



The Parking Partnership Vehicle Removal Policy



1 Introduction

The South Essex Parking Partnership (SEPP) and the North Essex Parking Partnership (NEPP) – The Parking Partnerships, operate on-street parking enforcement on behalf of Essex County Council (the Highway Authority). This function is delegated via a Joint Committee Agreement.

SEPP operates this function within the borough and districts of Basildon, Brentwood, Castle Point, Maldon, Rochford and Chelmsford City, with NEPP operating within the borough and districts of Braintree, Colchester, Epping Forest, Harlow, Tendering and Uttlesford.

The Parking Partnerships are responsible for the enforcement of on-street parking regulations within a Civil Enforcement Area (CEA) which are supported by a relevant legal Traffic Regulation Order. This function is carried out in accordance with **The Traffic Management Act 2004** (TMA 2004)

The TMA 2004 provides the scope for the enforcement authority to remove or immobilise vehicles, but this should only be used in limited circumstances. The removal of vehicles will be in accordance with **The Removal and Disposal of Vehicle Regulations 1986, regulation 5C(2) (inserted by S.I.2007/3484)**

This policy sets out the limited circumstances where the Parking Partnerships may issue a Penalty Charge Notice (PCN) and subsequently remove the vehicle. The Parking Partnership will not immobilise vehicles.

2 Vehicle removal priorities

Potential removals, in other words vehicles that have already been issued with a PCN, are prioritised as follows:

Priority 1

Contraventions liable to instant removal following the issue of a PCN. This applies to codes where vehicles immediately cause an obstruction.

Priority 2

Contraventions not liable to removal unless one of the following applies:

- a) A Civil Enforcement Officer (CEO) has identified the vehicle as being parked in an obstructive manner following the issue of a PCN
- b) The vehicle has been issued with consecutive PCNs on consecutive days and it is at least two weeks since the issue of the first PCN.

This policy does not relate to abandoned vehicles on the highway as these are dealt with by the respective Councils' Environment Services with the Partnership areas.

3 Examples where the vehicle removal policy may apply

Priority 1

Within the parking partnership areas there will be occasions when special events such as festivals, charity fun-runs, sporting events and street parties, will require some form of temporary traffic management measure and the implementation of a Temporary Traffic Regulation Order (TTRO). These measures could be in the form of a road closure or the introduction of a Clearway or No Waiting and No Loading parking restrictions. Vehicles that park in contravention of the TTRO and which are considered to be unsafe or obstructive during the event may be removed in accordance with this policy

In addition, the Essex County Council (ECC) Highways Department have a requirement to implement traffic management measures to ensure road areas are kept clear of vehicles when essential maintenance works such as surface dressing take place. In these instances a TTRO in the form of a Clearway will be introduced and made operational for the duration of the works. Any vehicle which is in contravention of the Clearway during the works and is considered to be obstructing and preventing the works from being completed may be removed in accordance with this policy.

The priority 1 contraventions liable for instant removal are as follows:

Contravention Code	Description
02	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force
46	Stopped where prohibited (on a red route or clearway)

Priority 2

The Parking Partnerships are unlikely to remove vehicles other than on the occasions as specified in the priority 1 examples. In all other instances the Partnerships will consider the use of vehicle removal only in exceptional circumstances and will only remove vehicles that are considered to be either:

- obstructive and causing congestion and present safety issues; or
- The vehicle has been issued with consecutive PCNs on consecutive days and it is at least two weeks since the issue of the first PCN.

In these instances the removal of the vehicle will only take place when all other avenues have been exhausted.

The priority 2 contraventions that may be liable for removal can be any of the higher or lower level contraventions as set out in the TMA 2004

4 The Process for removing vehicles

- Vehicles can only be removed after a suitably trained CEO has determined that a contravention has occurred in a CEA supported by a relevant TRO and the removal of the vehicle falls within the guidelines of the removal policy
- A PCN must be issued and served to the vehicle in accordance with the legislation of TMA 2004
- For avoidance of doubt the CEO will take photographs of the condition of the vehicle before and after the vehicle has been removed and relocated.
- The vehicle will be lifted and removed by an approved contractor under the guidance and direction of the CEO
- The vehicle will be moved and relocated to the nearest safe/suitable location on the public highway or in an off-street public car park, or impounded in the case of consecutive PCNs.
- Where the vehicle is obstructing the completion of essential road works and removal is necessary, where practical, the contractor will endeavour to return the vehicle to the same position once the works are completed
- In all cases the police will be notified once a vehicle has been lifted in accordance with this policy and will be informed of the vehicle make, colour and registration and the exact location of the vehicle.

5 Parking Partnership contact details



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