

**SURREY COUNTY COUNCIL**

**LOCAL COMMITTEE (TANDRIDGE)**

**DATE: 25 September 2015**

**SUBJECT: Public Question**

**DIVISION: ALL**



David Cooley, Tandridge District Councillor and Chairman of Warlingham Parish Council asks:

As a local councillor I receive a number of comments along the lines of, when I call the Police about a parking issue they refer me to Surrey CC and when I go to Surrey CC they tell me to it is a Police matter and vice versa.

Would it be possible for the Local Committee to publish a 'who is responsible for what' list in respect of complaints and questions about parking matters?

For example – 'a multitude of workman's vehicles at a development site blocking site lines'; 'parking on shop forecourt with wheels overhanging footway'; 'I can't exit (or enter my drive)' – 'someone has parked across my dropped kerb'; 'overstaying in parking zone - park for one hour no return etc'; 'regularly parks on double yellow lines'; 'disabled bays taken by drivers not displaying blue badge'.

These are just a sample of complaints. Is it possible to say who should be contacted by residents or their representatives at which organisation?

**Response:**

Civil Enforcement Officers (CEOs) from Reigate and Banstead Borough Council carry out enforcement of on street parking in Reigate and Banstead and Tandridge. This means parking controls (most of which require a traffic regulation order), including:

- single and double yellow lines,
- formalised school keep clear markings (yellow zig-zags),
- formalised bus stops clearways,
- time limited parking bays,
- permit parking bays,
- formalised disabled bays,
- white zig-zags at pedestrian crossings.

It is important to recognise that some of the restrictions listed above may be advisory (i.e. not have a traffic regulation order behind them), and they are not legally enforceable, in which case the CEOs cannot carry out any enforcement. Enforceable controls are usually identifiable on site by the presence of an accompanying traffic sign to go with the road marking. This is particularly relevant to school keep clear markings, bus stops, and disabled bays.

In addition to the restrictions listed above, CEOs may enforce within “special enforcement areas” which are described in national legislation, and for which we do not have to make a traffic regulation order. These include offences such as:

- Parking more than 50cm from the edge of the carriageway.
- Double parking.
- Parking in front of a dropped kerb. Where parking is in front of a dropped kerb which constitutes a crossing point for pedestrians, the vehicle would instantly be liable to receive a Penalty Charge Notice (PCN). If a vehicle is parked in front of a vehicle crossover access to an off-street parking area (without consent of the resident), then the resident must contact the borough council to request that the vehicle is given a ticket. In any case, the motorist would only be liable for a ticket if their vehicle made it impossible to enter or exit the access. There is no offence for ‘blocking sightlines’.

The contact number for the Parking team at Reigate and Banstead Borough Council is 01737 276000.

Civil enforcement officers cannot issue PCNs for parking on a footway, parking on a verge, or dangerous or obstructive parking, unless there are formal parking controls at the location specifically prohibiting parking there.

The police retain powers to issue Fixed Penalty Notices to motorists parking obstructively, without the need for yellow lines. The telephone number to contact the police would be the non-emergency number 101.

To answer the specific queries in the question:

- A multitude of workman’s vehicles at a development site blocking sightlines.
  - There is no specific offence relating to blocking sightlines. The police may be able to take action if they feel it is dangerous, often this approach does work. The likely impact of building works should be considered by Surrey Highways prior to the planning being given for development. If temporary parking controls are required, they should be considered as part of that process, which would enable yellow lines to be provided and for the borough council to enforce them.
- Parking on shop forecourt with wheels overhanging footway.
  - If there are yellow lines on the carriageway, these also apply to the footway, and CEOs could enforce this offence. If there are no yellow lines, then the police could look at it if it were causing obstruction to the footway.
- I can’t exit (or enter my drive) / someone has parked across my dropped kerb.
  - The resident must contact the borough council to request that the vehicle is given a ticket. In any case, the motorist would only be liable for a ticket if their vehicle made it impossible to enter or exit the access. There is no offence for ‘blocking sightlines’.
- Overstaying in parking zone - park for one hour no return etc.
  - CEOs enforce this.
- Regularly parks on double yellow lines
  - CEOs enforce this.
- Disabled bays taken by drivers not displaying blue badge.
  - If the bay is advisory then no enforcement can take place. Most disabled bays we provide in residential areas are advisory bays. It means we can install and

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remove the bays relatively quickly and inexpensively. They work well and are generally well respected. Generally we only introduce mandatory bays in town centres where non-compliance would be more likely, and where CEOs can feasibly enforce the bays. These can be identified with a sign and a marked bay.

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