
South West London and St George's Mental Health NHS Trust

Parking Terms and Conditions

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1. Purpose

- 1.1 The land and property owned by South West London and St George's Mental Health National Health Service Trust (SWLSTG NHS Trust) is private property. Parking on private land or property is subject to the laws of contract and trespass. This document sets out the terms and conditions which will form the basis of the contract which will be entered into between SWLSTG NHS Trust and anyone who chooses to park their motor vehicle on SWLSTG NHS Trust land or property.

2. Scope

- 2.1 **Land or Property.** The term 'land' includes land defined by the Law of Property Act 1925 and paragraph 3, schedule 4 of the Protection of Freedoms Act 2012. 'Property' is defined using the ordinary legal meaning of the word. The land and property must be owned by SWLSTG NHS Trust whether the public have access or not. The terms and conditions of parking will be clearly displayed on all land and property to which these terms and conditions apply.
- 2.2 **Motor Vehicle.** The terms and conditions apply to the parking of motor vehicles. The term 'motor vehicle' is defined in section 185(1) of the Road Traffic Act 1988 and section 136(1) of the Road Traffic Regulation Act 1984 as 'a mechanically propelled vehicle, intended or adapted for use on roads'.
- 2.3 **Parking.** Parking is defined as the stopping, halting or standing of a vehicle whether occupied or not. It is the standing of a vehicle otherwise than temporarily for the purpose of and while actually engaging in loading or unloading goods or passengers.
- 2.4 **Personnel.** The terms and condition apply to any individual who chooses to park a motor vehicle on SWLSTG NHS Trust land or property.

3. Parking Charges

- 3.1 **Types of Charges.** There is a charge for parking a motor vehicle on SWLSTG NHS Trust property. There will be two rates of charge; a visitor's rate and reduced rate for members of staff. Visitors should pay using the pay and display machines. In order to park at the reduced staff rate, staff will be required to apply for a permit to park. There are two types of staff parking permits:
- 3.1.1 **Pre-Paid Staff Permits.** Pre-paid staff permits can be paid for in the following ways (1, 3, 6 or 12 month permits for £12, £36, £72 or £144 respectively). Displaying this permit in itself will enable the holder to park on Trust land or property. The charge can be paid as follows:
- 3.1.1.1 **Salary Deduction.** Under this option, the parking charge is made monthly by salary deduction from the employee's net pay, after stoppages for Income Tax, NI and Pension contributions.
- 3.1.1.2 **Salary Sacrifice.** Under this option, the parking charge is made monthly, but is removed from the gross pay of the employee, before stoppages for Income Tax, NI and Pension contributions. As the gross salary is therefore reduced, the employee would under normal circumstances face lower deductions. Employees wishing to pay by the Salary Sacrifice method are required to sign an addendum to their

contract of employment with their agreement to sacrifice part of the gross salary in exchange for the permit to park.

3.1.1 **Staff Permit.** Staff can also apply for a permit to park that is not pre-paid. This will indicate that the holder is eligible to park at the discounted staff rate but that proof of payment is required. Staff will be able to make payments at the car park cash machines using a staff promotion button and purchase a discounted tickets for 1, 3, 6 or 12 month for £12, £36, £72 or £144 respectively. Cash & credit / debit cards can be used at the Pay & Display machines.

3.2 **Application Process.** The following procedures apply:

3.2.1 **Pre-Paid Staff Permit Applications.** Pre-paid Permit Applications (either salary sacrifice or deduction) can only be made electronically using the following SharePoint link <http://insite.xswlstg-tr.nhs.uk/KnowledgeBase/Tools/Pages/Staff-car-parking-.aspx> and can only be made by those employees on the SWLSTG NHS Trust 'Active Directory'. Anyone unsure if they are on the active directory should contact the IM&T helpdesk. The applicant should elect payment by either salary sacrifice or deductions and specify how they wish to receive their permit whether by post to their place of work or collection from one of the site's reception facilities. Having completed the application, it will automatically be sent to the applicant's line manager for approval. Once approved, it will then be sent to payroll for the selected payment method to be actioned. Once this is complete the permit will be issued and either despatched to the applicant or made ready for collection. Applicants will be able to monitor the progress of their application using SharePoint's functionality. SharePoint will automatically remind permit holders when their parking permit is due for renewal.

3.2.2 **Staff Permit.** Staff permits that are not pre-paid can also be made electronically using the following SharePoint link <http://insite.xswlstg-tr.nhs.uk/KnowledgeBase/Tools/Pages/Staff-car-parking-.aspx> or for entitled personnel not on the active directory they can be made manually. Applications forms can be printed off from InSite or are available on request from Security, Springfield University Hospital, South West London & St George's Mental Health Trust, 61 Glenburnie Road, London, SW17 7DJ or email to ParkingPermits@swlstg-tr.nhs.uk. The applicant should elect how they wish to receive their permit whether by post to their place of work or collection from one of the site's reception facilities. Having completed the application, they are required to obtain authorisations from their line manager. Once approved the application should be sent by post to Security, Springfield University Hospital, South West London & St George's Mental Health Trust, 61 Glenburnie Road, London, SW17 7DJ or email to ParkingPermits@swlstg-tr.nhs.uk. SharePoint will automatically remind permit holders when their parking permit is due for renewal. New starters should be sent a copy of the application form and a copy of these terms and conditions when contracts are issued. This permit must be displayed together with proof of payment in order to be valid.

3.2.3 **Parking Charges Reimbursement** (Springfield Staff working offsite). Staff working offsite and need parking charges reimbursed will still claim through <http://nswlstg-tr.myexpensesonline.co.uk> but will have to pay £12 of that months total parking charge. The claim amount will therefore be the total parking charge less £12.

- 3.3 **Validity.** Pre-paid staff permits must be renewed every 24 months. They will however, only be valid as long as the holder continues to subscribe to the chosen deduction method. Payroll will notify the Head of Security when members of staff cease to be employed with the Trust or who cancel their pay deduction. Pre-paid permits will only be valid if payment is made irrespective of the dates printed on the permit. Staff permits that are not pre-paid must also display a valid payment ticket from a cash machine.
- 3.4 **Disclaimer.** IT MUST BE NOTED THAT POSSESSION OF A PARKING PERMIT, PRE-PAID OR OTHERWISE, DOES NOT ENTITLE THE HOLDER TO A GUARANTEED PARKING BAY.
- 3.5 **Visitors.** Visitors can purchase a 24 hour ticket from the Pay & Display machines positioned on site.
- 3.6 **Concessionary Permits.** Disabled parking blue badge holders and volunteers who are giving their time free of charge will be entitled to a concessionary (free) parking permit. Written applications for a concessionary (free) permit should be made to the Head of Security Springfield University Hospital, South West London & St George's Mental Health Trust, 61 Glenburnie Road, London, SW17 7DJ or email to ParkingPermits@swlstg-tr.nhs.uk .
- 3.7 **Line Manager Approval.** Line managers are to check all applications and either approve or reject each.
- 3.8 **Number of Permits.** Each member of staff may apply for parking permits for a maximum of two vehicles driven by them self.
- 3.9 **Insurance.** Permits are issued on condition that the applicant has the appropriate third party liability insurance. Invalid or expired insurance will invalidate any permit that has been issued and the driver/registered keeper of the vehicle will be subject to a parking charge.
- 3.10 **MOT.** All vehicles are to have a valid Ministry of Transport (MOT) roadworthiness certificate. An invalid MOT roadworthiness certificate will invalidate the parking permit and the driver/registered keeper of the vehicle will be subject to a parking charge.
- 3.11 **Vehicle Excise Duty.** All vehicles must have valid vehicle excise duty certificate. An invalid vehicle excise duty certificate will invalidate the parking permit and the driver/registered keeper of the vehicle will be subject to a parking charge.
- 3.12 **Change in Circumstances.** The permit holder is to notify Security of any changes in their vehicle or personnel details. Failure to do this will invalidate the permit and applicants will be required to re-apply for a permit.
- 3.13 **Disabled Parking.** The Trust wishes to support staff with mobility problems by facilitating parking in the area most suitable to their needs. Members of staff who hold a disabled parking permit must display this at all times when parking in a disabled bay. They must, at all times, also display a valid parking permit if they wish to park on Trust land or property.
- 3.14 **Key Worker Housing.** Non Trust staff who are residents of Draycott House or the Diamond Estate must also apply for a permit to park on Trust land or property. The

Trust Site Manager is required to confirm residency status by signing the permit application.

- 3.15 **Contractors/Sub Contractors and Tenants' staff.** Contractors or Sub Contractors and Tenants' staff carrying out work for the Trust must display a ticket purchased from the Pay & Display machines positioned on site or fill out a Permit Application Form as explained above.

4. Conditions of Parking

- 4.1 **Clearly display a valid parking permit.** Motor vehicles parked on Trust land and property must clearly display one of the following:
- 4.1.1 A valid pre-paid staff permit at all times, or
 - 4.1.2 A valid staff permit and pay and display parking ticket confirming payment, or
 - 4.1.3 A pay and display ticket, or
 - 4.1.4 A concessionary permit
- 4.2 **MOT, Tax and Insurance.** All vehicles must have valid MOT, road fund license and insurance.
- 4.3 **Park in designated parking bays.** Motor vehicles are only permitted to park in designated marked parking bays.
- 4.4 **Obedience to parking notices.** Anyone parking a motor vehicle on Trust land or property must comply with parking notices and road markings at all times.
- 4.5 **Obstruction.** Access to Trust buildings must be protected at all times, vehicles must not block access to any building. Roadways, junctions and walkways must be kept clear.
- 4.6 **Disabled parking.** Parking in disabled spaces is not permitted unless a valid blue disabled badge is displayed. Disabled parking spaces must only be used if the vehicle owner is registered as disabled, or when the disabled person for whom the badge relates to is present. Abuse of a blue badges may result in disciplinary action and the Trust may also report misuse of a blue badges to the issuing authority.
- 4.7 **Unattended motor vehicles.** Leaving a motor vehicle unattended outside of a parking space or in a "No parking" areas is prohibited.
- 4.8 **Security.** Owners of vehicles are advised to ensure that all possible security measures are taken before leaving their vehicle, including immobilisation, removing valuables and ensuring doors are locked and windows are closed. The Trust will not accept liability for any loss or damage to vehicles or their contents thereof, however caused, whilst parked on Trust land or property.
- 4.9 **Essential maintenance work.** Contractors must comply with parking notices and road markings at all times. Dispensation for essential work services can be obtained through prior arrangement with the Head of Security or Head of Maintenance.

5 Enforcement of the Trust's Parking Terms and Conditions

- 5.1 **Enforcement.** The enforcement of parking terms and conditions will be carried out by the Trust's designated Security contractor who is authorised by the Trust Board to act on its behalf.
- 5.2 **Parking Charge Notice.** Failure to comply with any of the terms and conditions will result in the issuing of a Parking Charge Notice. This Parking Charge Notice will be attached to the vehicle. In circumstances where the vehicle has driven from the Trust's land or property and the charge was not paid or where the driver prevented a Parking Charge Notice being attached to the vehicle a Parking Charge Notice will be sent to the registered keeper of the vehicle by post.
- 5.3 **Keeper Liability.** The driver is responsible for paying the parking ticket. However, if the identity of the driver is not known and the registered keeper of the vehicle fails to disclose the identity of the driver at the time the terms and conditions were breached, the registered keeper will become liable for the parking charge.
- 5.4 **Parking Charge.** The SWLSTG NHS Trust parking charge is £85. However, this will be reduced to £50 if the charge is paid within 14 working days of issue of the Parking Charge Notice. Parking charges can be paid by cash or cheque. If the parking charge is not paid in full within 28 working days from the date of issue, the unpaid charges will be passed to a debt recovery agency.
- 5.5 **Violence and Aggression.** The Trust will not tolerate violence or aggression to any member of staff and will fully support Police action or implement Trust disciplinary procedure if necessary.

6. Appealing against a Parking Charge

- 6.1 **Internal Representation Process.** If the driver/registered keeper of a vehicle issued a Parking Charge Notice wishes to contest a charge they must make written representation to the Travel Action Group within 14 working days of receipt of the Parking Charge Notice. The address they should write to is: The Travel Action Group, c/o Head of Security, Gatehouse, Springfield University Hospital, 61 Glenburnie Road, Tooting, London SW17 7DJ.
- 6.2 **External appeal process.** SWLSTG NHS Trust is a member of the British Parking Association. Anyone wishing to make a formal appeal to the British Parking Association may do so but must first obtain a Parking on Private Land Appeals (POPLA) reference number from the Travel Action Group c/o Head of Security, Gatehouse, Springfield University Hospital, 61 Glenburnie Road, Tooting, London SW17 7DJ.
- 6.3 **Unsuccessful appeal.** If an appeal is unsuccessful, the charge must be paid within 14 working days of the unsuccessful appeal decision. If the parking charge is not paid in full after this period the unpaid charges will be passed to a debt recovery agency.