

East Devon District Council

Car Park Management Policy (Housing)

Approved by the Housing Review Board in April 2021

1 Why has the council introduced this policy?

- 1.1 We recognise that tenants and residents in some areas have no or limited means of transport and rely on a car. Many of our estates were built when levels of car ownership were not so high. Tenants and residents are encouraged to use council car parks to reduce congestion on roads, to reduce parking issues and to promote safer communities.
- 1.2 This policy explains how Housing Services will manage car parking on council land which is utilised by a range of users, such as council tenants, leaseholders, owner occupiers, tenants of Registered Providers and private landlords.

2 What is the council's policy?

2.1 This policy covers the following points:

- Parking responsibilities
- Inconsiderate parking
- Liability for theft, damage and vandalism to vehicles
- Maintenance of housing estate car parks

2.2 Definitions

2.2.1 The following definitions apply to this policy:

- **Resident** – any Council tenant, registered provider or private tenant, lodger, leaseholder, owner-occupier or business user
- **Tenant** – means anyone who holds a council tenancy or is a leaseholder with EDDC
- **Vehicle** – any car, motorcycle, caravan, trailer, trailer tent, motorhome, van, lorry, horsebox, boat, motor scooter or similar.
- **Council Housing land** – is land owned by the EDDC Housing Service.
- **Council property** – An EDDC home including gardens or shared communal areas

- **Abandoned vehicle** - any vehicle which the owner no longer wants that has been left on council land. The vehicle may be in poor condition, unmoved for some time or have no valid insurance or tax.
- **Non-roadworthy vehicle** - any vehicle that is not fit to be legally driven on public roads, vandalised or parked on council land and could potentially be a danger to others including where tyres have been removed, or windows smashed.

2.3 Our parking responsibilities

2.3.1 Increased car ownership can lead to congestion on our housing estates and escalate parking issues. As part of our day to day car park management we are responsible for the following:

- implementing car parking controls
- taking appropriate action to manage car parks efficiently and effectively
- taking appropriate action to resolve issues, for example unauthorised and inconsiderate parking or nuisance;
- removing offensive graffiti within one working day of being notified;
- acting swiftly to contact the owner of a vehicle where an unauthorised or abandoned vehicle is parked on council land before arranging the vehicle's removal and disposal. However where this has failed, we may give due notice to remove the vehicle before arranging for its removal and disposal;
- taking appropriate enforcement action, where required; including recharging all costs incurred and legal proceedings, where appropriate.

2.4 Resident parking responsibilities on Housing land

2.4.1 We manage parking using the resources available and ask that tenants and residents take responsibility for parking in a responsible fashion and with due respect to other car park users. In order to do this we ask those who park on council land or live on our estates, including members of their household or visitors to their home:

- Park on a first come, first served basis.
- Do not park in designated parking spaces. Tenants/ residents/ visitors should not park in designated parking spaces including not parking in disabled allocated spaces or leaseholder bays unless they belong to the group for whom the space has been designated.
- Do not leave untaxed, SORN, non-roadworthy or abandoned vehicles on council land;
- Do not park commercial lorries, trailers, horseboxes, camper vans or caravans on council land except where prior written consent has been obtained.
- Do not park any vehicle that exceeds three and half tonnes unladen weight on any council land;
- Do not park or leave any vehicle on council land other than in areas set aside for parking;
- park vehicles considerately for neighbours and comply with Estate Management requests to move vehicles when requested;

- avoid obstructing access to other properties, vehicles or access points;
- allow accessibility for Emergency Services and Council vehicles;
- avoid causing noise nuisance to neighbours or driving at an inappropriate speed around council land;
- Do not carry out repairs to vehicles on council land, except for topping up windscreen washer fluid, oil or water, changing one tyre, putting in a new sound system or changing windscreen wipers. It is not acceptable to change oil on council land.
- Precautions must be taken to minimise the possibility of an outbreak of fire, and any vehicle materials must be disposed of correctly; use of welding equipment is not allowed.
- Do not use any power tools to undertake car maintenance.
- Avoid playing loud music from vehicles parked on council land;
- Do not park any vehicle where it will churn up the grass verge;
- Display permits prominently in vehicles, either on the dashboard or windscreen including Blue Badges.
- Do not sell or exchange a permit with another person; this can lead to the withdrawal of a permit for use on council land.
- Do not use council land for the purpose of accommodation, such as camping or living in a caravan;
- avoid rigging up any cables (e.g. generators or power cables) from a property to a vehicle parked on council land;
- Do not chain, tie or restrain any animal to a vehicle to graze on council land or property;
- avoid leaving any person or animal in a vehicle on council land or property for a prolonged period which could have a detrimental effect on their wellbeing;
- Do not do anything which interferes with or is likely to interfere with the security or safety of any council land or cause damage, deface, or apply graffiti to any property or structure we own;
- Do not use any council land for criminal activity or immoral purposes;
- Do not use council land for the purpose of running a business.
- Do not do anything that may put someone at risk. Any health and safety issues should be reported to us immediately.

2.5 Other considerations

2.5.1 Tenants and residents are responsible for the actions of members of their household and visitors to their home. Where a tenant or resident abuses the use of council land, we will take enforcement action.

2.5.2 Tenants and leaseholders of this council or owner occupiers of ex EDDC Council properties have to comply with the parking conditions set in their tenancy agreement, lease or deeds.

2.5.3 The parking of any vehicle other than a car, a motorcycle or light van, is not allowed on Council land or property.

2.5.4 We do not permit vehicles with a Statutory Off Road Notification (SORN) to park on Council land. Classic vehicles are exempt.

- 2.5.5 Parking is on a first come, first served basis in our car parks. No person using EDDC land has a right to car parking or use of the land for any other purpose, without written permission from Housing Services, Estate Management.
- 2.5.6 Disabled spaces are for use by drivers and/or passengers with mobility difficulties. These spaces are not for specific users and can be used by any vehicle displaying a blue badge on a first come, first served basis. We expect tenants and residents not to abuse the use of a space.
- 2.5.7 We reserve the right to recharge the tenant or resident for any costs incurred from the misuse of council land caused by them, members of their household or visitors to their home. All recharges will be dealt with in accordance with the Housing Recharging Policy.

2.6 Inconsiderate parking

- 2.6.1 We will work with tenants and residents to find reasonable solutions to parking problems. Anyone parking without consideration to other users which the EDDC Housing Service decides is inconsiderate, will be refused permission to use EDDC Housing land to park their vehicle in future.
- 2.6.2 We are unable to take any enforcement action where the problem occurs on the public highway or private land not owned by EDDC and tenants/ residents should be directed to either Devon County Council, Highways Department, the Police or their local Citizens Advice Bureau (CAB) for issues where this is the case.
- 2.6.3 Where the council does not own the land, our powers to manage parking problems are strictly limited; this will include parking on pavements, or in front of dropped kerbs. We will offer advice to a tenant or resident when they raise concerns and signpost them to the appropriate authority.
- 2.6.4 We are unable to limit the number of vehicles a household owns or uses. However, we may offer solutions to resolve parking issues, for example, grant permission for a hard standing or offer a garage to rent, where the relevant criteria is met. The costs of any hard standing is to be met by the applicant and not by EDDC Housing department.

2.7 Liability for theft, damage and vandalism to vehicles

- 2.7.1 We are not responsible for vehicles parked on council land or property including liability for damage, theft or vandalism. Owners of vehicles park their vehicles at their own risk and should ensure that they are adequately insured in case there is any loss incurred.

2.8 Maintenance of housing estate car parks

- 2.8.1 Estate Management will carry out neighbourhood communal inspections, which include inspecting our car parks. They will inspect car parks routinely where possible, report any repairs and address any health and safety risks. However, they will rely on users of the car parking spaces to report any issues to enable them to respond quicker and more effectively to address any issues of maintenance by emailing repairs@eastdevon.gov.uk.

3 Equality impact considerations

The policy is high relevance to equality if it has a big impact on residents and users of the service

Medium

3.1 Landlord Services will tailor its services to meet the diverse needs of individuals.

- 3.1.1 We foster good relations with people when providing services to eliminate discrimination and to promote opportunity of equality. All aspects of this policy will comply with the Equality Act 2010 and all other relevant legislation.

4 Data Protection Considerations

b) The collection and use of tenant's personal data will not exceed that agreed to in their tenancy agreement

If selecting option c) – please provide a summary of additional personal data required and how this will be obtained and used below.

Click or tap here to enter text.

The [EDDC Data Protection Policy](#) provides further information on how we store and use personal information.

The following privacy notice(s) provide further information on how we will use tenant's personal data, how it is gathered, and how long we will retain this information, and what rights tenants have in relation to this.

Housing Services - Enforcing conditions of tenancy agreement

Choose an item.

Choose an item.

Choose an item.

Choose an item.

Choose an item.

All our privacy notices can be found on the EDDC website (<https://eastdevon.gov.uk/access-to-information/data-protection/privacy-notices/>)

5 Appendices and other relevant information

6 Who authorised the policy/strategy and date of authorisation.

7 Related Policies/Strategies, Procedures and Legislation

- The Road Traffic Act 1991
- EDDC Tenancy Agreement
- Property Deeds or Lease
- Anti-Social Behaviour Policy and Procedures
- Recharge Policy
- Abandoned Vehicles Policy

8 Policy date for review and responsible officer

8.1 This Policy has been written in line with current relevant legislation.

- 8.1.1 The policy will be reviewed and revised to reflect any legislation requirements and/or other guidance or good practice. The next review of this Policy is due April 2024 and every 3 years thereafter.