

HART DISTRICT COUNCIL DISPENSATION PROCEDURES EFFECTIVE FROM 1 APRIL 2014

INTRODUCTION

The Council, in certain circumstances, will allow, by the issue of a **dispensation**, a vehicle or vehicles to park lawfully in what otherwise would be a contravention of a TRO.

The purpose of this Section is to set out policy, criteria and procedures in regard to the management and administration of these matters.

The Council is authorised by The Local Authorities (Transport Charges) Regulations 1998 [S.I. 1998 No. 948] to make charges for these services but it will be appreciated that these are limited to the cost of dealing with the matters and cannot include any profit element or any potential loss of income.

DISPENSATIONS

A dispensation authorizes a vehicle (or vehicles) to park in contravention of a TRO. It allows parking where alternative arrangements cannot be made for the following principal reasons:

- Loading/ unloading where this activity is either normally prohibited or the permitted period is insufficient; or
- Situations where alternative arrangements would be unsatisfactory.

A dispensation does not permit general 'parking'. It does not allow the vehicle to remain in the restricted/-prohibited area once the dispensation purpose has been fulfilled. At that time the motorist is required to park elsewhere and lawfully.

Based on the above qualifications and subject to Council policy, dispensations will be issued for:

- Furniture removals;
- Building/ maintenance/ repair works where close proximity to the site is essential;
- Skips placed in a restricted road.
- Goods deliveries in respect of which it is reasonable to allow longer than that normally permitted by the regulations;
- The hearse and chief mourners' vehicles at funerals;
- The bridal and attendants' vehicles at weddings;
- Vehicles essential to filming operations;
- Other circumstances in which the Council may reasonably regard the requirement to be essential.

Dispensations will **not** be issued for:

- Applications where parking may adversely affect disabled/ doctors/ business bays, taxi ranks, bus stops or tram movement;
- Applications where loading restrictions are in place if the dispensation is requested during the restricted period(s);
- Locations within 50 meters of a signal controlled junction, the entry/ exit pedestrian crossing marking, on a footway and/or other locations where parking may cause danger to pedestrians and road users, serious obstruction / traffic flow impediment ;

- Requests where there are doubts concerning the validity of the application;
- Applications in respect of vehicles where dispensations have been issued more than twice within the four weeks before the date of the application. Officers have discretion to vary this ban if it is considered it is otherwise reasonable to approve the application.

Applications may be made by post or in person but are to be in writing; a Faxed application forms are acceptable. Applications should be received at least **2 working days before the required date** to enable the Council to inspect the site if felt necessary before approval is given. However, officers have discretion to deal with more urgent applications if it is reasonable to do so.

Except in extenuating circumstances dispensations should not be issued for continuous periods in excess of five days and should not authorize parking for more than two vehicles at any one location unless the officer is satisfied that the road width and length and precise location permit this safely.

The Council can refuse to provide a dispensation if they feel it is not appropriate to do so.

Dispensations are uniquely numbered and are issued in a permit form.

The conditions of use must be brought to the applicant's attention who must also be advised to display the document clearly on the lower near side of the vehicle's windscreen.

An administration charge of £15.00 per vehicle per week is to be made except in respect of funerals for which no charges are made.