

# **Southend-on-Sea Borough Council Civil Enforcement of Parking Policy & Protocol**

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**INDEX**

	<b>Page No</b>
<b>1) PARKING POLICY INTRODUCTION</b>	<b>3</b>
<b>A) ENFORCEMENT PROTOCOL</b>	<b>5</b>
A0) Introduction	5
A1) Yellow Lines (Codes 01, & 02)	5
A2) Resident and shared use parking places (Codes 12, & 19)	7
A3) Parking places that require payment (Codes 05, 06, 07, 08, 11, & 22)	8
A4) Parking places for specific users (Codes 14, 16, 23, 24, 25, 40, 41, & 42)	10
A5) Special Enforcement Area (Codes 26, 27, & 28)	12
A6) Other contraventions and restricted areas (Codes 21, 30, 45, 46, 47, 48, 49, 55, 63, 64 & 99)	13
A7) Car Parks (Codes 73, 82, 83, 85, 86, 87, 90, 91 & 92)	17
<b>B) DISCRETION POLICY</b>	<b>20</b>
 <b>APPENDIX 1</b>	
Statutory Instrument 2007 No 3487 The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007	45
 <b>APPENDIX 2</b>	
Standard PCN Codes v6.7.6 Off-Street and On-Street	47
 <b>APPENDIX 3</b>	

## 1) **PARKING POLICY INTRODUCTION**

Parking restrictions are in place throughout the Borough of Southend-on-Sea. Southend-on-Sea Borough Council implemented parking regulations in order to help reach a number of the objectives set out in Southend's Third Local Transport Plan (LTP3).

In general parking enforcement of restrictions are as follows:

- Between 7am and 6.00pm
- Evenings to 10pm and double yellow lines (24 hours).

When the Civil Enforcement Officer (CEO) believes that a vehicle may be in contravention, the CEO collects the evidence to be able to decide whether the vehicle is in contravention. If the CEO decides that based on the collected evidence that the vehicle is in contravention, the CEO will issue a Penalty Charge Notice (PCN). After the PCN has been printed the CEO will serve the PCN by either affixing it to the vehicles windscreen or if the owner of the vehicle is present to the person appearing to be the owner.

The introduction of the Traffic Management Act 2004 brought in differential charging on 31<sup>st</sup> March 2008, this altered the way in which PCNs are issued to vehicles. The charge amount of the PCN is now dependant on whether the contravention is more serious or less serious, as follows:

- More serious contraventions £70.00 Discounted £35.00 (within 14 days)
- Less serious contraventions £50.00 Discounted £25.00 (within 14 days)

The Deregulation Act 2015 requires a 'grace period' of 10 minutes to be applied on paid for time and free parking bays from 1<sup>st</sup> April 2015. The grace period only applies where the requirements of the bay have been satisfied first i.e. a parking session has been purchased, the vehicle holds the relevant permit, is carrying out an exempted activity, etc. If these requirements have not been met the vehicle will be subject to normal enforcement. It is important to note that the grace period only applies to 'designated parking places'.

A vehicle parked outside controlled hours is considered to have parked at a time when no restrictions are in force and therefore no requirements to satisfy. The 10 minute grace period will apply for the first 10 minutes of the next controlled parking period. For example, if the Controlled Parking Zone hours apply from 8.00am to 6.00pm and the vehicle was parked before 8.00am, the grace period would apply between 8.00am and 8.10am and no PCN should be issued until 8.11am.

The Deregulation Act 2015 also restricted the use of enforcement to certain restrictions that could be enforced by an approved device (CCTV) and in these circumstances, the PCN is sent by post to the registered keeper of the vehicle. PCN's will be issued by post if a vehicle is parked in contravention of the following restrictions:

- Parked on a bus stop clearway or bus stand clearway; &
- Parked on a School Keep Clear Marking (zig zags).

It should be noted that Contravention Code descriptions are updated by London Council's on behalf of the Department for Transport, these are regularly updated and the current version used throughout this policy is v6.7.6. These descriptions are to be used, except those that are contained in the Statutory Instrument 2007 No.3487 The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007. These descriptions are indicated with <\*>.

The Parking Policy is split into two main sections, these are:

- A) Enforcement Protocol; &
- B) Discretion Policy.

Parts A and B of this policy will be updated continually as they are based upon decisions from an Adjudicator or legislative amendments. Therefore, the below sections are valid for the date that this Policy is adopted. An up to date version of these policies will be kept with the Parking Manager and be available via the website.

## **A) ENFORCEMENT PROTOCOL**

### **A0) Introduction**

The Enforcement Protocol is a guidance policy for the enforcement of Penalty Charge Notices. Policies set out in this document provide guidance only, the onus is on the Civil Enforcement Officer (CEO) to collect the appropriate evidence to enable them to decide whether a vehicle is in contravention of the parking and traffic regulations.

The policies in this document are intended to inform the public and provide guidance to council employees working in the enforcement of parking regulations.

This is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the Traffic Penalty Tribunal (TPT) and the Local Government Ombudsman.

### **A1) Yellow Lines**

#### **Contravention Code 01 – Parked in a restricted street during prescribed hours**

Single yellow lines indicate that a waiting restriction applies at certain times. The days and hours that the waiting restriction applies within a Controlled Parking Zone (CPZ) will be advertised on signs at all entry points to that zone. Where different waiting restriction times apply to a section of road, a nearby sign will designate the hours of restriction. Double yellow lines indicate waiting is not permitted “at any time”. A sign is not required for double yellow lines.

#### **Exemptions to enforcement**

**1)** Vehicles completing a loading/unloading activity. Any loading activity should be continuous and evident to the CEO during their observations. If the activity is not observed, the CEO would not necessarily know that loading/unloading was taking place; therefore, a PCN is likely to be issued.

If the CEO has reason to believe that the loading/unloading activity has ceased then a PCN may be issued.

**2)** For as long as is necessary to pick up or set down passengers. The driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains parked after the picking up/setting down activity has ceased, a PCN may be issued.

- 3) When a valid Blue Disabled Badge in conjunction with the parking disc indicating that a period no greater than three hours has elapsed since the vehicle was parked.
- 4) Whilst it is evident to the CEO that a security gate/barrier at the entrance to premises, to which the vehicle requires access to or from which it has emerged, is being opened or closed.
- 5) When a valid dispensation is clearly displayed within the vehicle whilst the vehicle is parked within the confines granted.
- 6) Royal Mail vehicles delivering or collecting items of post, except when outside Post Office buildings whereby 5 minutes observation will be permitted before the issue of a PCN. Royal Mail vehicles that are parked outside Post Office buildings will almost invariably be being used in conjunction with the carriage of mail under their universal postal license and as such still attract an exemption whereby there is no time limit.
- 7) Local Authority refuse vehicles collecting waste.
- 8) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 9) Vehicles parked for the purpose of erecting or dismantling scaffolding.
- 10) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

### **Contravention Code 02 – Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force**

In addition to waiting restrictions (Code 01), there are sections of roads in the Borough that have a further restriction known as a loading restriction or a loading ban (Code 02). These additional restrictions have been put in place to assist the flow of traffic in controlled areas where vehicles stopped for the purposes of loading/unloading and would cause an obstruction. A loading restriction is indicated by the presence of a single or double yellow chevron (also known as a 'blip') painted on the kerb. A single kerb chevron indicates that a loading restriction is applicable for certain times only. Double kerb chevrons indicate no loading at any time. A nearby sign will specify the times when waiting and loading/unloading restrictions are in place. A PCN will be issued instantly unless the CEO has reason to believe that an exemption applies.

### **Exemptions to enforcement**

- 1) For as long as is necessary to pick up or set down passengers. The driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains parked after the picking up/setting down activity has ceased, a PCN may be issued.
- 2) Whilst it is evident to the CEO that a security gate/barrier at the entrance to premises, to which the vehicle requires access to or from which it has emerged, is being opened or closed, in circumstances when no other practical waiting area available.

- 3) When a valid dispensation is clearly displayed within the vehicle whilst the vehicle is parked within the confines granted.
- 4) Royal Mail vehicles delivering or collecting items of post, except when outside Post Office buildings whereby 5 minutes observation will be permitted before the issue of a PCN. Royal Mail vehicles that are parked outside Post Office buildings will almost invariably be being used in conjunction with the carriage of mail under their universal postal license and as such still attract an exemption whereby there is no time limit.
- 5) Local Authority refuse vehicles collecting waste.
- 6) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 7) Vehicles parked for the purpose of erecting or dismantling scaffolding.
- 8) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

## **A2) Resident and shared used parking places**

### **Contravention Code 12 – Parked in a residents or shared use parking place without clearly displaying either a permit or voucher or a pay and display ticket issued for that place <\*>**

A contravention occurs when parking is restricted for resident permit holders only, or shared with other types of permit or Pay and Display facilities, and the vehicle has no valid document on display that would allow it to be parked in that particular parking place. For example, a vehicle displaying a Pay and Display ticket when parked within a resident parking place is considered to be a vehicle with no valid document on display for that parking place. Similarly, a vehicle displaying a handwritten note, or a resident's permit for a different CPZ, would be classed as having no valid document on display.

### **Contravention Code 19 – Parked in a residents' or shared use parking place or zone displaying an invalid permit, or voucher or pay and display ticket or after the expiry of paid for time**

A PCN will be issued using this code when it is evident that some attempt has been made to park legally within that parking place but what has been displayed is incorrect. For example, a vehicle parked within a resident parking place displaying a visitor's permit that has been incorrectly completed. Similarly, a code 19 PCN may be issued after the expiry of time on a pay and display ticket when a vehicle is parked within a shared use Resident Permit/Pay and Display parking place.

## **Exemptions to enforcement**

- 1) Vehicles displaying a valid resident's permit or a valid visitor's permit for the appropriate CPZ.

- 2) Vehicles displaying a valid pay and display ticket for the location when parked within a shared use parking space.
- 3) Vehicles parked in connection with loading/unloading activity. Any loading activity should be continuous and evident to the CEO during their observations. If the activity is not observed, the CEO would not necessarily know that loading/unloading was taking place; therefore, a PCN is likely to be issued.
- 4) A PCN may be issued to a vehicle after a period of 5 minutes casual observation.
- 5) For as long as is necessary to pick up or set down passengers. The driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains parked after the picking up/setting down activity has ceased, a PCN may be issued.
- 6) Royal Mail vehicles delivering or collecting items of post, except when outside Post Office buildings whereby 5 minutes observation will be permitted before the issue of a PCN. Royal Mail vehicles that are parked outside Post Office buildings will almost invariably be being used in conjunction with the carriage of mail under their universal postal license and as such still attract an exemption whereby there is no time limit.
- 7) Local Authority refuse vehicles collecting waste.
- 8) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 9) Vehicles parked for the purpose of erecting or dismantling scaffolding.
- 10) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).
- 11) Any non-passenger vehicle being used for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the road or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration, removal or repair in or adjacent to the parking place or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984 or the placing, maintenance or removal of any traffic sign.

### **A3) Parking places that require payment**

In a Pay and Display parking place a ticket must be purchased and clearly displayed in the vehicle or payment must be made using the pay by phone service. The times of the restrictions are posted on a nearby sign. Before ticket purchase drivers are expected to familiarise themselves with the conditions of use for parking in these places. A full list of conditions is detailed on all ticket machines/meters.

### **Contravention Code 05 – Parked after the expiry of paid for time**



A PCN may be issued if paid time has expired. However, typically, a CEO will allow a period of ten minutes observation after the expiry of paid time on a Pay and Display parking place.

**Contravention Code 06 – Parked without clearly displaying a valid pay and display ticket or voucher**

A PCN may be issued instantly if the vehicle is not displaying a valid Pay and Display ticket. If a Pay and Display ticket is not clearly visible, obscured or displayed face down, a PCN may still be issued. This contravention code only applies to Pay and Display parking places. If parking is shared with resident permit holders then contravention code 12 will be used.

**Contravention Code 11 – Parked without payment of the parking charge**

If the CEO observes a vehicle parked in a bay without payment of the parking charge then a PCN may be instantly issued. Drivers should obtain a ticket from a nearby machine or pay by phone.

**Contravention Code 22 – Re-parked in the same parking place or zone within one hour of leaving**

The contravention occurs when a vehicle leaves a parking bay and returns to the same parking bay, or moves to another bay within the same parking bay, within one hour or other specified time as indicated on the signage.

**Exemptions to enforcement**

- 1) Vehicles parked in connection with loading/unloading activity. Any loading activity should be continuous and evident to the CEO during their observations. If the activity is not observed, the CEO would not necessarily know that loading/unloading was taking place; therefore, a PCN is likely to be issued.
- 2) For as long as is necessary to pick up or set down passengers. The driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains in situ after the picking up/setting down activity has ceased, a PCN may be issued.
- 3) When a valid Blue Disabled Badge is displayed (excluding any parking areas where signage indicates the time limit applies to disabled badge holders).
- 4) When a valid dispensation is clearly displayed within the vehicle whilst the vehicle is parked within the confines granted.
- 5) Royal Mail vehicles delivering or collecting items of post, except when outside Post Office buildings whereby 5 minutes observation will be permitted before the issue of a PCN. Royal Mail vehicles that are parked outside Post Office buildings will almost invariably be being used in conjunction with the carriage of mail under their universal postal license and as such still attract an exemption whereby there is no time limit.
- 6) Local Authority refuse vehicles collecting waste.

- 7) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 8) Vehicles parked for the purpose of erecting or dismantling scaffolding.
- 9) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).
- 10) Any non-passenger vehicle being used for the purpose of any building operation, demolition or excavation adjacent to the parking place, the maintenance, improvement or reconstruction of the road or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration, removal or repair in or adjacent to the parking place or any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunication apparatus as defined in the Telecommunications Act 1984 or the placing, maintenance or removal of any traffic sign.

#### **A4) Parking places for specific users**

These are parking places that are designated for the sole use of a specific type of permit holder, badge holder, or for a certain type of vehicle. A nearby sign and/or road markings will indicate the type of permit or vehicle permitted to park in that place and the times the parking place is restricted (if no time is specified, then the restriction is in place 24 hours a day, seven days a week).

#### **Contravention Code 14 – Parked in an electric vehicles' charging place during restricted hours without charging**

Vehicles parked in an electric vehicles charging place, will attract a PCN if the vehicle is not charging during restricted hours.

#### **Contravention Code 16 – Parked in a permit space without displaying a valid permit <\*>**

Vehicles parked in permit holder parking places, i.e. for the dedicated doctors, traders, and members of Car Clubs, will attract a PCN if the relevant valid permit is not displayed.

#### **Contravention Code 23 – Parked in a parking place or area not designated for that class of vehicle**

Some parking places are designated for certain class of vehicles. A contravention will occur when a vehicle other than the designated type is parked within the parking place. For example, a PCN could be issued to cars parked in provisions intended for coaches, solo motorcycles, and ambulances.

#### **Contravention Code 24 – Not parked correctly within the markings of the bay or space**

A contravention occurs when the vehicle is not parked correctly within the markings of the bay or space, for example, two wheels have been stopped outside the length or width. The CEO will take into consideration circumstances where there has been a genuine attempt to park correctly. For example, when a car is parked as close as is reasonably possible to the kerbside, yet the wheels are outside of the parking place because it is a relatively narrow parking place, then it is unlikely that a PCN will be issued. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies.

### **Contravention Code 25 – Parked in a loading place during restricted hours without loading**

A loading bay allows a vehicle to park in a designated area whilst the activity of loading or unloading goods is being carried out. The activity should be continuous. In some places this activity is restricted to a maximum permitted time of 20 minutes. The restrictions relevant to the loading place are indicated on a nearby sign unless the loading bay is operational at all times.

If no loading/unloading activity is observed, a PCN could be issued to a private vehicle after a period of 3 minutes casual observation, and to a commercial vehicle after 10 minutes. If the CEO observes that the vehicle is being used in connection with loading/unloading activity, then casual observation of the vehicle will continue. A PCN may be issued in circumstances where the vehicle remains parked after the maximum time permitted, or if the CEO has reason to believe that the loading/unloading activity has ceased.

### **Contravention Code 40 – Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge <\*>**

Across the Borough there are some parking spaces that are dedicated for the use of Blue Disabled Badge holders. A PCN may be instantly issued to any other vehicle parked in that space without a Blue Disabled Badge on display. A PCN may be instantly issued to any vehicle parked in a bay of this type without a relevant permit on display.

### **Contravention Code 42 – Parked in a parking place designated for police vehicles**

Only marked police vehicles, or vehicles displaying the police log book, may park in parking places marked as for the police. A PCN could be issued instantly in all the above circumstances unless the CEO has reason to believe that an exemption applies.

### **Exemptions to enforcement**

- 1) Vehicles of the specific type for which the parking place is designated.

**2)** To pick up or set down passengers. The driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains in situ after the picking up/setting down activity has ceased, a PCN may be issued. This exemption does not apply to Doctors' parking places, Diplomatic parking places, or Car Club parking places.

**3)** Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.

**4)** Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

#### **A5) Special Enforcement Area**

#### **Contravention Code 26 – Vehicle parked more than 50cm from the edge of the carriageway and not within a designated parking place <\*>**

This contravention is commonly known as 'double parking'. It can cause an obstruction to the flow of traffic. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies.

#### **Exemptions to enforcement**

**1)** For as long as is necessary to pick up or set down passengers. The driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains in situ after the picking up/setting down activity has ceased, a PCN may be issued.

**2)** Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.

**3)** Local Authority refuse vehicles collecting waste.

**4)** Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

**5)** Royal Mail vehicles delivering or collecting items of post.

#### **Contravention Code 27 – Parked adjacent to a dropped footway <\*>**

A contravention occurs and an instant PCN could be issued when:

- a. a vehicle is parked adjacent to a footway, cycle track, or verge that has been dropped to assist pedestrians or cyclists; or
- b. a vehicle is parked adjacent to a footway, cycle track, or verge that has been dropped to assist vehicles entering or leaving the carriageway; In the scenario of b. this code is only used outside of CPZ hours where no other restriction applies. Where the dropped footway provides access to a resident's premises, enforcement is undertaken at the request of the property occupier only. (this does not apply in the case of a shared driveway).

**Contravention Code 28 – Parked in a special enforcement area on part of a carriageway raised to meet the level of a footway, cycle track or verge**

A contravention occurs and an instant PCN could be issued when:

A vehicle is parked adjacent to a footway, cycle track or verge where the carriageway has, been raised to meet the level of the footway, cycle track or verge to allow for pedestrian, cyclist, or vehicular access.

**Exemptions to enforcement**

- 1) Where the vehicle is parked wholly within a designated parking place or any other part of the carriageway where restricted parking is permitted. For example, when in a Resident Permit parking place with a valid permit during the permitted hours, or when on a restricted yellow line and a relevant exemption applies, provided that it is evident to the CEO that there was nowhere else reasonable to park to facilitate this activity.
- 2) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 3) For as long as is necessary to pick up or set down passengers. The driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains in situ after the picking up/setting down activity has ceased, a PCN may be issued.
- 4) Local Authority refuse vehicles collecting waste.
- 5) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991)

**A6) Other contraventions and restricted areas****Contravention Code 21 – Parked in a suspended bay/space or part of bay/space <\*>**

We have a duty to suspend parking provisions from time to time. The most frequent reasons for parking suspensions include statutory works, carriageway works, domestic removals, tree pruning, and building works. A small number of suspensions are for filming and for festivals sponsored by Southend Borough Council. We advise motorists of forthcoming suspensions by way of advance warning notices. These notices are on large, yellow backed boards. Once the warning signs have been erected, the onus is placed firmly on the driver to take responsibility for where they park; if their vehicle is parked in contravention it will be liable for enforcement action. The communication of suspensions information to drivers has been given careful consideration. A PCN may be instantly issued to any vehicle parked in a suspended bay unless it is evident to the CEO that the vehicle is parked in connection with the stated reason for that suspension. The yellow advanced warning sign placed nearby will remain in place during the

suspension period. In addition to stating the reason for the suspension the sign will detail its location, and the duration of the restriction. The restrictions of a suspension mean that vehicles are not permitted to wait, drop off/pick up passengers, or load/unload. These conditions apply to all vehicles, including Royal Mail and refuse vehicles. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies.

### **Exemptions to enforcement**

- 1) If the vehicle parked in the suspended area is being used in connection with the reason for the suspension, and in accordance with the terms of that suspension. For example, when spaces have been suspended for a domestic removal, a removal van may park in those spaces to carry out the relevant works. Vehicles that are not being used for the purpose of the suspension will be instantly issued with a PCN.
- 2) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.

### **Contravention Code 30 – Parked for longer than permitted**

Vehicles that have been observed parking beyond a given time limit when parked within a designated 'parking place will attract the issue of a PCN using the contravention code 30 PCN. The time limit, if applicable, is stated on a nearby sign. Electric vehicles parked longer than permitted in designated electric vehicle bays may receive a PCN using code 30. A PCN could be issued instantly in the above circumstances unless the CEO has reason to believe that an exemption applies.

### **Exemptions to enforcement**

- 1) The vehicle is considered to be parked for ambulance, police or fire brigade purposes.

### **Contravention Code 45 – Parked on a taxi rank <\*>**

A marked Taxi rank enables a licensed taxi with a license plate on the rear to wait on a taxi rank. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies.

### **Exemptions to enforcement**

- 1) Local Authority refuse vehicles collecting waste.
- 2) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 3) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

### **Contravention Code 46 – Stopped where prohibited (on a red route or clearway)**

When a vehicle waits during prescribed hours on the carriageway of a clearway, indicated by No Stopping signs a PCN could be issued.

#### **Exemptions to enforcement**

- 1) Local Authority refuse vehicles collecting waste.
- 2) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 3) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

### **Contravention Code 47 – Stopped on a restricted bus stop or stand <\*>**

A marked bus stop/stand enables a bus providing a local service to stop to allow passengers to board or alight from the bus, and for the bus to wait to adhere to a published timetable of that service. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies.

#### **Exemptions to enforcement**

- 1) Hackney Carriage licensed taxis are permitted to stop in a Bus Stop/Stand for as long as is necessary to allow passengers to board or set down passengers. The taxi driver should remain with the vehicle. If upon further observation the CEO identifies that the vehicle remains in situ after the picking up/setting down activity has ceased, a PCN may be issued.
- 2) Vehicles being used in conjunction with the maintenance of the Bus Stop/Stand.
- 3) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.

### **Contravention Code 48 – Stopped in a restricted area outside a school <\*>**

A CEO will issue an instant PCN if a vehicle is observed stopped on the 'School Keep Clear' zig-zag marking during the restricted hours. Vehicles parked in contravention of this restriction potentially put at risk children going to and leaving school. Details of the restrictions are indicated on a nearby sign. There is no restriction outside of the hours stated, unless a yellow line is present to indicate that a waiting restriction applies. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies.

**Exemptions to enforcement**

- 1) Local Authority refuse vehicles collecting waste.
- 2) Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 3) Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

**Contravention Code 49 – Parked wholly or partly on a cycle track <\*>**

Cycle tracks are a part of the carriageway but are separated from the section of carriageway used by vehicles by a raised verge or island. Cycle tracks are for the use of pedaled cycles only. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies.

**Exemptions to enforcement**

- 1) The vehicle is considered to be parked for ambulance purposes, police purposes or fire brigade purposes.

**Contravention Code 64 – Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority**

A contravention will occur when a vehicle is parked on a grass verge, garden, lawn or green maintained by a local authority. The CEO could issue an instant PCN to a vehicle which is parked on a grass verge, garden, lawn or green maintained by a local authority

**Exemptions to enforcement**

- 1) The vehicle is considered to be for ambulance purposes, police purposes or fire brigade purposes.

**Contravention Code 99 – Stopped on a pedestrian crossing and/or crossing area marked by zigzags <\*>**

Vehicles are not permitted to stop on pedestrian crossings or on the zig-zag markings on either side of the crossing. A vehicle parked on the crossing is an obstruction to pedestrians and a vehicle parked on the zig-zags seriously reduces the visibility of those using the crossing and oncoming vehicles' sightline of pedestrians at the crossing. A PCN could be issued instantly unless the CEO has reason to believe that an exemption applies. The police and its traffic wardens can also issue Fixed Penalty Notices for this offence.



## **Exemptions to enforcement**

1) The vehicle is considered to be for ambulance purposes, police purposes or fire brigade purposes.

### **A7) Car Parks**

#### **Contravention Code 73 – Parked without payment of the parking charge**

If the CEO observes a vehicle parked in a bay without payment of the parking charge then a PCN may be instantly issued. Drivers should obtain a ticket from a nearby machine or pay by phone. It should be noted that blue badge holders with badges issued by Southend on Sea Borough Council may park free of charge in council car parks. All other blue badge holders should pay the relevant charge.

#### **Contravention Code 80 – Parked for longer than permitted.**

Vehicles that have been observed parking beyond the specified time limit when parked within a designated parking place will attract the issue of a PCN using the contravention code 80 PCN. The time limit, if applicable, is stated on a nearby sign. A PCN could be issued instantly in the above circumstances unless the CEO has reason to believe that an exemption applies.

#### **Contravention Code 81 – Parked in a restricted area in a car park**

The majority of car parks feature yellow lines or hatched areas where it is considered that parked vehicles will impede other car park users. Disabled badge holders are not permitted to park on yellow lines in car parks. A PCN may be issued if a vehicle is parked in an area of a car park which is not designated as a parking bay.

#### **Contravention Code 82 – Parked after the expiry of paid for time**

A PCN may be issued if paid time has expired. However, typically, a CEO will allow a period of ten minutes observation after the expiry of paid time on a Pay and Display parking place.

#### **Contravention Code 83 – Parked in a car park without clearly displaying a valid pay and display ticket or voucher or parking clock**

A PCN may be issued instantly if the vehicle is not displaying a valid Pay and Display ticket. If a Pay and Display ticket is not clearly visible, obscured or displayed face down, a PCN may still be issued. It should be noted that blue badge holders with badges issued by Southend on Sea Borough Council may

park free of charge in council car parks. All other blue badge holders should pay the relevant charge.

**Contravention Code 85 – Parked in a permit bay without displaying a valid permit <\*>**

Vehicles parked in permit holder parking places, will attract a PCN if the relevant valid permit is not displayed.

**Contravention Code 86 – Not parked correctly within the markings of the bay or space**

A contravention occurs when the vehicle is not parked correctly within the markings of the bay or space. The CEO will take into consideration circumstances where there has been a genuine attempt to park correctly and the impact this has on other car park users, for example, using two bays preventing others from parking.

**Contravention Code 87 – Parked in a designated disabled person's parking space without clearly displaying a valid disabled person's badge <\*>**

Car parks have some parking spaces that are dedicated for the use of Blue Disabled Badge holders. A PCN may be instantly issued to any other vehicle parked in that space without a Blue Disabled Badge on display. A PCN may be instantly issued to any vehicle parked in a bay of this type without a blue badge displayed. It should be noted that blue badge holders with badges issued by Southend on Sea Borough Council may park free of charge in council car parks. All other blue badge holders should pay the relevant charge.

**Contravention Code 90 – Re-parked in the same car park within one hour after leaving**

The contravention occurs in free car parks with a waiting time limit and a prohibition on returning to that car park within a specified time.

**Contravention Code 91 – Parked in a car park or area not designated for that class of vehicle**

Some car parks are designated for certain class of vehicles. A contravention will occur when a vehicle other than the designated type is parked within the car park. For example, a PCN could be issued to cars parked in provisions intended for coaches, solo motorcycles, and ambulances.

## **Contravention Code 92 – Parked causing an obstruction**

The contravention occurs when a vehicle that is parked in a car park causes obstruction. A PCN could be issued where a parked vehicle causes an obstruction in a car park.

### **Exemptions to enforcement**

- 1)** Local Authority refuse vehicles collecting waste.
- 2)** Vehicles considered to be parked for ambulance purposes, police purposes, or fire brigade purposes.
- 3)** Vehicles being used in connection with works on the carriageway that constitutes an exemption under the New Road and Street Works Act (1991).

## **B) DISCRETION POLICY**

### **B0) Introduction**

A discretion policy is a guidance document for the enforcement and cancellation of Penalty Charge Notices. Policies set out in this document provides guidance only. Each case must be considered on its own merits, taking into account all of the evidence available and the exceptionality of the circumstances

The policies in this document are intended to inform the public and provide guidance to council employees working in the enforcement of parking regulations. This is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the Traffic Penalties Tribunal (TPT) and the Local Government Ombudsman.

What is important about these policies is that they represent a foundation upon which fairness, openness, transparency and discretion can be applied. The importance of flexibility in these matters has been recognised by the courts and, as a consequence, decisions made by councils must not be fettered by being unduly formulaic.

The policies address the following:

- The statutory grounds upon which representations may be made;
- Mitigating circumstances; &
- The acceptance or rejection of representations.

It is important to recognise that each case will be considered on its own merits, matters of proportionality, objectivity, fairness and reasonableness should be paramount. These policies will be subject to ongoing review.

## **STATUTORY GROUNDS TO MAKE REPRESENTATIONS**

### **Important note:**

Although the following are the 9 Statutory Grounds to make representation, in accordance with a directive issued by the Local Government Ombudsman, full consideration will be given and account taken of all representations received, whether or not they are all fall within the description of “**Statutory Grounds**”. It is for this reason that a 10th Ground, encompassing any other information the motorist or owner/keeper would like the Council to consider, has been included.

**B1) The alleged contravention did not occur:**

**B1.1 Where the motorist claims he/she was loading/unloading**

**MAY ACCEPT REPRESENTATIONS**

On a waiting prohibition or in a controlled bay:

If evidence is available or provided to show:

1. Goods being delivered or collected were heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from 'legal' parking place.
2. Loading/unloading activity was adjacent to the premises concerned.
3. Loading/unloading activity was timely (includes checking goods and paperwork), but not delayed by unrelated activity [Source – Traffic Orders, decided cases e.g. Jane Packer Flowers].

If in the course of business, including commercial delivery/collections, couriers, multi drop parcel carriers, removal services etc.

**MAY REJECT REPRESENTATIONS**

On clearways;

On school zig zag markings;

On bus stop clearways;

On Taxi ranks;

On Police bays;

Where loading is prohibited:

In carparks if a valid pay & display ticket was not purchased first

### **B1.2 Where the motorist claims that a parking pay & display machine was faulty**

#### **MAY ACCEPT REPRESENTATIONS**

If service records confirm a fault or that the machine had been taken out of service at the time of the contravention and payment by phone was not available.

If there is reasonable doubt because evidence not available to confirm that a machine was working at the time (test ticket) and there was not another ticket machine nearby which was operating correctly and the pay by phone service was not available.

#### **MAY REJECT REPRESENTATIONS**

If payment by phone was available.

If there was another ticket machine nearby that was working correctly at the time.

If there is no record of the machine being faulty or taken out of service.

If there is reasonable doubt because evidence confirms that other visitors had been able to purchase tickets during the relevant period.

### **B1.3 Where motorist claims that the restriction is not clearly signed or marked**

#### **MAY ACCEPT REPRESENTATIONS**

If signs and/or markings are missing or unclear.

If signs and markings are inconsistent with each other and/or Traffic Order or legislation.

#### **MAY REJECT REPRESENTATIONS**

If site visit records or photographs establish that signs and/or markings are correct and consistent with each other and the Traffic Order.

### **B1.4 Where motorist was carrying out building works**

#### **MAY ACCEPT REPRESENTATIONS**

If evidence confirms that the motorist was simply loading/unloading (see policy B1.1, above)

If valid dispensation to park at the location in question had been issued and was on display in the vehicle.

If works are of a statutory nature or are exempted from restrictions by a Traffic Order or legislation

If it can be proven that works were an emergency,

### **MAY REJECT REPRESENTATIONS**

In all other circumstances

#### **B1.5 Where motorist claims that PCN was not served (i.e. PCN not found attached to vehicle or handed to driver)**

### **MAY ACCEPT REPRESENTATIONS**

If the Civil Enforcement Officer's pocket book and/or computer notes and or bodycam footage confirm that the vehicle drove away before a PCN could be served, i.e. PCN not handed to the driver or fixed to the vehicle.

### **MAY REJECT REPRESENTATIONS**

If the Civil Enforcement Officer's notes or photographs or bodycam footage confirm that a PCN was correctly served, i.e. handed to the motorist or fixed to their vehicle.

If the Civil Enforcement Officer has issued a Regulation 10 PCN by Post.

#### **B1.6 Where the motorist claims that their vehicle was not parked in the location at the time and on the date alleged on the PCN which was issued**

### **MAY ACCEPT REPRESENTATIONS**

Following consideration of all available evidence

### **MAY REJECT REPRESENTATIONS**

If there is no evidence or if the evidence presented does not support the claim or is inconclusive.

#### **B1.7 Where motorist claims that a valid authorisation to park, had been issued**

### **MAY ACCEPT REPRESENTATIONS**

If records show that the motorist holds a valid authorisation to park.

## **MAY REJECT REPRESENTATIONS**

If the motorist cannot provide a copy of the valid authorisation to park or if there is no record of any issue of the authorisation.

If the motorist did not park in accordance with the authorisation.

**B1.8 where the motorist claims that a pay & display ticket was purchased and displayed or payment made using the pay by phone service.**

## **MAY ACCEPT REPRESENTATIONS**

If the motorist produces a Pay & Display parking ticket that was valid at the time the Penalty Charge Notice was issued and the Civil Enforcement Officer confirms that a face down ticket or a ticket that was displayed but concealed in some other way was seen and it is the first contravention of this kind.

OR

Council records show a payment was made using the pay by phone service

OR

Council records show a payment being made for the specified vehicle using a pay and display machine which requires entry of the vehicle registration mark.

## **MAY REJECT REPRESENTATIONS**

If the motorist is unable to produce a valid pay & display ticket.

The Civil Enforcement Officer was unable to confirm that a face down ticket or a ticket that was displayed but concealed in some other way was seen.

The motorist has made a similar representation before and had a previous PCN cancelled, after giving them the benefit of the doubt; or

The Civil Enforcement Officer noted that the motorist obtained their ticket from another motorist in the car park; or

Where digits have been entered on the face of the ticket or the pay by phone system and do not match those of the motorist's vehicle registration, subject to some latitude being allowed for errors.



**B2) That the recipient:**

**Never was the owner of the vehicle in question;  
Had ceased to be its owner before the date on which the alleged  
contravention occurred;  
Became its owner after that date;**

**B2.1 Never was the owner of the vehicle in question**

**MAY ACCEPT REPRESENTATIONS**

If the DVLA confirm that the motorist was not the registered keeper at the time of the contravention.

**MAY REJECT REPRESENTATIONS**

If the DVLA confirms that the motorist was the registered keeper of the vehicle at the time of the contravention.

If the previous registered keeper provides proof that the motorist bought the vehicle before the contravention, or the subsequent registered keeper provides proof that the motorist sold the vehicle after the contravention.

If the motorist is proven to have hired the vehicle for the day on which the contravention occurred and signed an agreement to take responsibility for PCNs incurred, subject to the time of hire (see policy B4, below)

**B2.2 Had ceased to be its owner before the date on which the alleged contravention occurred**

**MAY ACCEPT REPRESENTATIONS**

If the current registered keeper is able to provide proof that the vehicle was disposed of before the contravention, i.e. a bill of sale, registration documents, insurance documents or a letter from the DVLA; and/or

If the current registered keeper is able to provide the full name and address of the person to whom they disposed of the vehicle.

**ACTION** - send a new Notice to Owner to the person named by the current registered keeper

## **MAY REJECT REPRESENTATIONS**

If the current registered keeper is unable to prove that they disposed of the vehicle before the contravention nor provide the name and address of the person to whom they disposed of the vehicle.

If the person named by the current registered keeper as the person to whom they disposed of the vehicle, either does not exist, cannot be traced or is for some other reason not considered to be bona fide

### **B2.3 Became its owner after that date**

## **MAY ACCEPT REPRESENTATIONS**

If the current registered keeper is able to provide proof that the vehicle was purchased after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or

If the current registered keeper is able to provide the full name and address of the person from whom they purchased the vehicle.

## **MAY REJECT REPRESENTATIONS**

If the current registered keeper is unable to prove that they purchased the vehicle after the contravention nor provide the name and address of the person from whom they bought the vehicle.

If the person named by the current registered keeper as the person to whom they disposed of the vehicle, either does not exist, cannot be traced or is for some other reason not considered to be bona fide.

### **B2.4 Where the current registered keeper claims that a contracted third party was responsible for the vehicle at the time of the contravention**

## **MAY ACCEPT REPRESENTATIONS**

Only when a hire agreement exists (see policy B4, below).

## **MAY REJECT REPRESENTATIONS**

In all other circumstances because the registered keeper is always liable, including where the vehicle was left in the care of a garage.

**B3) That the vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner**

**B3.1 where the current registered keeper claims that the vehicle had been stolen**

**MAY ACCEPT REPRESENTATIONS**

If the registered keeper provides a valid police crime report reference number.

**MAY REJECT REPRESENTATIONS**

If the current registered keeper is unable to provide any proof of theft.

If the police crime report reference number provided by the current registered keeper does not exist or it does not match the theft or date of the theft alleged.

**B3.2 Where the current registered keeper claims that the vehicle was driven by a third party (i.e. a friend, relative or estranged partner)**

**MAY ACCEPT REPRESENTATIONS**

In no circumstance.

**MAY REJECT REPRESENTATIONS**

In all circumstances because the registered keeper is always liable, save for when a hire agreement exists (see policy B4, below).

**B4) That the recipient is a vehicle hire firm:**

**The vehicle in question was at the material time hired from that firm under a vehicle hiring agreement;**

**The person hiring it had signed a statement of liability acknowledging his liability in respect of any PCN served in respect of any contravention involving the vehicle;**

**MAY ACCEPT REPRESENTATIONS**

If the hire company are able to provide proof that the vehicle was hired at the time of the contravention, i.e. a signed agreement.

If the hire company are able to provide the full name and address of the person to whom they hired the vehicle.

ACTION - send a new Notice to Owner to the person named by the hire company.

### **MAY REJECT REPRESENTATIONS**

If the hire company are unable to prove that they hired out the vehicle on the date of the contravention nor provide the name and address of the person to whom they hired the vehicle.

If the person named by the hire company as the person to whom they hired the vehicle, without proof, either does not exist, cannot be traced or denies responsibility for the contravention.

If the vehicle was being used as a courtesy car without an agreement signed to accept responsibility for Penalty Charge Notices issued.

**B5) That the penalty charge exceeded the amount applicable in the circumstances of the case.**

### **MAY ACCEPT REPRESENTATIONS**

If the PCN and/or Notice to Owner showed the incorrect amount of penalty charge, i.e. the wrong penalty charge band

### **MAY REJECT REPRESENTATIONS**

If the PCN or Notice to Owner showed the correct amount of penalty charge

**B6) That there has been a procedural impropriety on the part of the enforcement authority**

### **MAY ACCEPT REPRESENTATIONS**

If any requirements imposed by the TMA or the TMA Regulations in the relation to the imposition or recovery of a penalty charge has not been observed.

If any document has been served in advance of the time scale set out in the TMA regulations.

### **MAY REJECT REPRESENTATIONS**

If all requirements imposed by the TMA or the TMA Regulations in the relation to the imposition or recovery of a penalty charge has been observed.

If all documents have been served in accordance with the time scale set out in the TMA regulations.

If the motorist merely considers the restrictions to be unfair.

**B7) That the Order which is alleged to have been contravened in relation to the vehicle concerned is invalid**

**MAY ACCEPT REPRESENTATIONS**

If the Traffic Order which prescribes the restrictions that the vehicle was parked in contravention of was either not constructed correctly, i.e. is ultra vires, or was not made correctly, i.e. not consulted on properly.

**MAY REJECT REPRESENTATIONS**

If the Traffic Order which prescribes the restrictions that the vehicle was parked in contravention of was constructed and made correctly.

If the motorist merely considers the restrictions to be unfair.

**B8) In the case where a PCN was served by post on the basis that a CEO was prevented by some person from fixing it to the vehicle concerned or handing it to the owner or person in charge of the vehicle, that no CEO was so prevented**

**MAY ACCEPT REPRESENTATIONS**

If the Civil Enforcement Officer's notes or photographs or bodycam footage confirm that a PCN was correctly served, i.e. handed to the motorist or fixed to their vehicle.

If the Civil Enforcement Officer's pocket book and/or computer notes or bodycam footage did not confirm that the vehicle drove away before a PCN could be served, i.e. PCN not handed to the driver or fixed to the vehicle.

**MAY REJECT REPRESENTATIONS**

If the Civil Enforcement Officer's pocket book and/or computer notes or bodycam footage confirm that the vehicle drove away before a PCN could be served, i.e. PCN not handed to the driver or fixed to the vehicle.

**B9) That the NtO should not have been served because the penalty charge had already been paid in full or by the amount reduced by any discount set within the period set**

**MAY ACCEPT REPRESENTATIONS**

If the penalty charge amount had been paid in full.

If the penalty charge amount, reduced by any discount set within the period set, had been paid in full.

**MAY REJECT REPRESENTATIONS**

If the penalty charge amount had not been paid in full.

If the penalty charge amount, reduced by any discount set within the period set, had not been paid in full.

**B10) Any other information that the motorist / vehicle owner want the Council to take into consideration**

**MAY ACCEPT REPRESENTATIONS**

The decision whether or not a Penalty Charge Notice should be cancelled, will only be taken following very careful consideration taking into account all of the evidence available.

**B11) Mitigating Circumstances**

**B11.1 Where the motorist claims to have become unwell while driving**

**MAY ACCEPT REPRESENTATIONS**

If the motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described.

When the notes made by the Civil Enforcement Officer support the motorist's representations.

**MAY REJECT REPRESENTATIONS**

If the motorist cannot provide some proof of a medical condition, temporary or permanent, consistent with the conditions described.

Or

Where other evidence contradicts the motorists claims

**B11.2 Where the motorist claims to be a doctor, nurse, health visitor attending a patient**

**MAY ACCEPT REPRESENTATIONS**

If the motorist produces evidence that they were responding to an urgent medical call and there was no nearby legal parking place.

**MAY REJECT REPRESENTATIONS**

If motorist was not attending a patient in urgent circumstances or if there were legal parking spaces nearby.

If motorist was parked outside their practice or other place of work for any reason other than to collect supplies for an urgent call.

If motorist was parked in an area which does not correspond with claims made in representations, i.e. far from patients property, say, in a car park

**B11.3 Where the motorist stopped to use the toilet**

**MAY ACCEPT REPRESENTATIONS**

On production of medical evidence confirming a relevant medical condition and in support of the circumstances described in a representation.

**MAY REJECT REPRESENTATIONS**

In all other circumstances

**B11.4 Where the motorist stopped to collect (prescribed) medication from a chemist**

**MAY ACCEPT REPRESENTATIONS**

Only in the most grave, urgent and exceptional of circumstances and the use of a 'legal' parking place would have caused an unacceptable delay.

**MAY REJECT REPRESENTATIONS**

In any lesser circumstances.

### **B11.5 Where the motorist was a patient visiting a doctor's surgery**

#### **MAY ACCEPT REPRESENTATIONS**

If the motorist can provide a letter from a doctor to confirm that the visit was very urgent and that they were unable to walk from the nearest legal parking space.

#### **MAY REJECT REPRESENTATIONS**

If the motorist was not the patient but only driving the vehicle carrying the patient.

If the motorist was attending a pre-arranged, non-urgent appointment.

If the motorist could reasonably have been expected to parked legally elsewhere.

### **B11.6 Where the motorist claims to have been recently bereaved**

#### **MAY ACCEPT REPRESENTATIONS**

If no evidence exists to the contrary, taking into account the sensitivity of this issue on first occasion.

#### **MAY REJECT REPRESENTATIONS**

Only if there is a significant reason to doubt the sincerity of representations, i.e. the Civil Enforcement Officer's notes indicating that the motorist was going about a normal day, say, shopping or working, or the bereavement considered to be a long time ago

### **B11.7 Where the motorist was delayed in returning to their vehicle and parking time purchased had expired**

#### **MAY ACCEPT REPRESENTATIONS**

If supported by appropriate evidence, the motorist's representations claims that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional.

If motorist's vehicle had broken down, subject to concurrence with policy B11.25, below)

If the motorist was unable to drive, since parking the vehicle.



## **MAY REJECT REPRESENTATIONS**

If the delay described by the motorist was entirely avoidable, i.e. queuing in a shop.

If the motorist simply underestimated the time needed and could have reasonably purchased more time, i.e. when conducting business, shopping or commuting.

If the motorist was unable to drive since parking due to excess alcohol in the body or had been detained and charged by the police.

### **B11.8 Where the motorist returned to the same place within a specified and prohibited time period**

## **MAY ACCEPT REPRESENTATIONS**

In no circumstances

## **MAY REJECT REPRESENTATIONS**

If the motorist overstays initial period or returns within a period of 'No return'

### **B11.9 Where the motorist left the vehicle parked without a valid ticket on display to obtain change.**

## **MAY ACCEPT REPRESENTATIONS**

If the motorist had not left the car park, or on-street pay and display area and a ticket was purchased.

## **MAY REJECT REPRESENTATIONS**

If the Civil Enforcement Officer's notes or bodycam footage indicate that the motorist returned to their vehicle, having completed their purpose for parking, while the PCN was being issued, i.e. carrying shopping, or had left vehicle in car park, or on-street pay and display area, while obtaining change

### **B11.10 Where the motorist claims to have been unaware of charges or restriction in the car park relating to vehicle's class or weight.**

## **MAY ACCEPT REPRESENTATIONS**

If reference to restrictions on tariff board(s) are incorrect or missing.

## **MAY REJECT REPRESENTATIONS**

In all other circumstances

**B11.11 Where the motorist claims to have been unaware of recent rise in tariff**

## **MAY ACCEPT REPRESENTATIONS**

If statutory notices were not erected in accordance with procedural regulations.

If revised tariff is not on tariff board(s)

## **MAY REJECT REPRESENTATIONS**

If statutory notices were erected in accordance with procedural regulations and tariff board(s) were correct

**B11.12 Where the motorist had parked with one or more wheels outside of a marked bay in a car park**

## **MAY ACCEPT REPRESENTATIONS**

Only in the most exceptional of circumstances that were outside the motorists control and are supported by incontrovertible evidence.

Otherwise, in no circumstances.

## **MAY REJECT REPRESENTATIONS**

When clear and incontrovertible supporting evidence (photographs/Sketch plan) is available.

**B11.13 Where the motorist is a Blue Badge holder/transporting a Blue Badge holder and they did not have their Blue Badge and/or clock on display or could not be read or had expired**

## **MAY ACCEPT REPRESENTATIONS**

Exceptional circumstances only.

## **MAY REJECT REPRESENTATIONS**

If the motorist has previously had a PCN cancelled for the same contravention and has been warned to display a valid badge /time clock, correctly in the future.

If the motorist was parked on a waiting restriction beyond the 3 hour time limit permitted by the Blue Badge Scheme, or on another restriction for which the Blue Badge does not provide an exemption.

**B11.14 Where the motorist claims to have been unaware of the existence of a controlled parking zone**

**MAY ACCEPT REPRESENTATIONS**

If it can be established that the signing and marking of the CPZ is at fault, see policy B1.3, above.

**MAY REJECT REPRESENTATIONS**

In all other circumstances.

**B11.15 Where the motorist was displaying an expired authorisation to park, i.e. parking place dispensation, season ticket, residents permit, business permit or visitors permit**

**MAY ACCEPT REPRESENTATIONS**

If the renewal of the authorisation was delayed by the Council's administrative processes.

If it can be established that other reasonably unforeseen circumstances delayed the renewal of an authorisation to park, e.g. sickness on the part of the applicant or a postal dispute/delays (supported by appropriate evidence).

**MAY REJECT REPRESENTATIONS**

In all other circumstances.

In the event of more than one vehicle registration included on season ticket or permit, subsequent production of the season ticket will not necessarily cause automatic cancellation of the PCN as the season ticket may have been used on the other vehicle.

**B11.16 Where the motorist is parked in contravention of a waiting/parking prohibition whilst displaying a resident's visitor permit.**

**MAY ACCEPT REPRESENTATIONS**

In no circumstances

## **MAY REJECT REPRESENTATIONS**

On all occasions

**B11.17 where the motorist is a new resident within a controlled parking zone and had parked in a resident's bay without displaying a valid residents permit**

## **MAY ACCEPT REPRESENTATIONS**

In no circumstances

## **MAY REJECT REPRESENTATIONS**

On all occasions

**B11.18 Where the motorist had parked incorrectly in a controlled bay on-street**

## **MAY ACCEPT REPRESENTATIONS**

If it can be established that the motorist was genuinely loading or unloading, subject to compliance with policy B1.1, above.

## **MAY REJECT REPRESENTATIONS**

On all occasions.

**B11.19 Where the motorist assumed that they were entitled to "a period of grace" before the PCN was issued**

## **MAY ACCEPT REPRESENTATIONS**

If no grace period allowed in paid for parking places.

## **MAY REJECT REPRESENTATIONS**

In all other circumstances.

**B11.20 Where the motorist claims they were attending a funeral**

## **MAY ACCEPT REPRESENTATIONS**

In exceptional circumstances.

## **MAY REJECT REPRESENTATIONS**

In all other circumstances

**B11.21 Where the motorist claims that snow, foliage, fallen leaves or flooding covered the signs or markings**

**MAY ACCEPT REPRESENTATIONS**

If it can be established that such conditions prevailed and it is likely that signs and markings were obscured as claimed and there was no alternative indication of the restriction.

**MAY REJECT REPRESENTATIONS**

If it can be established that such conditions did not cause lines and signs to be obscured as claimed.

If the Civil Enforcement Officer's notes/photographic evidence etc. directly contradict the motorist's version of events.

If any reasonable alternative indication of the restriction was available to the motorist.

If the location of the contravention was unlikely to be subject to the natural conditions described by the motorist, i.e. it was under cover

**B11.22 Where the motorist claims that their vehicle had broken down**

**MAY ACCEPT REPRESENTATIONS**

If the motorist is able to provide evidence of a breakdown, i.e. proof of vehicle recovery or a bill of sale for repair or parts.

**MAY REJECT REPRESENTATIONS**

If the motorist is unable to provide evidence of any kind that their vehicle had broken down.

There is any question as to the validity of the evidence provided.

If the Civil Enforcement Officer's notes or bodycam footage contradict the motorist's version of events.

**B11.23 Where the motorist claims that they were attending an emergency or another vehicle that had broken down**

**MAY ACCEPT REPRESENTATIONS**

If the motorist is able to provide reasonable proof of the emergency, i.e. a credible report of an accident or incident, or that they were attending to another vehicle that had broken down.

**MAY REJECT REPRESENTATIONS**

If the motorist is unable to provide evidence of any kind that they were attending an emergency or another vehicle which had broken down.

There is any question as to the validity of the evidence provided.

If the Civil Enforcement Officer's notes or bodycam footage contradict the motorist's version of events, i.e. the motorist was not seen attending an emergency or another vehicle which was broken down.

**B11.24 Where the motorist claims to have put money into the wrong ticket machine**

**MAY ACCEPT REPRESENTATIONS**

If it is agreed that the position of the ticket machine used by the motorist is likely to cause confusion.

**MAY REJECT REPRESENTATIONS**

If the ticket machine used by the motorist is positioned in such a place that confusion is not likely.

If the motorist has had representations accepted for a similar contravention previously.

**B11.25 Where the vehicle in question was on police, fire brigade or ambulance duties**

**MAY ACCEPT REPRESENTATIONS**

If a senior officer of the service concerned, supports the representations and there is no reason to doubt that the vehicle was engaged in operational activities.

## **MAY REJECT REPRESENTATIONS**

In all other circumstances

**B11.26 Where the motorist claims to have been collecting or depositing monies at a bank**

## **MAY ACCEPT REPRESENTATIONS**

If the procedure explained in the motorist's representations is consistent with the allowance for loading and unloading, see Policy B1.1, above.

Or

If specific arrangements have been agreed.

## **MAY REJECT REPRESENTATIONS**

In all other circumstances

**B11.27 Where the motorist claims to have been unaware of a temporary parking restriction or special event restriction**

## **MAY ACCEPT REPRESENTATIONS**

If the motorist claims that there was no indication of the restriction, and the Civil Enforcement Officer's notes/photographs do not confirm that appropriate signing was in place.

If the process followed to make the temporary order was defective in some way.

## **MAY REJECT REPRESENTATIONS**

If the Civil Enforcement Officer's notes/photographs confirm that the vehicle was parked in an area restricted by the Temporary Order or Notice, and that appropriate signing was in place and clearly visible.

**B11.28 Where the registered keeper liable for payment of the PCN is expected to be absent for a long period of time, e.g. is living abroad or is in prison**

## **MAY ACCEPT REPRESENTATIONS**

In no circumstances

## **MAY REJECT REPRESENTATIONS**

On all occasions

**B11.29 Where the registered keeper liable for payment of the PCN is said to have died**

## **MAY ACCEPT REPRESENTATIONS**

Where the circumstances can be confirmed (by sensitive enquiry).

## **MAY REJECT REPRESENTATIONS**

Only if there is a significant evidence to doubt the sincerity of the representations.

**B11.30 Where the vehicle driven by the motorist is diplomatically registered**

## **MAY ACCEPT REPRESENTATIONS**

In all circumstances. A Notice to Owner should never be sent to the keeper of a diplomatically registered vehicle.

All un-recovered penalty charges from keepers of diplomatically registered vehicles, the information concerning these debts should be passed on to the Foreign and Commonwealth Office.

[Source – Secretary of State's Traffic Management and Parking Guidance, Vienna Convention on Diplomatic Relations, Diplomatic Privileges Act 1964 and Government Report on Review of Vienna Convention...]

## **MAY REJECT REPRESENTATIONS**

In no circumstances

**B11.31 Where the motorist received a Fixed Penalty Notice (FPN) from a police officer or traffic warden when parked in the same location**

## **MAY ACCEPT REPRESENTATIONS**

To prevent 'double jeopardy', if confirmation provided by the police that proceedings for a criminal offence in connection with the same parking/waiting incident have been instituted.



## **MAY REJECT REPRESENTATIONS**

In all other circumstances

**B11.32 where a Council officer or Member parked in contravention and claims to have been on Council business**

## **MAY ACCEPT REPRESENTATIONS**

If the officer was carrying out emergency work.

## **MAY REJECT REPRESENTATIONS**

If it can be established that the officer/Member could have reasonably parked elsewhere.

**B11.33 where the motorist stopped to drop off someone**

## **MAY ACCEPT REPRESENTATIONS**

If the circumstances are seen by the Civil Enforcement Officer. If, in exceptional circumstances and subject to observations times, the motorist had to escort a passenger (child, elderly or disabled person) to home, or school.

## **MAY REJECT REPRESENTATIONS**

If motorist was parked/stopped on school keep clear markings, pedestrian crossing, cycle lane, clearway, or bus stop clearway

**B11.34 where motorist was unaware of awaiting restriction**

## **MAY ACCEPT REPRESENTATIONS**

If motorist was instructed / authorised to park in contravention of the restriction by the police.

## **MAY REJECT REPRESENTATIONS**

In all other circumstances

**B11.35 where motorist states they were in police custody when PCN issued**

## **MAY ACCEPT REPRESENTATIONS**

If proof (from the Police) has been provided that the police had instructed the motorist to leave the vehicle. If the time of arrest (proof required from the Police)

provides confirmation that motorist was legally parked and was unable to move vehicle before the restriction started.

### **MAY REJECT REPRESENTATIONS**

If no proof provided. If vehicle could have been legally parked before arrest.

### **B11.36 where motorist states they were visiting a friend or relative in urgent circumstances**

### **MAY ACCEPT REPRESENTATIONS**

If due to an emergency the parking contravention could not be avoided due to the exceptional nature of the incident.

### **MAY REJECT REPRESENTATIONS**

If motorist has already received a PCN, which has been cancelled for the same reason.

If the Civil Enforcement Officer's Pocket Book notes, photographs or bodycam footage provides significant reason to doubt sincerity of representation

### **B11.37 where motorist claims there was no legal place to park**

### **MAY ACCEPT REPRESENTATIONS**

Only in the most exceptional of circumstances

### **MAY REJECT REPRESENTATIONS**

In the absence of exceptional circumstances

### **B11.38 where motorist claims they were parked on private property**

### **MAY ACCEPT REPRESENTATIONS**

If land search maps confirm location is private property & not subject of the relevant Traffic Regulation Order.

### **MAY REJECT REPRESENTATIONS**

In all other circumstances

### **B11.39 where motorist was delayed in returning to their vehicle parked in a limited waiting parking place**

## **MAY ACCEPT REPRESENTATIONS**

If supported by appropriate evidence, the motorist's representations claim that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional. If motorist's vehicle had broken down, subject to concurrence with policy B11.23, above).

## **MAY REJECT REPRESENTATIONS**

If the delay described by the motorist was not exceptional, i.e. queuing in a shop. If the motorist simply underestimated the time needed and could have reasonably purchased more time. If the motorist was unable to drive since parking due to excess alcohol in the body or had been were detained by the police for any reason, unless subsequently released without charge or proven innocent.

### **B11.40 where motorist had parked while asking directions / opening gates to private property**

## **MAY ACCEPT REPRESENTATIONS**

If evidence provided by the Civil Enforcement Officer does not contradict representations.

## **MAY REJECT REPRESENTATIONS**

In all other circumstances

### **B11.41 where motorist stopped to answer mobile phone**

## **MAY ACCEPT REPRESENTATIONS**

In no circumstances

## **MAY REJECT REPRESENTATIONS**

On all occasions

### **B11.42 where motorist states that the details on the PCN are incorrect, e.g. location**

## **MAY ACCEPT REPRESENTATIONS**

If there is reason to doubt that the PCN was issued correctly, taking into account evidence provided by the Civil Enforcement Officer.

### **MAY REJECT REPRESENTATIONS**

If the Penalty Charge Notice was fully and correctly completed.

**B11.43 where motorist states they were unaware of enforcement on Bank/Public holidays**

### **MAY ACCEPT REPRESENTATIONS**

In no circumstances

### **MAY REJECT REPRESENTATIONS**

On all occasions

**B11.44 where motorist states that restriction was marked after the vehicle had been parked**

### **MAY ACCEPT REPRESENTATIONS**

If records confirm that signing/lining/ placement of cones or suspension notices was likely to have taken place after the vehicle parked.

### **MAY REJECT REPRESENTATIONS**

If there is evidence to show that markings were already in place at the time of parking.

**APPENDIX 1****Statutory Instrument 2007 No 3487 The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007****Table 1**

<i>(1) Code</i>	<i>(2) Description</i>
01	Parked in a restricted street during prescribed hours
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
12	Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place
14	Parked in an electric vehicles' charging place during restricted hours without charging
16	Parked in a permit space without displaying a valid permit
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited
20	Parked in a loading gap marked by a yellow line
21	Parked in a suspended bay/space or part of bay/space
23	Parked in a parking place or area not designated for that class of vehicle
25	Parked in a loading place during restricted hours without loading
26	Vehicle parked more than 50 centimetres from the edge of the carriageway and not within a designated parking place
27	Parked adjacent to a dropped footway
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge
41	Parked in a parking place designated for diplomatic vehicles
42	Parked in a parking place designated for police vehicles
45	Parked on a taxi rank
46	Stopped where prohibited (on a red route or clearway)
47	Stopped on a restricted bus stop or stand
48	Stopped in a restricted area outside a school
49	Parked wholly or partly on a cycle track
55	A commercial vehicle parked in a restricted street in contravention of an overnight waiting ban
56	Parked in contravention of a commercial vehicle waiting restriction

57	Parked in contravention of a coach ban
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways
62	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)
99	Stopped on a pedestrian crossing and/or crossing area marked by zig-zags

**APPENDIX 2****Standard PCN Codes v6.7.6****On-Street**

Code	General suffix(es)	Description	Diff. level	Notes
01	aoyz	Parked in a restricted street during prescribed hours	Higher	Suffixes y & z for disabled badge holders only
02	ao	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher	
04	cs	Parked in a meter bay when penalty time is indicated	Lower	
05	cpsuv1	Parked after the expiry of paid for time	Lower	
06	cipv1	Parked without clearly displaying a valid pay & display ticket or voucher	Lower	
07	cmprsv	Parked with payment made to extend the stay beyond initial time	Lower	'meter feeding'
08	c	Parked at an out-of-order meter during controlled hours	Lower	Electronic meters only
09	ps	Parked displaying multiple pay & display tickets where prohibited	Lower	
10	p	Parked without clearly displaying two valid pay and display tickets when required	Lower	"two" may be varied to another number or "multiple".
11	gu	Parked without payment of the parking charge	Lower	
12	rstuw4	Parked in a residents' or shared use parking place or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge	Higher	
13		---- RESERVED FOR TfL USE (LOW EMISSION ZONE) ----	n/a	
14	89	Parked in an electric vehicles' charging place during restricted hours without charging	Higher	
16	bdehqstwx4569	Parked in a permit space or zone without clearly displaying a valid permit	Higher	Suffix "s" only for use where bay is completely non-resident
17		---- RESERVED FOR ROAD USER CHARGING USE ----	n/a	
18	bcdefhmprsv12356789	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	
19	irsuwxyz4	Parked in a residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower	
20		Parked in a part of a parking place marked by a yellow line where waiting is prohibited	Higher	
21	bcdefghlmnpqrsuv1256789	Parked wholly or partly in a suspended bay or space	Higher	
22	cflmnopsv1289	Re-parked in the same parking place or zone within one hour after leaving	Lower	"one hour" may be varied to another time period or "the prescribed time period"
23	bcdefghklprsv123789	Parked in a parking place or area not designated for that class of vehicle	Higher	Suffix required to fully describe contravention
24	bcdefhlmprsv1256789	Not parked correctly within the markings of the bay or space	Lower	
25	n2	Parked in a loading place or bay during restricted hours without loading	Higher	On-street loading bay or place
26	n	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	"50 cm" may be varied to another distance in Scotland.

27	no	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher	
28	no	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher	
30	cflmnopsu12789	Parked for longer than permitted	Lower	
31	j	Entering and stopping in a box junction when prohibited	n/a	London only
32	jdtw	Failing to drive in the direction shown by the arrow on a blue sign	n/a	Code-specific suffixes apply. London only
33	jbcefgghikqrs	Using a route restricted to certain vehicles	n/a	Code-specific suffixes apply. London only
34	j0	Being in a bus lane	n/a	
35		Parked in a disc parking place without clearly displaying a valid disc	Lower	
37	j	Failing to give way to oncoming vehicles	n/a	London only
38	jlr	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	n/a	Code-specific suffixes apply. London only
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	
41		Stopped in a parking place designated for diplomatic vehicles	Higher	
42		Parked in a parking place designated for police vehicles	Higher	
43		Stopped on a cycle docking station parking place	Higher	
45	nw	Stopped on a taxi rank	Higher	"stopped" may be varied to "waiting"
46	n	Stopped where prohibited (on a red route or clearway)	Higher	
47	jn	Stopped on a restricted bus stop or stand	Higher	
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher	CCTV can be used on a restricted area outside a school only
49		Parked wholly or partly on a cycle track or lane	Higher	
50	jlr	Performing a prohibited turn	n/a	Code-specific suffixes apply. London only
51	j	Failing to comply with a no entry restriction	n/a	London only
52	jgmsvx	Failing to comply with a prohibition on certain types of vehicle	n/a	Code-specific suffixes apply. London only
53	j	Failing to comply with a restriction on vehicles entering a pedestrian zone	n/a	London only
54	j	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	n/a	London only
55		A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	
56		Parked in contravention of a commercial vehicle waiting restriction	Higher	Non- overnight waiting restriction
57		Parked in contravention of a bus ban	Higher	Non- overnight waiting restriction
58		Using a vehicle on a restricted street during prescribed hours without a valid permit	n/a	London Lorry Control Scheme
59		Using a vehicle on a restricted street during prescribed hours in breach of permit conditions	n/a	London Lorry Control Scheme
61	124cgn	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	Code-specific suffixes apply.



62	124cgn	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	Code-specific suffixes apply.
63		Parked with engine running where prohibited	Lower	
64	124	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	n/a	Code-specific suffixes apply. For use in Essex only
65	124	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	n/a	Code-specific suffixes apply. For use in Essex only.
66	124cg	Parked on a verge, central reservation or footway comprised in an urban road	n/a	Code-specific suffixes apply. For use in Exeter only.
72		- - - RESERVED FOR BUILDERS' SKIPS CONTRAVENTIONS - - -		London only
75		- - - RESERVED FOR LITTERING FROM MOTOR VEHICLES - - -		
76		- - RESERVED FOR WASTE RECEPTACLE CONTRAVENTIONS - -		London only
99	no	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	Pedestrian Crossings

**Off-Street**

70		Parked in a loading place or bay during restricted hours without loading	Higher	Off-street loading areas
71		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks
73	u	Parked without payment of the parking charge	Lower	Off-street car parks
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks
77		--- RESERVED FOR DVLA USE ---	n/a	
80	u	Parked for longer than permitted	Lower	Off-street car parks
81	o	Parked in a restricted area in a car park	Higher	Off-street car parks
82	puv4	Parked after the expiry of paid for time	Lower	Off-street car parks
83	4	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks
84	u	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks
85	btrwyz45	Parked without clearly displaying a valid permit where required	Higher	Off-street car parks
86	prs	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks
89		Vehicle parked exceeds maximum weight or height or length permitted	Higher	Off-street car parks
90	psuv	Re-parked in the same car park within one hour after leaving	Lower	Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period"
91	cg	Parked in a car park or area not designated for that class of vehicle	Higher	Off-street car parks
92	o	Parked causing an obstruction	Higher	Off-street car parks
93		Parked in car park when closed	Lower	Off-street car parks
94	p	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	Off-street car parks. "two" may be varied to another number or "multiple"
95		Parked in a parking place for a purpose other than that designated	Lower	Off-street car parks
96		Parked with engine running where prohibited	Lower	Off-street car parks

**APPENDIX 3****Suffixes****General suffixes:–**

a) temporary traffic order	b) business bay	c) buses only	d) doctor's bay
e) car club bay	f) free parking bay	g) motor cycle bay	h) hospital bay
i) wrong type of voucher	j) camera enforcement	k) ambulance bay	l) loading place
m) parking meter	n) red route	o) blue badge holder	p) pay & display
q) market traders' bay	r) residents' bay	s) shared use bay	t) voucher/P&D
ticket used in permit bay			
u) electronic payment	v) voucher	w) wrong parking zone	x) incorrect VRM
y) obscured / illegible permit	z) out of date permit	0) local buses / trams only	1) electric
vehicles bay			
2) goods vehicle loading bays	3) bicycle bay	4) virtual permit	5) dedicated
disabled bay			
6) hotel bay	7) taxis only	8) zero emission capable	9) electric vehicle
car club bay			
		taxis only	

**Taxi Ranks (code 45) only**

w) amends the contravention code description to change the wording from 'stopped' to 'waiting'

**Footway parking (codes 61, 62, 64, 65 and 66) only:–**

1) one wheel on footway	2) partly on footway	4) all wheels on footway
c) on vehicle crossover	g) on grass verge	

**Moving traffic contraventions only:–**

32 d) proceeding in the wrong direction	t) turning in the wrong direction	w) one way traffic
33 b) buses only	c) buses and cycles only	e) buses, cycles and taxis only
and taxis only		f) buses
g) local buses only	h) local buses and cycles only	i) local buses, cycles and taxis only
buses and taxis only		k) local
q) tramcars and local buses only	r) tramcars only	s) tramcars and buses only
38 l) must pass to the left	r) must pass to the right	
50 l) no left turn	r) no right turn	u) no U-turn
52 g) goods vehicles exceeding max gross weight indicated	m) motor vehicles	s) solo
motorcycles		
v) all vehicles except non-mechanically propelled ones being pushed	x) motor vehicles except solo m/cycles	

**Supplement to the Notes**

Suffix 'j' identifies a contravention that can be used on highways other than red routes using CCTV. The suffix itself is not required on a PCN.