



Housing Policy
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1. Policy Objectives

- 1.1 This policy sets out Peabody's approach to providing parking spaces and sub-units to residents along with parking contractors. The policy applies to all Peabody estates where the parking contractors carry out parking enforcement. In addition to this policy some estates may have locally agreed arrangements.

This policy includes:

- licence agreement's and charges;
- administering licence agreements and waiting lists;
- concessions for disability;
- clamping and removal of unauthorised vehicles by the parking contractor;
- resident consultation; and

- health and safety requirements.
- 1.2 The overall aim of this policy is to treat people fairly by meeting the needs of drivers whilst providing sustainable, safe and attractive environments. Peabody aims to manage parking for its residents and their visitors in a positive manner, to satisfy the needs of a majority of residents. Peabody also recognises that there is a shortage of parking provision within London and this means demand will always exceed supply. We will not be able to satisfy everyone.
- 1.3 The introduction of the Greater London Authority Congestion Charge (see www.tfl.gov.uk) has increased unauthorised parking on Peabody estates near the zone boundaries. This policy aims to minimise this by having an effective strategy for dealing with unauthorised parking. The management procedures only apply to estates with parking provision is provided by Peabody. The key objective of this policy is to allow local decisions to be made by residents, within a policy framework set by Peabody.

2. Relevant Legal and Regulatory Information

Housing Act 2004 – s56.

- 2.1 This act sets out the designation of areas subject to additional licensing. A local housing authority may designate either- (a) the area of their district, or (b) an area in their district, as subject to additional licensing.

Clean Neighbourhoods and Environment Act 2005 - Part 2 –s3(6.)

- 2.2 This Part introduces two new offences relating to nuisance parking and amends the law relating to abandoned and illegally parked vehicles. The act sets out the removal, disposal and fixed penalty sanctions of illegally parked and abandoned vehicles.
- 2.3 Other Acts that provide guidance and regulation on the provision of parking and sub-units are:
- The Road Traffic Act 1991 s31(35c)
 - The Parking Act 1989 (c.16) 35A. — (1)
 - The Traffic Signs Regulations and General Directions 2002 - 3. - (1)
 - Anti-Social Behaviour Act 2003 – part 2. s. 12.
 - Tort (Interference with Goods) Act 1977.

Planning Permission

- 2.4 Parking arrangements on new build estates, and the refurbishment of current estates, will require Local Authority planning permission. The removal of parking provision on estates may also require planning permission, and this should be checked at an early stage before proposals are discussed in detail with residents. It is the responsibility of the Project Manager to obtain planning permission.

Unitary Development Plan

- 2.5 A Unitary Development Plan (UDP) is produced by each Local Authority and includes information on the number of properties in an authority and future planning requirements, transport routes, parking provision and parking levels for that authority, etc. Compliance with the UDP is not a legal requirement; however failure to comply would be taken into consideration by the Local Authority when considering the granting of planning permission.
- 2.6 When considering alterations to existing car parking arrangements, including refurbishing communal areas and/or removing parking provision, Peabody should meet the minimum requirements of the Unitary Development Plan for each local authority, but may be able to negotiate a lower level of parking provision if they can demonstrate good reasons for this approach. The Development and Technical Services Directorate will organise with this.

Regulatory Code

- 2.7 The Housing Corporation Regulatory Code and Guidance does not refer specifically to parking or sub-units. However, the code places a duty on RSL's to ensure that their organisation is viable, properly governed and properly managed.

Tenancy Agreements and Licence Agreements

- 2.8 Parking contractors will enforce the clamping and the removal of vehicles in the first instance to manage unauthorised parking and anti-social behaviour for licence and non-licence agreement holders.
- 2.9 All residents are required to comply with the obligations of their tenancy agreement. Peabody tenancy agreements contain clauses referring to acceptable behaviour when driving or parking on Peabody estates and carrying out repairs. Staff should refer to the resident's individual tenancy agreement or lease.
- 2.10 Residents must comply with the terms of the licence agreement. Peabody will take action to end the licence if any of the terms are broken.

3. Key Definitions

Parking Contractor

- 3.1 A person or organisation which is responsible for providing a service on behalf of the organisation. This is the company, or companies, that Peabody have arranged a contract with to manage the parking, enforcement and sub-unit arrangements, clamping and the removal of unauthorised vehicles. The Neighbourhood Client Team will manage the contract regularly to ensure the contractor is giving Peabody maximum value for money and delivering a quality service to residents.

Vehicle

- 3.2 For the purposes of this policy, a vehicle is defined as a car, van, moped, bicycle or motorbike. Although, this is not the entire list.

Sub-Unit

- 3.3 For the purposes of this policy, a sub-unit refers to any parking bay or space, garage, store, pram-shed or hardstanding which is owned or managed by Peabody, although, this is not an exhaustive list. Sub-units are let on a licence agreement for a daily, weekly or monthly charge and are paid for by direct debit.

Licence Agreement or Licence Holder

- 3.4 Residents who are granted a car parking space or bay, garage, store or pram-shed, sign a licence agreement and are known as a licence holder. Peabody will grant sub-unit licence agreements to residents who fulfil certain criteria as laid out in this policy. Where a resident breaks the terms of the licence agreement, Peabody will take action to end the licence.

4. Policy

- 4.1 To occupy a sub-unit for any available Peabody parking bay, space, garage, store or pram-shed a resident must apply to Peabody. Sub-units are allocated from a waiting list held centrally within Peabody.
- 4.2 Residents who are given a sub-unit sign up to a licence agreement and are required to comply with the obligations of their sub-unit licence agreement. Any Peabody resident who parks their vehicle on

Peabody property is required to have a licence agreement which sets out the entitlement to a parking bay or space or a garage, store or pram-shed.

- 4.3 Visitors, staff and contractors are not required to sign a licence agreement and will be allocated a specific parking permit, although resident staff who are entitled to a discounted sub-unit will sign a licence agreement as normal.

Parking Bays and Spaces

- 4.4 All vehicles parked on Peabody estates must clearly display:
- a valid parking permit – This must be either a valid resident parking permit, valid visitor parking permit or valid dispensation code;
 - a valid vehicle tax disc; and
 - if applicable, a valid disabled badge.

Resident Parking

Waiting Lists

- 4.5 All permanent household members are eligible to apply for a sub-unit provided there are no arrears, except for housing benefit paid in arrears where the resident can provide the relevant documents. Second sub-units will only be offered to the next resident on the waiting list if all residents on the list have at least one sub-unit (or they have a hardstanding, or own a garage, parking bay or space, pram-shed or store).
- 4.6 Parking bays and spaces will be allocated strictly according to the waiting list, which is held by application date by Peabody Direct. The Neighbourhood Manager, the parking contractors and the Revenues Team will work together and are responsible for highlighting available parking spaces and bays through estate inspections, patterns of inactivity or termination of licence agreements. The Neighbourhood Managers should contact Peabody Direct to establish who is next on the waiting list when there is a void sub-unit.
- 4.7 Revenues should monitor sub-unit income and arrears to highlight where parking bays or spaces are falling into arrears, contacting the Neighbourhood Managers and Peabody Direct when parking bays or spaces become available in order to maintain the efficient turnaround for other residents. If the main tenancy which is linked to a sub-unit is ended then the Revenues Team should contact the Neighbourhood Manager to alert them to the available sub-unit. This is also so the Neighbourhood Manager can inspect the sub-unit to make sure it has been cleared, arranging for it to be offered to another resident.

Low Demand for Parking Bays and Spaces

- 4.8 If there are no residents on the waiting list for a parking bay or space on that particular estate, the vacancies should be made available to non-residents, for example, members of the public at the higher, market rate for that estate. If non-residents contact Peabody and request parking bays or spaces then Peabody Direct staff and Neighbourhood Managers should check that there are no residents on the waiting list for that estate or nearby estates. These bays and spaces may also be made available for staff who are essential car users.
- 4.9 Peabody staff must correctly advertise any available parking bays or spaces to residents in low demand areas. This could include, for example, through the resident's or tenant's association, notices on communal notice boards, the Peabody News and sending letters to residents on the estate, or nearby estates.
- 4.10 If demand increases on estates where parking bays or spaces have been let to non-residents or staff with essential car user allowance and there is enough resident demand again, bays and spaces must be taken back for resident use. Non-resident or staff licence agreements should be ended in the normal way and parking bays and spaces should be made available for residents.

No Parking Facilities on an Estate

- 4.11 If a resident lives on an estate where there are no parking facilities, but lives within a short walking distance from another Peabody estate with parking facilities, they can go onto the parking bay or space waiting list for that nearby estate. They cannot however, receive any visitors parking permits.

Setting Charges for Parking Bays and Spaces

- 4.12 Charges for parking bays and spaces vary according to location and size and Neighbourhood Managers will provide residents with rent levels on various estates. Finance will set charges annually and issue increase notices to residents. The amount charged will not usually be less than the cost of supplying the service to residents and provide sufficient income for Peabody to meet its Business Plan objectives.
- 4.13 Residents' carers who are non resident, and are allocated a parking space, will pay the same charge as residents.

Parking Bays or Spaces and Arrears

- 4.14 Parking bay or space arrears will be collected in line with the Rent Arrears Policy and Procedure. If a resident is in rent arrears, beyond four weeks housing benefit paid in arrears, the request for a parking space or bay will be refused. Existing licence agreements will be terminated if the resident has arrears in their main rent account and has failed to respond to the second arrears letter.
- 4.15 If the resident is waiting for housing benefit that is paid four-weeks in arrears, then they are entitled to a parking bay or space but Revenues staff and Neighbourhood Managers should monitor this regularly, ending the licence agreement if the arrears increase.
- 4.16 The Revenues Team or the Neighbourhood Manager is responsible for serving a Notice to Quit to end a licence agreement for the sub-unit where there are arrears.

Offering and Letting Parking Bays and Spaces

- 4.17 When a parking bay or space is available to let, the Neighbourhood Manager will contact Peabody Direct for details of the resident at the top of the waiting list. The resident must pay for the sub-unit by direct debit. If the resident cannot pay by direct debit, the sub-unit will be offered to the next available resident. The resident must complete a mandatory direct debit guarantee and provide proof of the following information before they sign the licence agreement for the parking bay or space:
- valid tax disc / nil licence*
 - valid M.O.T;**
 - valid full driving licence - not provisional;
 - valid orange or blue disabled badge for disabled badge holders;
 - valid insurance documents - at least 3rd party;
 - valid V5 – vehicle registration document, also known as a log-book, and;
 - proof of address.

*vehicles manufactured before 1973 are not required to pay vehicle tax but they will have, and must display, a valid nil licence issued by the DVLA.

**New vehicles will not require an M.O.T. for 3 years from the manufacture date.

- 4.18 Once the resident has shown proof of all of their documents to the Neighbourhood Manager, the Neighbourhood Manager will sign up the licence agreement*. The Neighbourhood Manager will issue a parking contractors application form to the resident. The resident must complete and send the application form to the parking contractor who will issue the valid parking permit. Residents will need to provide the parking contractor with proof of the following:
- vehicle user's name;

- proof of address; and
- vehicle registration.

* Peabody staff will only need to see vehicle proofs and personal information to verify these are valid. No personal information will be copied or stored.

- 4.19 The parking contractor will issue a valid paper parking permit on receipt of the application form and relevant documents. If residents want to park on the estate before they receive their valid permit, they must obtain a valid dispensation code from the parking contractor otherwise the vehicle may be clamped and removed.
- 4.20 A valid parking permit or valid dispensation code, along with a valid vehicle tax disc, must be clearly displayed in the vehicle at all times. Failure to display a valid parking permit or valid dispensation code, along with a valid vehicle tax disc, may result in the vehicle being clamped and removed. (See Enforcement).
- 4.21 The resident must pay the parking space or bay charge by direct debit in line with the terms of the licence agreement or the licence agreement will be terminated in the normal way.
- 4.22 The licence agreement is for a specific vehicle which must be registered at Peabody address of the applicant, unless it is for a non resident Licence Holder, for example, when a parking space has been allocated to a member of the public on a low demand estate. The vehicle registration number must be clearly displayed on the valid parking permit.

Renewing Licence Holders Parking Permits

- 4.23 Parking permits will be renewed annually on 1 January and local parking and sub-unit rental charges also reviewed annually. Licence holders do not have to sign a new licence agreement on renewal. However, it is important that residents contact the parking contractor or Peabody if they have not received their new valid permit by the 1 January. If the new valid parking permit is not clearly displayed inside the vehicle by the 1 January, or the resident has not contacted the parking contractor or Peabody for a valid dispensation code, the vehicle may be clamped and removed.
- 4.24 If a resident is in rent arrears at the time of renewal, the parking permit will not be renewed and the licence agreement will be terminated. Neighbourhood Managers or the Revenues Team should check Household for this information and contact the parking contractor to tell them that the licence agreement has been terminated. The parking bay or space will be allocated to the next available resident on the waiting list.

Provision for Disabled Residents

- 4.25 Disabled residents who produce the valid orange or blue badge, issued by the local authority, will be allowed a free parking bay or space from the date of notification to their Neighbourhood Manager. No rebate will be paid for back-dated periods where Peabody has not seen evidence of a valid disabled badge. The resident should sign a licence agreement in the usual way, with the charge being recorded as nil.
- 4.26 Disabled residents go to the top of the parking waiting list when they apply for a parking bay or space. If there are no parking spaces available, disabled residents will have priority on the waiting list and be allocated the next available parking bay or space for their estate. If two disabled residents have applied for a parking space then it will be allocated on first come first served basis.
- 4.27 In addition to a valid parking permit or valid dispensation code and valid vehicle tax, a valid orange or blue disabled badge must be clearly displayed in the vehicle at all times. Failure to clearly display any of these may result in a fixed penalty charge notice being issued.
- 4.28 If a vehicle that is clearly displaying a valid disabled badge, or a vehicle that can be clearly distinguished as adapted for a disabled persons use, is found to be parking in an unauthorised

manner, on all Peabody property, a fixed penalty charge notice will be served on the vehicle instead of the vehicle being clamped and removed. There will be a fixed cost if this is paid within 14 days that will increase after 14 days if left unpaid.

- 4.29 Disabled residents in rent arrears will still qualify for a free parking bay or space, but only if they have, and are sticking to, an arrangement to pay off their rent arrears, or if they are waiting for housing benefit and have done everything possible to progress their application. If disabled residents stop paying off the arrears as agreed, the Licence Agreement should be terminated in the normal way.
- 4.30 The vehicle must be registered in the name of a permanent member of the household, and driven by them, for example, a parking bay or space will not be given to a disabled person for their family to come and visit. Each household can only have one free parking bay or space.
- 4.31 Non-disabled resident's already allocated parking spaces or bays will not have their parking space or bay taken away and given to a disabled resident. If parking spaces are specifically allocated by number in locally agreed estate provisions, staff may ask other residents to move to a different number to allow disabled residents to have a space closer to their homes; however, the resident will not be under any obligation to do so. This should be done with discretion so that disabled residents do not know who has been asked to move in case of refusal.
- 4.32 If parking spaces or bays are not specifically allocated by number, for example, residents with parking permits can park in any available parking space or bay, staff may select a parking space near to the disabled resident's home and mark it for their use only. The signage used should match the environmental scheme on the estate and not identify the name or address of the disabled driver.
- 4.33 Some estates may want to allocate a parking space for disabled visitors only. This can be decided locally following consultation, but it must be remembered that the space may not be used as often, or by as many residents' visitors, as other visitor's spaces. In addition, it may be used by disabled drivers who are not visiting residents on the estate, but assume that because it is designated for disabled drivers they are able to park in it. The parking contractor should be made aware of these designated bays by the Neighbourhood Manager.
- 4.34 Disabled residents do not receive concessions or priority for garages, stores or pram-sheds.
- 4.35 Peabody retains the discretion to make further reasonable adjustments to its policy and procedure in the event that a disabled resident makes a request to it. When considering this request Peabody will consider:
- the effect of the disability on the individual disabled person;
 - the effectiveness of any proposed steps;
 - the extent to which it is practicable to take the steps; and
 - the financial and other costs of making the adjustment.
- 4.36 Any decision Peabody makes on a case by case basis is not binding in future cases.

Residents with Support Needs

- 4.37 Clamping contracts and arrangements may be amended locally to provide flexibility for residents who have carers making short visits. The resident is responsible for contacting their Neighbourhood Manager who will contact the parking contractor, or the resident can contact the parking contractor directly, to arrange for dispensation.
- 4.38 Neighbourhood Managers should request to see evidence that the resident has a carer visiting them regularly, for example, they are in receipt of a carer's allowance or receive the higher level of disability living allowance.

Change of Vehicle

- 4.39 If the licence holder changes their vehicle and has a parking bay or space, they must notify the parking contractor and provide proof of valid documentation to the Neighbourhood Manager. Neighbourhood Managers will arrange for the licence holder to have a new valid parking permit with the relevant vehicle registration number.

Temporary Replacement Vehicle

- 4.40 If a licence holder has a replacement vehicle for a short period of time they must contact the parking contractor to notify them of this change and provide the temporary vehicle registration number. The parking contractor will provide valid dispensation for the vehicle for the period that the vehicle will be on Peabody property, up to a maximum of 14 days.

Vehicle Tax (Tax Discs)

- 4.41 Peabody's parking contractors regularly check Peabody estates for untaxed vehicles. Failure to clearly display a valid vehicle tax disc is not permitted on Peabody estates and these vehicles may be clamped and removed.
- 4.42 In cases where the vehicle tax disc on display has expired, Peabody will allow seven days from the expiry of the vehicle tax disc before treating the vehicle as unauthorised. The vehicle may then be clamped and removed.
- 4.43 Peabody does not accept Statutory Off-Road Notifications (SORN). If vehicles that have declared a Statutory off Road Notification (SORN) are found on Peabody estates, they will be treated as unauthorised and may be clamped and removed.

Unauthorised Vehicle's Parked in Resident Specific Spaces

- 4.44 On some Peabody estates there are locally agreed arrangements and parking bays or spaces are specifically allocated to licence holders. If an unauthorised vehicle parks in a licence holders specific bay or space then the licence holder whose bay or space has been occupied in an unauthorised manner should notify the parking contractor as soon as possible, so that the unauthorised vehicle can be clamped and removed.
- 4.45 It is the responsibility of the licence holder to park in their own specific bay on estates with a locally agreed arrangement or the parking contractor will clamp and remove the vehicle. If a licence holder has a genuine reason for using an alternative bay, for example, has bought a bigger vehicle and has agreed to swap with another licence holder who has a bigger bay or space, then they must contact the parking contractor to arrange for them to update their information.
- 4.46 Any licence holder who cannot park in their own bay or space because another vehicle is occupying it must contact the parking contractor, or Peabody, immediately to apply for a valid dispensation code to park somewhere sensible on the estate. This valid dispensation code must be clearly displayed or the vehicle may still be treated as unauthorised and may be clamped and removed.

Visitor Parking

Allocation of Parking Spaces for Visitors

- 4.47 Any vehicle requiring access to Peabody's estates to visit a resident, for example, for deliveries or removals, will require a visitor's permit. The parking contractor will exercise local discretion in exceptional situations. Residents should contact their Neighbourhood Manager or the parking contractor for dispensation in these cases, for example, doctors and nurses called out in an emergency.
- 4.48 Residents are responsible for ensuring that their visitors' vehicles are roadworthy and that the vehicle has a valid vehicle tax disc and valid visitors parking permit clearly displayed, or the parking contractor may treat the vehicle as unauthorised and clamp and remove the vehicle.

- 4.49 Any parking bays or spaces that are available would normally be offered to residents. However, following consultation with residents, a percentage of the parking bays or spaces available may be allocated for visitors. Residents on estates must decide locally on the split between resident and visitor parking. The amount of parking spaces allocated to visitors will also depend on how much space is available on the estate.
- 4.50 In the case of a death of a resident, whoever is responsible for clearing the resident's property during the Notice to Quit period will be allowed valid dispensation temporarily for parking on Peabody estate. The Neighbourhood Manager, who will be co-ordinating with the person responsible for clearing the property, is responsible for contacting the parking contractor in order to allow for this dispensation. Neighbourhood Manager's will be required to provide the vehicle registration number of the vehicle(s) that will be allowed the temporary dispensation. The dispensation will finish on the final date of the Notice to Quit period unless otherwise arranged.

Requesting Visitors Permits and Locally Agreed Systems

- 4.51 Visitors parking permits are no longer free due to the demand for parking in London and the increased amount of unauthorised parking on Peabody estates due to the introduction of the [Congestion Charge](#). The charges for resident parking permits are set by the Finance Team and vary locally; however, the charges for visitors' permits are fixed across Peabody.
- 4.52 Residents must apply for visitor's permits with the accompanying payment to the parking contractor. Once an application and payment has been received, the parking contractor will issue the visitor's permits. The parking contractor requires no information about visitor's vehicles or the resident and will issue standard visitor permits.
- 4.53 A valid dispensation code or valid visitors permit must be clearly displayed in the vehicle at all times. Failure to display a valid dispensation code or valid visitors permit may result in the vehicle being clamped and removed. (See Enforcement). A valid vehicle tax disc must also be clearly displayed.
- 4.54 Provision for visitor's permits should be agreed locally. Resident's must be able to easily obtain visitor's permits through the parking contractor. The locally agreed system must be accessible to all residents.

Visitor Permit Costs

- 4.55 The cost of a visitor's permit is £10 for a book of 10 one-day permits. In certain circumstances or where locally agreed, Peabody may consider providing an annual visitor's permit. The charge for an annual visitor permit is £10. Staff should request information to ascertain why they need an annual permit, for example, they are visited every single day by a family member or carer, and should make checks as to the validity of this if there is not locally agreed provision on that estate. This is to ensure abuse of visitors' permits can be avoided and the maximum availability of visitor permits for all Peabody residents. If any discrepancy exists then the annual permit should be replaced by 10 one-day visitors permits.
- 4.56 In order to offer choice, if residents on certain individual estates agree through consultation, for example, with the Tenants Association, that annual permits will be the preferred method on those estates, the parking contractor will issue annual permits. The resident should contact the parking contractor directly to request a visitor's permit. The parking contractor will check with the Neighbourhood Manager when the request is for an annual visitor permit to check that the request is valid. The visitor's permit will be sent out when the payment is received. Payment can be made to the parking contractor over the telephone or by post. If the resident hasn't received a visitor's permit within 7 days then they should contact the parking contractor directly.

Members of the Public Using Peabody Facilities

- 4.57 Peabody provides a number of additional facilities on its estates, for example, Youth Clubs and Digital Learning Ring Centres. Members of the public using these facilities will not be able to park on

Peabody estates unless their vehicle is roadworthy, has a valid vehicle tax disc clearly displayed and has a valid visitor's permit clearly displayed. If not, the parking contractor may treat the vehicle as unauthorised and clamp and remove the vehicle.

Staff Parking

- 4.58 Assistant Directors will decide which job titles qualify for a staff parking permit. They should only authorise permits for staff that need to visit estates on a regular basis to carry out their job.
- 4.59 Staff who have to park in metered bays, in car parks, or pay congestion charges when travelling on Peabody business can reclaim the costs via a Business Expenses Claim Form. Parking fines or any other fines incurred in connection with traffic offences will not be paid for. Staff members or contractors are responsible for ensuring that their vehicle documents are valid and up to date, the vehicle is roadworthy and that a valid vehicle tax disc and a valid staff or contractor parking permit is clearly displayed or the parking contractor may treat the vehicle as unauthorised and clamp and remove the vehicle.

Contractor Parking

- 4.60 Contractors are provided with a contractors permit by the Neighbourhood Client Team and the member of staff responsible for the contractor should arrange for a permit to be issued prior to the contractor starting work.
- 4.61 The parking contractor will provide valid dispensation to contractors who park responsibly on Peabody estates, for example, not blocking in other vehicles. The member of staff responsible for the contractor whilst on the estate should contact the parking contractor to gain a valid dispensation code. The valid dispensation code must be clearly displayed or the parking contractor may treat the vehicle as unauthorised and clamp and remove the vehicle.

Parking Enforcement

- 4.62 Peabody has enlisted parking and sub-units contractors to manage the clamping of unauthorised vehicles parking in Peabody's parking bays and spaces. The parking contractors work alongside Peabody staff to enforce parking regulations, charges, clamping and the removal of unauthorised vehicles on Peabody's estates to control unauthorised parking.
- 4.63 Peabody will provide up to date information on the parking and sub-unit arrangements for each licence holder by providing parking information which sets out how the parking contractor and Peabody will control the parking services. This may be done by, for example:
- including information in the Peabody News;
 - updating the residents website;
 - presenting information at tenant's, resident's or homeowner's association meetings or forums; and
 - sending a copy of the current parking policy or summary of the main changes to all licence holders.
- 4.64 There are clearly marked signposts as set out by law that tell residents that their vehicle will be clamped, removed and stored if parked without authorisation on Peabody estates.
- 4.65 Parking enforcement operates on Peabody property where it has been requested, or where Peabody believes it is needed. If a majority of residents feel strongly that they do, or do not, want or need parking enforcement on the estates where they live, and Peabody feel it is the correct business decision, Peabody can activate or suspend parking enforcement in that area.
- 4.66 The decision will be taken by Peabody once all residents have been consulted on that estate or area and a majority of residents have voted either way. This decision must be signed off by the Assistant Director of Neighbourhood Services.

- 4.67 The final decision on suspending or starting parking enforcement will be made by Peabody. If Peabody feels that parking enforcement is, or isn't needed, where the majority of residents have voted the other way, Peabody's decision will be final. For example, if parking enforcement has been voted to be suspended, but disabled residents are unable to park in disabled bays due to unauthorised parking, Peabody could re-introduce parking enforcement.
- 4.68 On some Peabody estates, residents can choose to pay for a parking bay or space even though parking enforcement doesn't operate on that estate. Resident's who choose to pay for a parking bay or space where there is no parking enforcement in operation will sign a licence agreement in the normal way and are entitled to park in that parking bay or space. However, Peabody cannot guarantee that another vehicle will not park in that parking bay or space and will not be able to clamp or remove that vehicle.

Unauthorised Parking and Charges

Charges

- 4.69 If there has been no activity with an unauthorised vehicle within 20 minutes, on all Peabody property, the parking contractors will clamp the vehicle and charge a removal of clamp fee and a clamping notice detailing why the vehicle has been clamped will be clearly attached to the vehicle. If the vehicle has not been returned to within 2 hours they will remove the vehicle and charge a removal fee on top of the clamping removal fee. If the vehicle is kept in storage then there will also be a daily storage fee on top of this.
- 4.70 The parking contractors hold vehicle data centrally and have mobile access to this whilst out on Peabody's estates to determine which vehicles are parking in an authorised manner or place. They also monitor patterns of activity to see if there are any clear patterns of unauthorised parking.
- 4.71 If the owner or driver of an unauthorised vehicle that has been removed and stored does not contact the parking contractor within 14 days, the parking contractor will legally dispose of, destroy or sell the vehicle if it has any value. The parking contractor is responsible for notifying the owner that the vehicle has been disposed of, destroyed or sold.
- 4.72 If the vehicle is sold, any proceeds remaining from the sale, minus the parking contractors expenses, will be sent to the owner or held by the parking contractor or Peabody if they cannot be established. If the costs of the enforcement, removal, destruction, disposal or sale are greater than the value of the vehicle, any proceeds made from any sale of the vehicle will be put towards the parking contractors costs of administration and enforcement. No further charges will be made to the vehicle owner or driver.
- 4.73 If the licence holder breaches the terms of their licence agreement, including not paying the charge due, parking in unauthorised places, driving on the estate in an anti-social or unsafe manner and continues to do so, despite a written warning, staff should take legal action to end the licence agreement by serving a valid Notice to Quit.

Dealing with Anti-Social Behaviour associated with driving

- 4.74 Clamping is used by the parking contractor as the main method of controlling anti-social behaviour associated with driving, for example, licence holders constantly parking in another licence holders bay or space. After reasonable efforts have been made to resolve the matter, the Neighbourhood Manager will terminate the licence agreement and offer the parking bays, spaces, garages, stores or pram-sheds to the next qualifying resident on the waiting list.

Staff Roles in Parking

Person/Department	Responsibility
Peabody Direct	<ul style="list-style-type: none"> ▪ Updating and maintaining the waiting lists
Assistant Director of Neighbourhood Services	<ul style="list-style-type: none"> ▪ Sign –off of clamping contracts
Neighbourhood Client Team	<ul style="list-style-type: none"> ▪ Negotiating and monitoring clamping contracts ▪ Handling contractor complaints ▪ Issuing contractor and staff permits for parking bays and spaces
Parking Contractor	<ul style="list-style-type: none"> ▪ Arranging for the clamping and removal of unauthorised and abandoned vehicles ▪ Issuing and renewing parking permits ▪ Handling appeals and general enquiries about enforcement ▪ Ensuring that signs about parking enforcement rules on Peabody property are up to date
Revenues Team	<ul style="list-style-type: none"> ▪ Monitoring sub-unit arrears ▪ Terminating licence agreements for arrears ▪ Contacting Neighbourhood Managers when sub-units are available to let
Finance	<ul style="list-style-type: none"> ▪ Setting and notifying licence holders of charges for parking bays and spaces, garages, stores or pram-sheds
Neighbourhood Manager	<ul style="list-style-type: none"> ▪ Checking proof of relevant documents ▪ Signing up licence agreements ▪ Letting parking bays or spaces, garages, stores and pram-sheds ▪ Issuing keys for garages, stores and pram-sheds. ▪ Serving NtQ to end licence agreements or serving Injunctions for anti-social behaviour and consider taking action against the tenancy for parking breaches ▪ Checking sub-units are cleared and keys are handed in when licence agreements are terminated
Neighbourhood Manager & Tenant or Resident Association	<ul style="list-style-type: none"> ▪ Removing, or reducing significantly, the number of parking spaces available for residents or visitors when necessary ▪ Keeping gates permanently locked and agreeing opening and closing times of estate gates where appropriate ▪ Applying for and making small scale improvements on estates, for example, adding bicycle racks, sleeping policeman and bollards

Abandoned Vehicles

4.75 The parking contractor regularly checks Peabody estates for abandoned vehicles. As soon as abandoned vehicles are identified, the vehicles are clamped, removed and then stored.

Establish Ownership

- 4.76 If Peabody staff identify abandoned vehicles but do not know, or cannot establish, who the vehicle belongs to, they should contact the parking contractors immediately. The parking contractor will attempt to establish ownership by making enquiries with adjacent residents, contacting the Police, contacting hire companies and also contacting the [Driver and Vehicle Licensing Agency](#) (DVLA.)

Arranging for Removal

- 4.77 The parking contractor will arrange for the clamping, removal and storage of vehicles on behalf of Peabody and will send legal confirmation of this to the resident directly, alerting them to the impending sale or disposal or destruction of their vehicle within 14 days and taking photographic evidence to support the removal. If staff identify an abandoned vehicle they should contact the parking contractors directly and alert the owner, if known, that the parking contractors have been contacted.
- 4.78 Before the vehicle is removed the parking contractor will sign a receipt to confirm that they accept responsibility for storing it legally and carefully on Peabody's behalf and will only sell, destroy or dispose of it following all other attempts to resolve the matter with the vehicle's owner or driver. If no owner or driver can be identified, a record of the vehicle details, enforcement details, who removed it and photographic evidence of it being unauthorised or abandoned, for example, not clearly displaying valid vehicle tax, will be kept by Peabody and used for evidence.

Garages, Stores and Pram-sheds

Waiting Lists for Garages, Stores and Pram-Sheds

- 4.79 All permanent household members are eligible to apply for a garage, store or pram-shed provided there are no arrears, except for housing benefit paid in arrears where the resident can provide the relevant documents. Second sub-units will only be offered to the next resident on the waiting list if all residents on the list have at least one parking bay or space, garage, pram-shed or store.
- 4.80 Garages, stores and pram-sheds will be allocated strictly according to the waiting list, which is held by application date by Peabody Direct. The Neighbourhood Manager, the parking contractor and the Revenues Team will work together and are responsible for highlighting available garages, stores and pram-sheds through estate inspections, patterns of inactivity or termination of licence agreements. The Neighbourhood Manager should contact Peabody Direct to establish who is next on the waiting list when there is a void sub-unit.
- 4.81 The Revenues Team should monitor sub-unit income and arrears to highlight where garages, stores and pram-sheds are falling into arrears, contacting the Neighbourhood Manager and Peabody Direct when they become available in order to maintain their efficient turnaround for other residents. If the main tenancy which is linked to a garage, store or pram-shed is ended then Revenues should contact the Neighbourhood Manager to alert them to the available sub-unit so that the Neighbourhood Manager can inspect the sub-unit to make sure it has been cleared and arrange to offer it to another resident.

Low Demand for Garages, Stores or Pram-Sheds

- 4.82 If there are no residents on the waiting list for a garage, store or pram-shed, the vacancies should be made available to non-residents, for example, members of the public at the higher, market level. If non-residents contact Peabody and request garages, stores or pram-sheds then Peabody Direct and Neighbourhood Managers should check that there are no residents on the waiting list for that estate or nearby estates.

No Garages, Stores or Pram-Sheds on an Estate

- 4.83 If a resident lives on an estate where there are no facilities, but lives within a short walking distance from another Peabody estate with garage, store or pram-shed facilities, they can go onto the waiting

list on the nearby estate. Neighbourhood Managers should also check their estate for available sub-units as an alternative.

Setting and Increasing Charges for Garages, Stores or Pram-Sheds

4.84 Charges for garages, stores and pram-shed's vary according to the location and size and Neighbourhood Managers or the Revenues Team will provide residents with the charges for various estates. The Finance Team will set charges annually and issue increase notices to licence holders. The amount charged will not usually be less than the cost of supplying the service to licence holders and provide sufficient income for Peabody to meet its Business Plan objectives.

Garages, Stores and Pram-Sheds and Arrears

4.85 Garage, store or pram-shed arrears will be collected in line with the Rent Arrears Policy and Procedure. If a resident is in rent arrears, the request for a garage, store or pram-shed will be refused. Existing licence agreements will be terminated if the resident has arrears on their main rent account and has failed to respond to the second arrears letter.

4.86 If the resident is waiting for housing benefit that is paid four-weeks in arrears, then they are entitled to a garage, store or pram-shed but the Revenues Team and Neighbourhood Managers should monitor this regularly, ending the licence agreement if the arrears increase.

4.87 The Revenues Team are responsible for serving a Notice to Quit to end a licence agreement for the sub-unit where there are arrears.

4.88 If a licence holder refuses to remove their vehicle once a valid Notice to Quit has expired for a garage, store or pram-shed licence agreement, the Neighbourhood Manager should serve a valid Torts notice on the vehicle before arranging for removal. Once the Torts notice expires, the vehicle can be removed from the garage, store or pram-shed in line with the Abandoned Goods Policy.

Offering and Letting Garages, Stores and Pram-Sheds

4.89 When a garage, store or pram-shed is available to let, the waiting list will be referred to by the Neighbourhood Manager, a licence agreement must be issued and Household updated. Neighbourhood Managers will copy the licence agreement to the tenancy file and issue a key for the garage, store or pram-shed. The Revenues Team will monitor the rent account on both the main tenancy and the sub-unit to highlight any arrears and take any necessary action.

Unauthorised Vehicles Parked in Resident Specific Garage, Store or Pram-Shed

4.90 It is the resident's responsibility to keep their garage, store or pram-shed secured or locked when it is not in use. If the resident leaves the garage, store or pram-shed unlocked and an unauthorised vehicle parks in a resident specific sub-unit, or uses the storage space, it is the resident's responsibility to resolve the matter.

Staff Entitlement to Garages or Stores

Non-resident staff

4.91 Non-resident staff do not qualify for a garage, store or pram-shed.

Contractors

4.92 Contractors do not qualify for a garage, store or pram-shed.

Health and Safety Criteria

- 4.93 Before permission is given for a licence holder to store a vehicle in a garage, store or pram-shed, staff must be satisfied that the garage, store or pram-shed can be entered and left safely, so that it does not represent a danger to others in the locality, for example, children, an elderly person or the licence holder.
- 4.94 If garages, stores or pram-shed's are in pedestrian areas, specific motor vehicles such as mopeds, scooters and motorbikes as well as bicycles must be pushed to the edge of the pedestrian area before being ridden.

5. Other Information

Stock Transfer

- 5.1 Where Peabody acquires estates through stock transfer, local arrangements will be in place. Each individual offer document and Tenancy Agreement(s) must be referred to, to establish the individual parking and consultation arrangements for the estate.

Information for Residents

- 5.2 Information will be issued by the Neighbourhood Manager, Peabody Direct, the Neighbourhood Client Team, the Policy Team or the parking contractor summarising Peabody's overall parking and sub-unit policy and procedure and local arrangements with licence agreement applications. The information will be re-issued whenever any major changes are made to parking arrangements.

Vehicles Permitted on Peabody Estates

- 5.3 Vehicles parked on Peabody estates must meet the following criteria:
- be able to move independently without a tow, for example, not trailers, caravans or boats;
 - be able to be driven legally on public roads, for example, have a valid M.O.T, a valid tax disc clearly displayed and have insurance;
 - be roadworthy and not causing a health and safety risk or public nuisance; and
 - be within Peabody's maximum vehicle size of 6 metres long, 3 metres high and 2.5 metres wide.
- 5.4 Contractors, delivery vehicles and other types of vehicle which exceed this limit will be allowed access to visit Peabody's estates for a limited time in order to carry out the required works and make deliveries and will require a visitor's permit from the parking contractor.

Resident Consultation

- 5.5 Resident consultation must take place with all residents on Peabody estates. If residents decide overall that annual permits should be the preferred permit on that estate then the parking contractor will issue annual permits. If a Peabody-wide policy decision is to be altered, for example disabled parking provision changing, then Peabody-wide consultation will take place.
- 5.6 If Peabody carries out work to improve parking or storage arrangements to an estate or block of flats where there are leaseholders, Peabody has a statutory duty to serve a Section 20 notice on each leaseholder informing them of the proposed works, if costs will be recovered through the service charge. Consultation is also required when setting up contracts if the leaseholder is required to contribute to the cost of the contract through service charges, for example, clamping contracts.
- 5.7 If Peabody does not comply with the statutory requirement to consult leaseholders it will not be able to recover service charges from them. Therefore it is essential that leasehold management staff are made aware as early as possible if improvements to parking or storage arrangements, or setting up contracts to manage parking, are being considered on an estate that has leaseholders. This will

ensure that adequate time is available to meet our legal obligations to consult leaseholders, and allow Peabody to recover any service charges due.

- 5.8 On mixed estates where leaseholders live in conjunction with other tenure types, for example, shared ownership, cost and market rent residents, and where ISTM manage the parking provision for that estate, mixed tenure residents can agree locally agreed parking provision and will be required to abide by the same parking regulations as any other resident. However, mixed tenure residents can decide to opt out of the parking provision provided on the estate but will not be able to use the parking facilities.
- 5.9 Sheltered housing schemes will have locally agreed provision and the parking contractor will enforce parking provision in-line with the locally agreed system agreed by resident and staff consultation.

New Estate Acquisitions and Development

- 5.10 During the consultation period Peabody staff should identify any local undertakings, arrangements, informal agreements and legal obligations concerning parking that are currently in place. Peabody staff should encourage new residents to adopt this policy, with adaptations to reflect local circumstances if necessary.

Complaints and Appeals

- 5.11 Any complaint about the parking contractor will be handled by Peabody's complaints policy and procedure which requires Peabody to manage contractor complaints.
- 5.12 Appeals, by residents, visitors or staff who have been clamped or had their vehicle removed, will be dealt with by the parking contractor directly.

6. Monitoring Information

- 6.1 Peabody will monitor the effectiveness of this policy on a regular basis in order to continually improve the quality of the service.
- 6.2 There are currently no statutory or regulatory performance indicators for sub-units or parking arrangements. Performance indicators to monitor sub-units and parking have been determined by the needs of the business. Performance indicators are set up on Peabody's Management Information System (MIS) and should be monitored by Neighbourhood Managers and the Neighbourhood Client Team.
- 6.3 The Neighbourhood Client Team monitor the contract and services that the parking contractor deliver to make sure it represents a good service to residents, delivers value for money for Peabody and continues to provide equal opportunities and a fair service to all of Peabody's residents, visitors and staff.
- 6.4 The Neighbourhood Client Team review the effectiveness of the parking contractor and parking provision overall. The Neighbourhood Client Team is responsible for monitoring the parking contractor within a framework of service agreements that were agreed when the contract was negotiated. Peabody monitors the performance on key areas of service including:
- the performance of the parking contractor on enforcing parking restrictions in relation to unauthorised vehicles on estates, for example, the number of vehicles clamped and removed and the number of designated patrols on estates;
 - upheld appeals-where vehicles have been clamped and removed unfairly;
 - administering new and annual renewal permits for residents and visitors, for example, the number of permits issued and what percentage of bays are let compared to available and re-issuing offers of parking bays to available residents;
 - permit costs and enforcement costs are in line with other housing associations and local authorities' statutory guidance for London parking charges; and
 - that fairness and equal opportunities are demonstrated in all aspects of service provision.

- 6.5 Resident services and Revenues monitor parking bay or space, garage, store and pram-shed income, charges and arrears to maintain the effective and efficient turnaround of sub-units, so that all Peabody residents have a fair and equitable chance of occupying a parking bay, space, garage, store or pram-shed.

7. Relevant Procedures

Annual renewal of a parking bay or space
Application for a staff or contractor's permit
Application for a visitors permit
New request from a resident for a licence agreement
Terminating a licence agreement

8. Relevant Policies

Anti-Social Behaviour Policy
Grounds for Possession
Privacy and Confidentiality Policy
Rent Arrears Policy
Tenant Giving Notice Policy
Communication Needs Policy
Complaints Policy

9. Relevant Letters/Forms

Licence Agreement - Garage
Licence Agreement - Parking Bay or Space
Licence Agreement - Store
Notice to Quit