outside of these times, anyone can park in a CPZ. Permit holders are also able to park within the bays anywhere in a zone, not just their own road. It is not possible to guarantee anyone a permanent space outside their home. Parking is not permitted on double yellow lines and only permitted on a single yellow line outside of the days/hours of restriction and as long as an obstruction is not being caused.

### **What if I have more than one vehicle?**

Any vehicle parked on the road during the days/hours of control needs to display a valid permit. Therefore, owning more than one vehicle requires the purchase of more than one permit if they are to be parked on the road at the same time. Each vehicle should be registered to the property and the District/Borough Council will require the Vehicle Registration Document (V5) and/or insurance document which shows this. If a resident makes use of many different vehicles but only ever parks one at a time (e.g. company vehicles) a permit can display more than one registration or display 'pool'. For digital permits, the registration number will be updated in MiPermit to reflect the vehicle being parked. The priority in most existing CPZs in West Sussex is to issue one or two permits per household but a lot depends on the overall demands in each zone. It may not always be possible to issue permits for 3 or more vehicles.

### **How much does it cost to park?**

The current (2021/22) charges for all permits and pay & display in West Sussex can be viewed on the [On-street parking permit charges](#) page.

It should be noted that on-street parking charges may be reviewed by the County Council on an annual basis, with new charges coming into effect from October in most cases.

### **Why do I need to pay?**

The simple answer is 'to pay for a CPZ'. The money collected from the purchasing of permits is used to employ Civil Enforcement Officers to enforce a CPZ and also to cover set up as well as administration and maintenance costs.

### **Why doesn't Council Tax or Road Tax pay for a CPZ?**

It has been decided by the County Council that a CPZ which offers a benefit to a select few (in this case an improved environment for motorists within a particular area) should finance itself and specifically should not draw on funds from any other budget such as the Council Tax. The reasoning is that residents in other parts of the District or Borough would be paying for a scheme that does not offer them a benefit and in fact limits their right to use the public highway.

The payment of road tax does not grant any rights on the highway such as exclusivity to the road outside your house. There is no right in law to park on an uncontrolled highway and the only right that a vehicle-user has on the highway is the right in Common Law to pass along it.

The County Council is empowered to control on-street parking by an Act of Parliament and it does this for traffic management and parking management purposes. CPZs, incorporating the use of permits, provide exclusivity, a benefit not enjoyed by the general public and therefore this should be paid for.

### **Does the County Council make a profit?**

No – The revenue raised from a CPZ and the issue of Penalty Charge Notices is ring-fenced by law and must be used to pay for implementation/on-going parking management costs or for other transport improvements in the local area.

### **Who can buy a permit?**

Any bona fide resident within a CPZ who owns a vehicle is automatically entitled to buy a permit unless they live in a private road or a property not eligible for permits. However, when issuing permits, a higher priority might be given to those residents with a Blue Badge or those with no off-street parking. Proof of residence and vehicle ownership will be required at the time of purchase.

If there is still space left over after residents have purchased permits, non-resident permits may also be purchased by businesses, essential users or commuters requiring parking in the area.

Special permits are also available for healthcare providers carrying out visits within a CPZ as well as certain traders and tradespeople.

### **Do I have to buy a permit?**

No, the decision is yours. Of course, if you did not buy one, you will not be able to park in on-street parking bays during the days/hours of restriction or in other bays for longer than the period stated on the signs.

### **How do I get a permit?**

Please refer to the relevant District or Borough Council parking pages on their website. Permits can be issued by the District or Borough Council either as paper permits or some have introduced digital permits issued through a system called MiPermit. If a permit is digital this will mean that there is nothing to display in the vehicle and that the permit details are held against the vehicle registration and paper permits would need to be displayed clearly.

### **What happens if I change my vehicle?**

Depending on the Zone, if a resident already has a permit and changes their vehicle, they will either use MiPermit or the District/Borough Council's website to request the change and upload a copy of the V5. The District Council will then review the request and notify you if successful. Paper permits will need to be returned to the District/Borough Council and a charge is payable for re-issuing a permit.

### **What about my visitors?**

There may be times when a resident has a visitor who needs to park during the controlled days/hours. Special permits are available for residents to buy for visitors to display, during those times, within a CPZ. See below for current costs.

### **What happens to the commuters/non-residents?**

A CPZ part of the County Councils' wider strategy for tackling congestion and pollution. It is designed to encourage motorists to re-think their journeys and consider alternative modes of travel. The increased use of public transport, cycling, walking and car sharing are some of the alternatives that could be chosen.

Those non-residents who are less willing/able to change their travel patterns can choose to park in the existing off-street car parks located across the city.

There may also be a number of on-street permits available for non-residents to buy in roads/areas where there is known to be spare capacity (i.e. where most residents already have driveways and so would not need to park on the road). In some areas, these will be available in limited numbers from the outset. In other areas, it will only be possible to make permits available once a CPZ has been in operation for some time and where resident demand has already been met. This practice already takes place in most parking schemes but is strictly managed.

### **What if I have a Blue Badge?**

Within a CPZ, any disabled parking bay will have a sign and be backed up by a Traffic Regulation Order. Once an application for a new bay has been approved by the County Council, it will be marked out within a CPZ but will remain advisory until such time as a new Traffic Regulation Order is approved.

Blue Badge holders who live within a CPZ and who do not have a disabled parking bay marked out for their use can apply for a 'free' first permit for their zone of residence.

Blue Badge holders can also park for up to three hours on double or single yellow lines, as long as a badge is on display and an obstruction is not caused.

### **Special Circumstances e.g. healthcare providers, tradesmen**

The County Council is aware that a number of disabled and/or elderly residents are reliant on regular visits from care organisations, relations, and friends etc. in order to maintain an independent lifestyle and remain living at home. To assist these residents' special permits are available. Dispensation Notices are also available to tradesmen carrying out work in or around a property within a CPZ. They can also use resident's visitor permits, supplied by the resident, for this purpose.

### **What if I have a driveway or want to apply for a new one?**

In many roads within a CPZ, parking bays will be run across driveways or a permit holder restriction will be in force (with no road markings). This means that the owner of the driveway, or their visitors, can park a vehicle across the driveway during the controlled days/hours as long as a valid permit is displayed. This is not an obstruction (as you can not obstruct yourself) and maximises the available parking capacity in a road as the vehicle is not using up another space elsewhere.

Within a CPZ, any vehicle parked across a driveway without a valid permit is liable to receive a Penalty Charge Notice. Similarly, any vehicle parked across a driveway without the permission of the owner could be deemed to be causing an obstruction.

Any request for a new driveway/dropped kerb within a CPZ should be made to the County Council's Highways Service. Consideration will be given to the number of existing driveways in that road and the current parking capacity/demand. If approved, in many cases the new driveway will not require a change to be made to the existing restrictions.

The owner of a driveway may also ask for an Access Protection Line (see below)



## **Access Protection Lines**

This is a road marking that can be provided to visually deter parking across private driveways or dropped kerbs. It is a white marking similar to an elongated capital "H" and extends across the access. Unlike yellow lines the access protection line has no legal standing and it is not a contravention to park on this line. An offence is only committed when a motorist parks across the access and causes an obstruction, which is the case whether or not an access protection line is present (See No 28). This road marking is merely used to highlight the presence of an access.

Within a new CPZ, existing access protection lines will be enclosed by parking bay markings in many cases and simply retained in others. Any requests for new access protection lines or for existing lines to be refreshed should be made to the County Council's Highways Service and there will be a charge.

## **Loading and Unloading**

It is generally accepted that loading and unloading is permitted in a parking bay or on yellow line restrictions if impractical to conduct elsewhere. Although discretion will usually be given, there is no right to park and under normal conditions a vehicle parked in contravention or left unattended would be observed for a reasonable amount of time so that a Civil Enforcement Officer could state that no active loading or unloading was taking place. In such cases a Penalty Charge Notice could be issued.

Loading and unloading activity should be continuous and vehicles should not be left unattended other than for the purpose of loading/unloading. Vehicles must be parked near to the premises being serviced and it must be reasonably necessary to park there in order for the activity to be carried out.

A vehicle should be able to stop briefly to pick up or set down passengers but not to wait in that position. If a vehicle is to remain at rest for anything more than a few seconds it is required to be lawfully parked where it is not causing an obstruction or a risk to others using the public highway.

## **What if my driveway was obstructed?**

Until a kerb has been formally dropped and a driveway laid, so making it suitable to carry vehicles, a driveway is not legally in use so there is no access to be obstructing.

Obstruction of the highway is a matter for Sussex Police (call 101). There are 2 possible offences - unnecessary obstruction and willful obstruction.

Sussex Police will generally only respond if a vehicle is prevented from leaving a property and even then it would only be if the householder reported it and if they have an officer available. There is a right of exit from a drive but there is often no remedy if someone is blocking you from getting in.

Users of a private entrance could take a civil action for nuisance against anyone who caused a persistent obstruction, but this process can be lengthy, expensive and unpleasant.

### **What will happen to grass verges?**

Within a CPZ, grass verges will not automatically be converted to hardstanding for the purposes of parking. The intention behind a CPZ is to make better use of the available space on the highway.

Once a CPZ is established, consideration could be given to verge conversion in exceptional cases where the demand for parking exceeds available on-street space and/or where grass verges become damaged through overuse.