

Parking Policy

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Prepared by	Head of Housing Services
Approved by	Directors Group
Approved date	May 2025
Date of next review	May 2028
Monitoring, Auditing and Reporting	<ol style="list-style-type: none">1. Approval by Director's Group2. The Parking Project team will review the success of this policy using feedback from Neighbourhood Officers shared following estate inspections, Action Days and contact from residents/contractors.3. Lessons learned from complaints related to parking.

1. Scope and Aims

- 1.1. This policy sets out Hexagon Housing Association's (Hexagon) approach to parking management on Hexagon land. We aim to ensure maximum availability of parking spaces in a fair and transparent manner for Hexagon residents.
- 1.2. With effective management of vehicles parking on our estates, we also aim to reduce irresponsible parking, parking-related neighbour disputes, and abandoned vehicles.
- 1.3. Rules around parking provision are sometimes set out in planning conditions (for example a small number of disabled parking spaces for residents) and Hexagon has no ability to override this.
- 1.4. This policy applies to all Hexagon residents, including tenants and leaseholders.

2. Equality and Diversity

- 2.1. Hexagon aims to understand the diverse needs of residents and deliver fair and equitable outcomes under this policy. We commit to ensuring that any residents with disabled household members are not disadvantaged by any parking management arrangement put in place.
- 2.2. An equality and diversity impact assessment has been carried out and is attached as an appendix to this Policy.

3. Resident Consultation

- 3.1. The Hexagon Resident Disability and Inclusion Group were consulted in November 2022 and their feedback has been incorporated into this policy.

4. Key terms and definitions

- 4.1. **Parking control:** measures to manage parking on our land, such as permit schemes where vehicles parking without a permit are given a Penalty Charge Notice (PCN).
- 4.2. **TORTs notice:** a legal notice under the Torts (Interference with Goods) Act 1977 which allows landlords to legally dispose of goods (including vehicles) if reasonable efforts to trace the owner fail.
- 4.3. **SORN (Statutory Off Road Notification):** a way to inform the DVLA that your vehicle is not roadworthy.
- 4.4. **DVLA:** Driver and Vehicle Licensing Agency, an organisation of the British government sponsored by the Department for Transport.

4.5. **Non-resident:** Someone who is not a Hexagon tenant, leaseholder, or household member. This may include visitors and carers.

5. General principles

5.1. We do not permit the following to park on our land:

5.1.1. non-roadworthy vehicles (e.g. abandoned, untaxed and/or uninsured vehicles, SORN vehicles, boats, etc);

5.1.2. vehicles that are not suitable for our parking bay sizes and sites (parked vehicles must fit within the bay and not obstruct the site);

5.1.3. heavy goods vehicles (over 3.5 tonnes);

5.1.4. trailers or caravans.

5.2. If we receive complaints about a vehicle, we reserve the right to review and remove parking permissions. Where permission is withdrawn, reasonable timescales for vehicle removal will be given.

5.3. Permission to park commercial vehicles will be assessed on a case-by-case basis depending on the parking facilities, availability, and the size of the vehicle.

5.4. We will take action, with use of a TORTs notice, to remove any abandoned, untaxed and uninsured vehicles on our land. This includes SORN vehicles.

5.5. We treat breaches of the conditions set out in this policy as anti-social behaviour. Additionally, actions from residents leading to vehicle nuisance, for example restricting access to bin stores and blocking access to emergency vehicles, will be dealt with in line with our Anti-social Behaviour Policy.

5.6. Hexagon cannot guarantee parking provision. Availability and accessibility to parking will be determined scheme-by-scheme with priority given to disabled residents and their registered carers and residents over non-Hexagon residents.

5.7. Shared owners and leaseholders are not exempt from parking enforcement where it is in effect and must display a valid parking permit and adhere to Hexagon's Parking Policy in full to avoid parking charges.

5.8. Shared owners and leaseholders who lease their bay can, with our written consent, install a lockable bollard to prevent unauthorised usage. Ongoing responsibility for maintenance and repair of the bollard will lie with the leaseholder, as will the need to repair any damage caused by the installation.

6. Parking Control

- 6.1. Hexagon may introduce parking control where needed. This may be where there is limited parking available and we need to restrict non-resident use to ensure Hexagon residents have access to the available parking, and/or where irresponsible parking, parking-related neighbour disputes, and abandoned vehicles are having a negative impact on residents' enjoyment of their local environment.
- 6.2. The introduction of parking enforcement to an area may result in an increase to Service Charge for residents. This might vary depending on the contractor employed by Hexagon.
- 6.3. Hexagon will always give advanced warning to residents before introducing parking control, and we will explain the reasons. Whenever possible and/or applicable, we will also consult with residents before reaching the final decision to implement parking control so that their parking needs can be considered.
- 6.4. Hexagon makes use of the following parking control methods:
- 6.4.1. **Parking enforcement** – this is managed by contracted external parking enforcement contractors. Authorised parking can be determined with use of:
 - 6.4.1.1. Automatic Number Plate Recognition (ANPR) – residents are invited to share their vehicle details with the contractor;
 - 6.4.1.2. Permits – residents may apply to Hexagon and/or the parking contractor for permits which should be displayed in the windscreen of the car registered for authorised parking.
 - 6.4.2. **Allocated parking (leased)** – in some cases, parking spaces are leased along with a home. The designated parking space will be identified within the lease.
- 6.5. **Allocated parking (by Hexagon)** - where there are sufficient spaces to enable one parking space per household, Hexagon will allocate spaces. There may be a charge for this and where demand from Hexagon residents is lower than supply, spaces may be rented on a commercial basis.
- 6.6. Charges for parking spaces may vary according to location and circumstance of the user, i.e. Hexagon resident or commercial.
- 6.7. Hexagon has the right to withdraw allocated parking where demand for spaces changes and/or where use of bays is abused or where arrears accrue.

- 6.8. **Disabled parking bays** – these are available at some sites where planning conditions have required the inclusion of disabled parking bays or where the need for one has previously been demonstrated. These bays are only available to Blue Badge holders and can be accessed on a first-come-first-served basis.
- 6.9. In a small number of cases, disabled parking bays are available for use by occupants of neighbouring wheelchair accessible properties only. This is reflected within occupants' tenancy agreements.
- 6.10. Where there is no existing disabled parking bay at a scheme, residents can apply to have a change of use applied to an unallocated bay. To have an application approved, a resident will be required to demonstrate their need for a disabled parking bay by giving visibility of their Blue Badge.
- 6.11. **Electric Vehicle (EV) charging bays** – these are available at a small number of sites and will be included as part of new developments. For each scheme where there are EV charging bays present, there will be a local parking arrangement in place outlining the approach to allocation, charging etc.
- 6.12. To qualify for permits and allocated parking, Hexagon requires the following from vehicle owners:
- 6.12.1. Proof they are the legal owner of the vehicle (log book) plus a valid MOT certificate, road tax, Vehicle Registration Document (V5 issued by the DVLA) and a valid insurance certificate;
 - 6.12.2. Adequate proof of residency.
- 6.13. Hexagon reserves the right to deny a permit/allocated parking application and/or withdraw one from a resident if there is any breach of their tenancy, e.g. rent arrears, anti-social behaviour.
- 6.14. Any Penalty Charge Notices issued by Hexagon's contracted parking company cannot be revoked by Hexagon. The parking contractor will be responsible for viewing all PCN appeals in the first instance. If the appeal is not upheld by the contractor, residents can appeal through the Parking on Public Land Appeals (POPLA) online process (www.popla.org.uk).
- 6.15. Complaints (not including PCN appeals) regarding the parking enforcement contractor should be made to the contractor in the first instance. Where a resident is dissatisfied with the outcome of a complaint to the parking enforcement contractor, they can then raise this complaint to Hexagon.

7. Parking Enforcement: external parking enforcement contractors

7.1. External parking company contractors employed by Hexagon will be members of an accredited parking association.

7.2. Contractors employed by Hexagon will ensure there is visible, legible and unambiguous signage at the entrance to parking areas to make the terms and conditions for parking clear. Signage must display:

7.2.1. The fact that terms and conditions apply to accessing/parking on the site;

7.2.2. The name of the parking enforcement contractor

7.2.3. The logo of the accredited parking association to which the parking enforcement contractor belongs.

7.3. Hexagon Neighbourhood Officers will inspect the signage installed by parking enforcement contractors as part of their regular site inspections.

8. Additional parking arrangements

8.1. **Car-free zones:** car-free developments may be employed in line with planning permission. Where this applies, Hexagon cannot provide alternative parking, create bays or change bay use e.g. from disabled use only.

8.2. **Garages:** these are available for rent regardless of whether someone holds a tenancy with Hexagon or not. Individuals renting garages from Hexagon will be granted a license setting out the conditions of the arrangement. A waiting list of anyone interested in renting a garage will be kept for the purpose of allocating vacancies with priority given to Hexagon residents.

8.3. **Unallocated parking:** where there are sites with a higher number of homes than parking spaces, use of these will be on a first-come-first-served basis.

8.4. **Staff parking:** Hexagon team members, including contractors, who need to visit sites as part of their role will be issued with permits and have their vehicle details registered with Hexagon's external parking management contractor(s) to enable parking on controlled sites.

8.5. Any vehicle parked on Hexagon property is at the owner's own risk. Hexagon is not liable for any damage that may be caused to the vehicle.

9. Abandoned Vehicles

9.1. When determining whether a vehicle has been abandoned, the following factors will be taken into account before commencing the procedure for its removal:

9.1.1. Untaxed and/or without a valid MOT;

9.1.2. No registered keeper information on DVLA;

9.1.3. Missing or cloned number plates;

9.1.4. Significant damage.

9.2. If the vehicle meets several of the above criteria, a 28-day TORTs notice will be attached to the vehicle. If no contact is received from the vehicle owner during the TORTs notice period, arrangements will be made for the vehicle to be disposed of.

10. Data Protection

10.1. This Policy will be enacted in line with our Data Protection framework, and in line with the UK GDPR and Data Protection Act 2018.

10.2. Under this policy, personal data may be shared with the DVLA, the Police, the Local Authority, bailiffs, and the Courts, for the purposes of enforcing agreements under this policy and tackling anti-social behaviour. A Data Protection Impact Assessment has been completed, and approved by the Data Protection Officer.

10.3. Under this policy, personal data including address; vehicle registration number; vehicle ownership, insurance, and road worthiness details; disability and blue badge holder details; and household member details may be collected by Hexagon for the purpose of assessing parking permissions and delivering this service. This data will be subject to a retention period of 6 years after the expiry of any parking agreement under the policy, including any activity related to the agreement such as collection of arrears. This has been logged on Hexagon's Record of Processing Activities.

10.4. The Data Process Owner of the personal data processed under this policy is the Head of Housing. The Data Process Owner is responsible for ensuring that the personal data is processed in line with Hexagon's Data Protection Framework.

10.5. If you want more information about how your personal data is processed under this policy, please contact our data protection team at dprotection@hexagon.org.uk or call our office.

11. Legal Framework

11.1. TORTs (Interference with Goods) Act 1977

11.2. Private Parking Code of Practice 2022 (Department for Levelling Up, Housing and Communities)

12. Related Hexagon policies, strategies and procedures

12.1. Anti-social Behaviour Policy

12.2. Data Protection Policy

12.3. Privacy Policy

12.4. CCTV Policy

Appendix 1: Equality Impact Assessment

This assessment is completed in compliance with the Equality Act 2010, the Housing Regulator's Transparency, Influence and Accountability Consumer Standard, and Hexagon's Vulnerable Residents and Reasonable Adjustments Policy. Hexagon's Vulnerable Residents and Reasonable Adjustments Policy commits the organisation to understanding the diverse needs of residents and, where there are any barriers to accessing the service or any disproportionate negative impact, considering reasonable adjustments to ensure a fair and equitable outcome for all residents.

Hexagon recognises that responding and reacting to the changing needs of residents requires a willingness to do things differently and find individual solutions to ensure equitable access to our services for all. The following table will propose how we will adjust the service to account for possible requirements of different groups, to help us to prepare for these expected needs. However, we recognise that we cannot anticipate every need and that there is not a one-size-fits-all solution to all needs, so we will continue to be responsive and flexible in adapting to the diverse needs of residents in enacting this policy.

See the Vulnerable Residents and Reasonable Adjustments Policy for examples of Reasonable Adjustments we will consider. When considering what is reasonable, we will take into account: The effectiveness of the adjustment(s) in preventing or reducing the disadvantage for the person with a disability; the practicality of us making the adjustments; the availability of our resources, including external assistance and finance; and any disruption to the service that making the adjustment may cause.

Characteristic	Impact	Explanation of Impact	Reasonable Adjustments Considered	Consideration of effectiveness, practicality, cost/availability of resources and any disruption to service	Decision on whether to implement the Reasonable Adjustment
Age	Positive	Parking may be of particular importance to households with young children, this policy seeks to maximise the availability of parking for Hexagon residents by introducing controls, where needed, to limit the use of parking bays by non-residents.			
Disability: Physical health and mobility	Positive	This policy aims to provide parking for blue badge holders.	Blue badge holders will not be subject to parking licence fees.	Access to parking for blue badge holders will not be restricted by costs to eligible residents.	Agreed

Characteristic	Impact	Explanation of Impact	Reasonable Adjustments Considered	Consideration of effectiveness, practicality, cost/availability of resources and any disruption to service	Decision on whether to implement the Reasonable Adjustment
			Registered carers of Hexagon residents will be prioritised over other non-residents for parking permissions.	<p>Disabled parking spaces will be available on a first-come-first serve basis for blue badge holders allowing increased access to parking but not guaranteed.</p> <p>The creation of a disabled parking space at any site will reduce the capacity of parking spaces for 'general' use but users of these have more choices available to them e.g. walking increased distance.</p>	
Disability: Learning and neurodiversity	None		<p>Registered carers of Hexagon residents will be prioritised over other non-residents for parking permissions.</p> <p>Hexagon will assist with completion of forms required under this policy upon request, Hexagon will also accept forms completed by a representative.</p>	<p>Providing this priority will potentially increase the time available to carers to carry out their role as they are often working to very tight timescales. Monitoring appropriate use from registered carers may prove challenging given the high turnover nature of the role but working with the relevant care agency will help to reduce any negative impact.</p> <p>Assistance with forms is not likely to impact on resources or disrupt services any more than managing issues arising from parking that is not managed.</p>	Agreed

Characteristic	Impact	Explanation of Impact	Reasonable Adjustments Considered	Consideration of effectiveness, practicality, cost/availability of resources and any disruption to service	Decision on whether to implement the Reasonable Adjustment
Disability: Vision and hearing	None	No impact identified	Registered carers of Hexagon residents will be prioritised over other non-residents for parking permissions. Hexagon will assist with completion of forms required under this policy upon request, Hexagon will also accept forms completed by a representative.	As per comments made against Disability: Learning and neurodiversity.	Agreed
Disability: Mental health	Positive	This policy aims to reduce situations which could be particularly distressing to those with mental health issues, such as neighbour disputes, and anti-social behaviour.			
Sex	None	No impact identified			
Gender reassignment / Transgender / Non-binary identity	None	No impact identified			
Race or nationality	None	No impact identified			
Religion or belief	None	No impact identified			

Characteristic	Impact	Explanation of Impact	Reasonable Adjustments Considered	Consideration of effectiveness, practicality, cost/availability of resources and any disruption to service	Decision on whether to implement the Reasonable Adjustment
Sexual orientation	None	No impact identified			
Language	None	A translation of this policy can be provided to a Hexagon resident on request.	Letters regarding changes to parking enforcement to be sent to residents in their preferred language upon request.	There will be a cost associated with this adjustment but providing the letter in the preferred language should reduce the likelihood of inappropriate/poor parking and the need for follow up action to be taken.	Agreed
Literacy	None	A verbal explanation of this policy can be provided to a Hexagon resident on request. A summary of the policy is available on our website which is compatible with screen readers.	Where Hexagon has been made aware of a literacy need, we will communicate any changes to parking enforcements by the resident's preferred communication method, e.g. via a representative, or over the phone.	Communicating the policy and parking enforcements arrangements using the residents preferred communication method may require additional time from the Neighbourhood/Estates Officers but will reduce the likelihood of inappropriate/poor parking and the need for follow up action to be taken.	Agreed

Outcome

Where any negative impact is identified, have changes to the policy or sufficient reasonable adjustments been proposed to mitigate the impact?

Yes, all suggested reasonable adjustments have been agreed in principle. Hexagon will also respond to any unforeseen requests for reasonable adjustments to the delivery of services under this policy as per our Vulnerable Residents and Reasonable Adjustments Policy.

How will the reasonable adjustments be facilitated and communicated to residents?

Language, preferred communication, and assistance with completion of forms adjustments will be facilitated by Customer Services and/or Neighbourhood Services colleagues; this may require the use of a third-party translation service. This Parking Policy, including the Equality Impact Assessment, and the Vulnerable Residents and Reasonable Adjustments Policy are available on our website.

What are the arrangements for monitoring and reporting on the impact on residents, the diverse needs of residents using the service, and the implementation of reasonable adjustments?

Hexagon will record the details of who has been issued parking permits on our system and this will be reviewed at the next policy review to assess any unequal access to the service. Complaints relating to this policy will also be assessed and any issues arising relating to diverse needs and reasonable adjustments will be reviewed and considered.
Agreed reasonable adjustments will be recorded on our system and colleagues will be required to implement these.