



Date: October 2018

Updated: January 2022

Version: 1.6

Category: Parking Services

Owner: Service Director, Environment, Highways and Waste

Parking Enforcement & Appeals – Operational Guidance

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Introduction

1. On the 5th Nov 2001 the county of Herefordshire became a Special Enforcement Area by virtue of The Road Traffic (Permitted Parking Area and Special Parking Area) (District of Herefordshire) Order 2001. This Statutory Instrument enables Herefordshire Council to enforce on and off street parking restrictions across the county under the provisions contained within the Traffic Management Act 2004.
2. This guidance;
 - a. Outlines how **parking** restrictions are enforced by Civil Enforcement Officers (CEO) in Herefordshire and the process involved for the issue of a Penalty Charge Notice (PCN), along with some clarity on what each restriction means. **This only applies to civil parking contraventions.**
 - b. Outlines the process involved for staff to handle each appeal against a penalty charge. Each case is viewed individually and considered on its own merits based on the evidence available to an appeals officer.
 - c. Clarifies the enforcement and decision making process, whilst promoting consistency and transparency in parking operations.
3. Consideration has been given to the *Department for Transport's Operational and Statutory Guidance* when formulating this guidance.
4. The following statement should be noted from the Secretary of State's Statutory Guidance to Local Authorities (section 10.16):

“Elected members may wish to review their parking representations policies, particularly in the area of discretion, to ensure consistency with published policies. However, elected members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. This is to ensure that only fully trained staff make decisions on the facts presented. The authority’s standing orders should be specific as to which officers have the authority to cancel penalty charge notices. There should also be a clear audit trail of decisions taken with reasons for those decisions.”

Definitions and clarification

5. Table of terms with clarification on their meaning.

Term	Definition
Loading	Loading/unloading must be a continuous activity and the vehicle must be moved as soon as the loading is complete. The loading process may include getting delivery notes signed and securing items. CEOs will give each vehicle an observation period to establish this. <i>(8.58 – Department for Transport – Operational Guidance to Local Authorities)</i>

	<p>Precedents set by the Traffic Penalty Tribunal also determine the items being loaded and how they are to be loaded.</p> <p><u>The items must be heavy</u> The goods being loaded / unloaded must be of such weight, or size that they cannot be reasonably carried by any other means other than a vehicle. The goods must be of a type that cannot be easily carried by one person in one trip. However, in some circumstances goods may be delivered in the course of a trade or business. In these instances, delivery and collection will be considered in the same way as loading / unloading.</p> <p><u>The vehicle must be adjacent to where the activity is taking place</u> If the vehicle was parking in another street it would be difficult to argue that it was adjacent or near. If the activity is being carried out where there are no adjacent parking bays e.g. in a pedestrian area, then it is accepted that adjacent parking is not possible but it is expected that the vehicle will be parked in a street adjacent to that area.</p> <p><u>The activity must be reasonable</u> The items being loaded, the time taken and location must be reasonable.</p> <p><u>Timely</u> The activity should be completed as quickly as possible.</p> <p>CEOs will carry out an observation period to ensure that loading is taking place. If there is no qualifying activity within this period a PCN will be issued.</p> <p><i>Depositing or collecting cash or high value items to or from the bank may be considered loading if it complies to the requirements of loading. The value of the items being loaded is irrelevant; it is the activity and the weight / size of the items that is assessed.</i></p>
Utility Vehicle	<p>A vehicle used for the purpose associated with the maintenance of the highway, street furniture or fabric, or in providing utilities of water, electricity, gas or telecoms.</p> <p>Exemptions only apply when the works required is on the highway and that the vehicle is parked in line of sight to the driver (or as reasonably near as possible).</p>
Documentary evidence	<p>Where documentary evidence is requested this should be in written form on formal or official paperwork such as an invoice or company service log.</p>

	<p>Where there is none available, and the circumstance are as such that none should be, the parking appeals officer <u>may</u> use their discretion to accept what has been submitted at face value on the first occasion.</p>
<p>Cash/bullion/High Security Vehicle</p>	<p>A vehicle which has been manufactured or permanently adapted to carry cash or precious metal. For example, an armoured vehicle with security hatches.</p>
<p>Disabled badges</p>	<p>The badge must be within valid form as prescribed by Section 21 of the Chronically Sick and Disabled Persons Act 1970</p> <p>How to display a blue badge?</p> <p>The badge MUST be displayed on the front windscreen of the vehicle with the photo side facing down, so that all of the details are readable from the outside of the vehicle. Where appropriate, the time clock showing the time of arrival must also be shown.</p> <p>The badge must be within its expiry date to be used, Herefordshire Council will allow a 2 week grace period following the expiry of a disabled badge before issuing a PCN.</p> <p>When to display a blue badge?</p> <p>Whenever the vehicle is parked where there is a concession available to a disabled badge permit holder. This includes where the badge holder is exempt from a restriction.</p> <p>Who can use a blue badge?</p> <p>The badge holder must be the driver or passenger of the vehicle who is either being collected or dropped off from the place where the vehicle is parked.</p> <p>Are foreign badges accepted?</p> <p>All badges from EU member state countries (and Iceland, Liechtenstein, Norway and Switzerland) will be accepted under the same terms as offered by the UK, providing that the badge conforms to the standards set by the Europe wide agreement. The badge <u>must</u> contain:</p> <ul style="list-style-type: none"> • An Expiry date. • A serial number.

	<ul style="list-style-type: none"> • The details of the issuing authority / organisation. • The words ‘parking card for people with disabilities’ in all member state languages (Inc. English). • The distinguishing code of the member state surrounded by a ring of 12 stars symboling the European Union. <p>Where there is a time restriction in place a clock showing time of arrival must be displayed, in cases where a clock is not issued by the member state the driver must record their time of arrival by writing it on a piece of paper to display next to the badge. You may be able to obtain a parking disc clock by contacting us.</p> <p>There is no arrangement in place for countries outside of this agreement including USA, Canada or Australia therefore visitors from other countries must contact us to seek an agreement in advance.</p> <p><i>EU council recommendation (98/376/EC) parking card for people with disabilities</i></p>
<p>Goods vehicle</p>	<p>A motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.</p> <p style="padding-left: 40px;">- <i>The Road Vehicles (Construction and Use) Regulations 1986</i></p> <p>https://www.gov.uk/government/publications/car-derived-vans-and-dual-purpose-vehicles/car-derived-vans-and-dual-purpose-vehicles</p> <p><i>Car Derived vans are also classed as Goods Vehicles where documentation is provided.</i></p>
<p>Unforeseen event</p>	<p>An event can be considered as unforeseen if the driver could not have by any <u>reasonable</u> means accounted for, prior to parking, the event or incident which caused their lateness. The event itself must be of an <u>exceptional</u> nature and <u>unavoidable</u>.</p> <p>This does not include being unable to drive due to excess drink or drugs, or being arrested / charged / detained by the police.</p>

Guidance on General Grounds for Appeal

6. This section includes guidance on general grounds for appeal and how it may be established whether a statutory ground for appeal has been satisfied.
7. Listed in this section are appeals that may be submitted against a PCN for **any contravention** and corresponding guidance on how that appeal may be assessed and to the acceptance or rejection of that appeal scenario.
8. In all cases notes will be taken by the CEO. In addition photographs will also be taken where circumstances allow. The appeals team will review the case in full to check for any conflicting information.

The criterion outlined is for guidance only as each case must be considered on its own merits, taking into account all circumstances.

9. Emergencies

Appeal Scenario	Action	Notes
Medical emergency	Cancel	Where documentary evidence is supplied that a genuine medical emergency caused the vehicle, or gave the driver no other reasonable option but to park where it received a PCN.
	Uphold	Where no documentary evidence to support the claim that a medical emergency had occurred or where there was a reasonable alternative available to the driver. Where other evidence contradicts the appellants claim.
Emergency vehicles	Cancel	Where documentary evidence is supplied that the vehicle is an emergency services vehicle (where unmarked) responding to or dealing with an emergency. This may be done by way of a letter or email from the service.
	Uphold	Where no documentary evidence to support the claim that the vehicle is an emergency services vehicle responding to an emergency.
Gas or water leak, or electrical emergency	Cancel	Where documentary evidence is supplied that the vehicle was essential for the immediate repair of a gas or water leak, or electrical

		<p>emergency, and that there was no reasonable alternative for the driver.</p> <p>An emergency is deemed as such where it is an unforeseen event, that poses a risk to life or property and must not be a pre-booked appointment, and as soon as the fault is rectified the vehicle should be moved to a legal alternative, even if additional work is still required at the call out.</p> <p>Drivers parked near to pay and display, or other legal parking must make use of these options first.</p>
	Uphold	<p>Where there is no documentary evidence, alternative parking was available, the call is not deemed to be an emergency, or the vehicle remained in place for longer than required to rectify the emergency.</p>
Other emergencies	Cancel	<p>Where documentary evidence is supplied that an unforeseen event or circumstance arose and meant the driver of the vehicle had no reasonable option but to park where it received a PCN. The vehicle must be moved as soon as the emergency is over.</p> <p>An emergency is deemed as such where it is an unforeseen event that poses a serious risk to life, health or property.</p> <p>Drivers parked near to pay and display, or other legal parking must make use of these options first.</p>
	Uphold	<p>Where there is no documentary evidence provided, alternative parking was available, the event is not deemed to be an emergency, or the vehicle remained in place for longer than required to rectify the emergency.</p>
The vehicle was stopped to allow the driver or passenger to use the toilet.	Cancel	<p>Where documentary evidence is provided of a relevant medical condition which supports the appellants claim.</p>

10. General

<u>Appeal Scenario</u>	<u>Action</u>	<u>Notes</u>
Vehicle breakdowns	Cancel	Where documentary evidence is supplied that the vehicle broke down and could not be moved from the place where it received a PCN. There was no reasonable alternative available to the driver, and the vehicle was moved within 12 hours of the vehicle breaking down (unless a there is a reasonable explanations as to why it could not be).
	uphold	Where no documentary evidence is supplied. There was a reasonable alternative available for the driver. This includes breakdowns in a pay and display area where the driver is able to purchase a ticket from the machine to cover their parking. Where the vehicle remained in the place it broke down for longer than 12 hours without a reasonable explanation.
There was nowhere else to park.	Uphold	It is the responsibility of the driver to park legally and correctly at all times. If no other parking is available drivers must make alternative arrangements, or see dispensations in Appendix B.
The vehicle was parked on private property	Cancel	Where the vehicle is proved to be parked on private property and that no Traffic Regulation Order is in place to prohibit such parking.
	Uphold	Where the vehicle is proved to be on the highway. Where the vehicle is parked on private property, however a Traffic Regulation Order is in place to prohibit such parking.
The vehicle was only parked for a short period of time, and did not cause any obstruction.	Uphold	It is the responsibility of the driver to park legally and correctly at all times. It is irrelevant what the perceived impact of the contravention is at the time the vehicle was parked.

The driver was a doctor, nurse or other care worker on a call out to a patient.	Cancel	Where documentary evidence is supplied that the driver was visiting a patient which required immediate medical assistance and the vehicle was essential to providing that assistance. See also medical emergencies.
	Uphold	Where there is no documentary evidence that the patient did not require immediate assistance. This includes where the doctor, nurse or care worker is attending a pre-booked appointment. Where the vehicle was not essential to providing the care for the patient and was only used to convey the doctor, nurse or care worker to the destination and that a reasonable alternative was available to the driver.
The driver stopped to go to the pharmacy	Cancel	See medical emergencies.
	Uphold	When not considered too have been an emergency.
The driver stopped to deposit or collect monies at a bank	Cancel	Where the activity is considered as loading and the restriction contravened allows for loading to take place.
	Uphold	Where the activity is not considered loading or the restriction does not allow loading.
The driver stopped to answer a mobile phone.	Uphold	It is the driver's responsibility to ensure they park legally and correctly at all times.
The driver states that they were unaware of the enforcement on Bank/Public holidays	Uphold	Unless stated otherwise, restrictions and charges apply at all times.

11. Mitigating circumstances

<u>Appeal Scenario</u>	<u>Action</u>	<u>Notes</u>
The driver does not feel the PCN was fair, or / and offers a compelling reason why	Cancel	The council reserves the right in accordance with operational guidance provided by the statutory body to cancel a PCN where it is felt there are sufficient grounds to do so.

the PCN should be cancelled.		In such circumstances the public interest, the community impact, impact on the driver and the perception of Civil Parking Enforcement will be taken into account.
	Uphold	After consideration, the grounds are not considered to be compelling to warrant the cancellation of the PCN.
The driver has significant mental health problems which has caused the vehicle to be parked where it was.	Cancel	Where documentary evidence is provided to support such a claim. Where a previously diagnosed <i>significant</i> mental health issue, such as Alzheimers or Dementia, caused the driver to be forgetful or complacent leading to the vehicle contravening the restrictions.
	Uphold	Where there is no documentary evidence. Where the driver has not got <i>significant</i> mental health issues, or have not been previously diagnosed, or the condition did not directly cause the vehicle to contravene the restrictions. For example, stress or depression would not normally be considered to lead to the driver parking incorrectly.
The driver has been recently bereaved.	Cancel	Where the bereavement is very recent and caused or contributed to the vehicle parking in the location that it did. On the first occasion only.
	Uphold	Where the bereavement is not considered very recent. Where parking the vehicle in such manner was not caused by the bereavement.

12. Road markings, signs or the issue of the PCN

<u>Appeal Scenario</u>	<u>Action</u>	<u>Notes</u>
A passenger was being collected or dropped off.	Uphold	The driver must be with the vehicle or reasonably near to it when stopped to allow passengers into the vehicle.

<p>Other vehicles were also parked in this area and did not receive a PCN.</p>	<p>Uphold</p>	<p>The rules are applied to everyone, however a CEO can only deal with one vehicle at a time and therefore when multiple vehicles are parked illegally some may receive a PCN whilst others may not.</p>
<p>The PCN was issued incorrectly; the CEO was not wearing their uniform or did not follow the correct procedure.</p>	<p>Cancel</p>	<p>Where a claim that the correct procedure in the issue of the PCN was not followed is proved, and the not following of that procedure would be a procedural impropriety.</p>
	<p>Uphold</p>	<p>Where a claim that the correct procedure in the issue of the PCN was not followed is not proved, or it would not be a procedural impropriety.</p>
<p>The driver did not understand the signs or road markings.</p>	<p>Uphold</p>	<p>All drivers are expected to understand what each road sign or marking means. Further details on this can be found in the Highway code.</p>
<p>The signs or road markings were worn/missing/incorrect and could not be understood by the driver.</p>	<p>Cancel</p>	<p>Photographs taken by the CEO at the time will be checked, and a further site visit of the location will be carried out if necessary.</p> <p>The road markings or signs are not required to be in perfect condition at all times, and there is no expectation the council will re paint them at regular intervals, or on every occasion that there are road works. The road markings and signage should be of sufficient quality for the driver to understand that a restriction applies and what that restriction is.</p> <p>Where the road markings or signage is considered to not inform or confuse the motorist of the restriction.</p>
	<p>Uphold</p>	<p>Photographs taken by the CEO at the time will be checked, and a further site visit of the location will be carried out if necessary.</p> <p>The road markings or signs are not required to be in perfect condition at all times, and there is no expectation the council will re paint them at regular intervals, or on every occasion that there are road works. The road markings and signage should be of sufficient quality for the driver to</p>

		<p>understand that a restriction applies and what that restriction is.</p> <p>Where the road markings or signage is considered to be clearly understandable to a motorist and to conform the legal requirements.</p>
Where the signs or roads markings were covered by leaves, snow, foliage or flooding.	Cancel	Where it can be established that the conditions presented at the time of parking did not inform the driver of the restrictions.
	Uphold	<p>Where it can be established that the conditions presented at the time of parking did inform the driver of the restrictions.</p> <p>The CEO notes and photographs will be examined.</p> <p>Where a reasonable alternative indication to the restriction is present for the driver.</p>
The vehicle was displaying a note stating where the driver was, so the CEO should have checked with the driver and asked them to move their vehicle.	Uphold	CEOs will ignore any notes left by drivers when issuing a PCN. The driver is required to park legally and correctly at all times. The CEO will not come to look for a driver due to the number of vehicles that they encountered on their patrols.
The PCN was not served correctly (and service by post).	Cancel	Where it is found the PCN was not served correctly.
	Uphold	<p>Where the CEOs notes confirm that the PCN was correctly issued and served.</p> <p>This includes service by post where a PCN may be served by post after the vehicle has driven away if the officer was prevented at the time through the vehicle driving away or a threat of violence.</p>

13. Vehicles carrying out specific tasks

Appeal Scenario	Action	Notes
The vehicle was being used for cash in transit, or to drop or collect large sums of money from a property	Cancel	Where documentary evidence is supplied that the vehicle is a high security vehicle (bullion), <u>actively engaged</u> in the collection or dropping off of cash amounts to a commercial premises. The vehicle is parked adjacent to, or as close as

		possible to the premises where the collection/delivery is taking place.
	Uphold	<p>Where there is no documentary evidence provided, alternative parking was available, or the driver was deemed not to be engaged in the collection/delivery when the PCN was issued.</p> <p>Also, where the vehicle is not a high security (bullion) vehicle. Vehicles used for delivering or collecting large amounts cash that are not high security vehicles should use alternative parking, regardless of the cash amounts that were being collected/delivered. Large volumes of coins may be considered as loading due to their weight (see loading in section 9).</p>
The vehicle is a taxi or bus	Uphold	There is no general exemption for a bus, private hire or Hackney carriage taxi.
The vehicle is exempt as it is a utility or refuse/cleaning vehicle.	Cancel	<p>Where documentary evidence or confirmation from service is provided in writing.</p> <p>The vehicle is actively engaged in the works being conducted and within a reasonable proximity, normally with line of sight, to where the vehicle was parked. The works must also be being undertaken on the highway itself and not within any property.</p>
	Uphold	<p>Where there is no documentary evidence or the vehicle was not actively engaged in the works.</p> <p>Where the vehicle was not parked in reasonable proximity to where the works was being carried out.</p> <p>The works was being carried out within a property or dwelling.</p>
The driver was working on or in a property and needed access to the vehicle for the works.	Uphold	<p>A dispensation in advance may be granted for working at a property where the vehicle is required.</p> <p>Where no dispensation is approved in advance the vehicle must comply with the parking restrictions.</p>

		See how to apply for a dispensation section (Appendix B).
The vehicle was being used in the construction/ demolition of a building.	Cancel	Where the vehicle is actively engaged in the construction or demolition of a building at the time the PCN is issued and the TRO allows for that type of works.
	Uphold	Where the vehicle is not actively engaged in the building works at the time the PCN is issued.
The vehicle was part of a wedding or funeral cortege	Cancel	Only where the vehicle is directly part of the cortege for the ceremony. All other vehicles and attendees of the ceremony must park legally.

PCN issue and appeal guidelines for specific contravention codes

14. This section includes guidance on general grounds for appeal against a specified contravention and how it may be established whether a statutory ground for appeal has been satisfied.
15. Listed in this section are appeals that may be submitted against a PCN for **a specific contravention** (This is where an appeal scenario may be valid against one contravention but not all) and corresponding guidance on how that appeal may be assessed and to the acceptance or rejection of that appeal scenario.
16. In all cases, notes and photographs will be taken by the CEO and the appeals team will review these to check for any conflicts of information. The criterion outlined is for guidance only as each case must be considered on its own merits, taking into account all circumstances.
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18. **Contravention 01 - Parked in a restricted street during the prescribed hours**

Restriction indicated by:

Double (*figure 1*) or Single yellow (*figure 2*) lines with accompanying no waiting sign(s) (*figure 3*) (where applicable).



Figure 1

No waiting sign(s) where a purely signed scheme has been put in place where it has not been feasible to mark with lines (Figure 4)

Pedestrian area or Restricted Parking Zones (RPZ) (figure 5)

The restriction applies from the centre of the carriageway to the building line; it may also apply to grass verges, footways and private land.



Figure 3



Figure 4



Figure 5

Class of vehicle affected:

All

Disabled badge holders:

Badge holders are permitted to park where there is a prohibition of waiting for up to 3 hours. This is only where there is no restriction of loading in place (see contravention 02 below).

The clock must be displayed on the dashboard next to the badge showing the time of arrival as a maximum of 3 hours is permitted.

PCN issue protocols:

Where a CEO comes across a car (non-goods vehicle) parked in a restricted street where loading is permitted but where there is no visible evidence of this taking place, a PCN will served.

Observation periods will only usually take place in respect of goods vehicles where they may be continuously observed by a CEO for a period of 10 minutes to establish if loading or unloading is taking place. Where no evidence of loading is seen a PCN will be served.

Where there is no blue badge clock or the time is incorrectly displayed a PCN will be issued.

19. Contravention 01 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading.	Cancel	Where documentary evidence is provided that loading / unloading of goods was taking place at the time the PCN was issued.
	Uphold	Where no documentary evidence is provided. Or where the activity taking place did not constitute loading / unloading.
The driver or passenger has a disabled badge and it was not displayed correctly at the time, but has subsequently been provided.	Cancel	Where there is evidence of the badge being on display at the time of the PCN, but the details were not readable by the officer. The valid badge, or a copy, has been provided.
	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked. It is a requirement that the badge must be displayed correctly when parked.
The driver or passenger had an expired disabled badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	Where the badge was expired for longer than 2 weeks when the PCN was issued. Even though a valid badge may have been provided or applied for subsequently.

<p>A disabled badge was displayed; however the clock was not displayed or set incorrectly, or the badge details were not visible.</p>	<p>Uphold</p>	<p>As above, it is a requirement that the badge, with accompanying clock be displayed correctly.</p>
<p>The vehicle was parked for longer than the permitted 3 hours with a disabled badge.</p>	<p>N/A</p>	<p>Mitigation regarding overstaying the permitted time will be assessed in accordance with the assessment criteria outlined in contravention code 30.</p>

20. Contravention 02 - Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force

<p>Restriction indicated by:</p> <p>Double (<i>figure 1</i>) or Single yellow (<i>figure 2</i>) kerb strikes with accompanying no loading sign(s) (<i>figure 3</i>) (where applicable).</p> <p>Pedestrian area or Restricted Parking Zones (RPZ) (<i>figure 4</i>).</p>	 <p>Figure 1</p>  <p>Figure 2</p>  <p>Figure 3</p>
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Figure 4

Class of vehicle affected:

All

Blue badge holders:

There is no exemption for badge holders on this restriction.


PCN issue protocols:

As there is no loading permitted with this restriction an observation period is not required, and therefore the PCN will issued by a CEO instantly.

21. Contravention 02 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
Loading / Unloading was taking place at the time the PCN was issued.	Uphold	No loading is permitted. There are no exemptions in this respect.
A passenger was being collected or dropped off.	Uphold	The driver must be with the vehicle or reasonably near to it when stopped to allow passengers into the vehicle.
The driver or passenger has a disabled badge and it was not displayed at the time, but has subsequently been provided. Or it was not displayed correctly.	Uphold	Disabled badge holders are not permitted to park where there is a loading restriction.

22. Contravention 05 - Parked after the expiry of paid for time (on-street)

<p>Restriction indicated by:</p> <p>The time purchased will be displayed on the pay and display ticket or other means of payment such as pay by phone.</p>	 <p>Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>Badge holders may park for free for an unlimited amount of time. The badge must be valid, used according to the regulations and clearly displayed.</p>	
<p>PCN issue protocols:</p> <p>A grace period of 10 minutes will follow the expiry of paid for time to allow for general lateness. Following this grace period a PCN may be issued instantly.</p>	

23. Contravention 05 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The driver was unavoidably delayed due to being with an elderly person or child who caused them to return to the vehicle slower than expected.	Uphold	Drivers should factor in the required time for their visit when they park. Who they are travelling with should form part of this 'factoring in' process.
An appointment or meeting over ran, or there was a longer than expected queue.	Uphold	Drivers should factor in any foreseeable delays when purchasing their parking time.
The driver was delayed due to an unforeseen event or incident.	Cancel	The event or incident was unforeseen.
	Uphold	The event or incident was not considered unforeseen.
The driver paid for a ticket, but purchased the incorrect amount of time for what they required.	Uphold	It is the drivers responsibility to ensure that they pay the correct amount when purchasing their pay and display ticket.

The machine was faulty and gave the driver the incorrect amount of time or did not record the coins entered into the machine.	Cancel	The machine logs will be checked, along with the shorts and overs recorded by the machine for that day. Where the machine is over, or a fault recorded.
	Uphold	The machine logs will be checked, along with the shorts and overs recorded by the machine for that day. Where the machine is not over, or a fault is not recorded.

24. Contravention 06 (and 19) - Parked without clearly displaying a valid pay and display ticket or voucher

Restriction indicated by:

Each pay and display street has a sign(s) and machine(s) to inform drivers of the requirement to pay and when.



Figure 1



Figure 2

Class of vehicle affected:

All

Blue badge holders:

Badge holders may park for free for an unlimited amount of time. The badge must be valid, used according to the terms and conditions and clearly displayed.

PCN issue protocols:

Where there is no valid ticket, payment on another service (via telephone) or blue badge, the enforcement officer will record the time they have first seen the vehicle then if no payment is made after 5 minutes a PCN will be issued.

If a motorists who has not paid for parking arrives back to their vehicle with shopping etc. and refuses to pay for their parking, a PCN may be issued within the 5 minutes grace period.

Code 19 - A grace period of 10 minutes will follow the expiry of paid for time to allow for general lateness. Following this grace period a PCN may be issued instantly.

25. Contravention 06 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The driver had gone for change to pay for their parking.	Uphold	Drivers are expected to have the means to pay with them when parking in the street. There are alternative methods of payment available such as by phone and card readers, so if a driver has no change; payment by credit / debit card is also available.
The driver did not know it was a pay and display street, or that charges applied at the time they parked.	Uphold	All relevant streets are clearly signed that they are pay and display with machines placed at prominent locations within. It is for the driver to check if payment is required by observing the signs.
The machine was out of order or faulty.	Cancel	The machine log is checked for faults and there are faults recorded at the time the vehicle was parked. There was no other machine available. Other members of the public were not able to purchase a ticket.
	Uphold	The machine log is checked for faults and there are none recorded for the period when the vehicle was parked. Another machine is available. Other members of the public were able to purchase a ticket.



<p>The driver can produce a valid pay and display ticket for the location and time of the contravention, or claims to have made payment by another means.</p>	<p>Cancel</p>	<p>Where a ticket subsequently produced was visible at the time of the contravention and the CEO noted details from it which confirms it is the same ticket as the one provided. For the first contravention only.</p> <p>Where a driver makes payment through the Ringo electronic pay by phone parking scheme and the time that the PCN is issued and the record show this to be the case that a valid parking session was in place when the PCN was issued.</p>
<p>Errors using Ringo (payment by phone). Wrong location, wrong or incorrect VRM.</p>	<p>Uphold</p>	<p>Where no ticket is displayed and the notes or photographs taken by the officer support this. There is no way to verify if the ticket produced was the one purchased at the time by the driver for the vehicle concerned. The lack of a pay and display ticket also means it cannot be ascertained when the vehicle would have left the car park location</p> <p>Where there is no record of a payment by phone or the driver paid after the PCN was issued</p> <p>Where the driver has had a PCN cancelled within 12 months for the same contravention.</p>
<p>Errors using Ringo (payment by phone). Wrong location, wrong or incorrect VRM.</p>	<p>Cancel</p>	<p>Where a driver has purchased a parking session but has either used a wrong VRM (but this mark is included on their account), or has inputted the wrong location code and Herefordshire council only have received payment for the parking session and the driver has had no previous same contraventions within 12 months</p>

<p>The driver was unaware of a price change on the street since their last visit.</p>	<p>Uphold</p>	<p>All price changes are advertised by way of the information signs within the pay and display machines and information signage.</p> <p>Drivers should ensure that they check and pay the correct tariff according to the restrictions and their requirements. When purchasing a pay and display ticket</p>
<p>from the wrong ticket machine or street; or displayed a credit card receipt, voucher or some other</p>	<p>Uphold</p>	<p>It is the responsibility of the driver to check the signs and correct tariff when purchasing a pay and display ticket.</p>

document which is a not a valid pay and display ticket.		As it cannot be concluded that the voucher or receipt was purchased for that parking session.
The driver or passenger has a disabled badge and it was not displayed correctly at the time, but has subsequently been provided.	Cancel	Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN. The valid badge, or a copy, has been provided.
	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked. It is a requirement that the badge must be displayed correctly when parked.
The driver or passenger had an expired disabled badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	Where the badge was expired for longer than 2 weeks when the PCN was issued. Even though a valid badge may have been provided or applied for subsequently.
The residents permit had expired or has been lost.	Uphold	It is the driver's responsibility to ensure that they apply for a new permit prior to the expiration, or upon the loss of the old one.
There was no resident permit displayed for the vehicle at the time the PCN was issued but it has subsequently been provided.	Cancel	Where a permit is issued to a vehicle (specifically to the number plate) has been supplied the PCN may be cancelled.
A visitor permit has subsequently been provided.	Cancel	Where the visitor permit was visible in the vehicle at the time that the PCN was issued and the enforcement officer recorded some of the details from it. The PCN may have been issued as the expiry date was obscured or the permit was facedown, for example. The permit details have been checked and verified as being valid.
	Uphold	Where no permit was noted by the CEO as being in the vehicle at the time the PCN was issued. As these types of permit can be used on any vehicle there is no way of verifying if this

		permit was in use on another vehicle at the time.
A resident permit for a different zone was displayed.	Uphold	Permits are only valid for use in the zones that they are issued in.

26. Contravention 07 - Parked with payment made to extend the stay beyond initial time (meter feeding)


<p>Restriction indicated by:</p> <p>Each pay and display street has a sign(s) and machine(s) to inform drivers of how long they may stay.</p>	 <p>Figure 1</p>  <p>Figure 2</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>Badge holders are exempt from the time restriction and may park for free for an unlimited amount of time. The badge must be valid, used according to the terms and conditions and clearly displayed.</p>	
<p>PCN issue protocols:</p>	

Where a vehicle has paid and parked for more than 10 minutes longer than the maximum time permitted such as purchasing multiple tickets and there is no valid blue badge or permit, the enforcement officer will issue a PCN.

27. Contravention 07 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The driver was unaware of the maximum stay permitted	Uphold	It is the responsibility of the driver to check the signs and maximum stay permitted when purchasing parking time.
The driver wanted to park for longer than the maximum stay permitted.	Uphold	If a longer stay is required the driver should park in a car park where longer parking time is permitted.
An appointment or meeting over ran, so the driver purchased additional parking time	Uphold	Drivers should factor in any foreseeable delays when deciding where to park.
The driver was unable to move their vehicle due to an unforeseen event or incident.	Cancel	The event or incident was unforeseen.
The driver had purchased a ticket from the wrong ticket machine or street so purchased another ticket for the correct street.	Cancel	The vehicle was not parked for longer than the maximum stay permitted
The driver or passenger has a disabled badge which has subsequently been provided.	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked. It is a requirement that the badge must be displayed correctly when parked.

28. Contravention 12 (and 16) - Parked in a residents' or shared use parking place 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

<p>Restriction indicated by:</p> <p>Resident permit zone signs (figure 1).</p> <p>Vehicles parked within areas marked by these signs must display residents or visitor permit.</p>	 <p>Figure 1</p>
<p>Class of vehicle affected: All</p>	
<p>Blue badge holders:</p> <p>Badge holders must not park in spaces that are reserved for residents only. They are not exempt from these restrictions.</p> <p>However, where the space also has a limited waiting time for all vehicles disabled badge holders may park for an unlimited period of time (see code 30).</p>	
<p>PCN issue protocols:</p> <p>Vehicles will be continuously observed by a CEO for a period of 5 minutes (10 minutes for goods vehicles) to ensure that no loading or unloading is taking place, or that driver has not gone to a nearby property to collect a visitor permit. If neither the driver nor evidence of loading is seen within this time a PCN will be issued.</p> <p>If a valid P+D ticket is on display in the vehicle (permit only bay) and no permit is displayed, and it is clear that a permit not going to be displayed, the Civil Enforcement Officer may not carry out the full 5 minute observation period.</p>	

29. Contravention 12 (or 16) - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
<p>The vehicle was loading / unloading.</p>	<p>Cancel</p>	<p>Where documentary evidence is provided that loading / unloading of goods was taking place at the time the PCN was issued.</p>
	<p>Uphold</p>	<p>Where no documentary evidence is provided.</p> <p>The activity taking place did not constitute loading / unloading.</p>

The residents permit had expired or has been lost.	Uphold	It is the driver's responsibility to ensure that they apply for a new permit prior to the expiration, or upon the loss of the old one.
There was no resident permit displayed for the vehicle at the time the PCN was issued but it has subsequently been provided.	Cancel	Where a permit is issued to a vehicle (specifically to the number plate) has been supplied the PCN may be cancelled.
A visitor permit has subsequently been provided.	Cancel	Where the visitor permit was visible in the vehicle at the time that the PCN was issued and the enforcement officer recorded some of the details from it. The PCN may have been issued as the expiry date was obscured or the permit was facedown, for example. The permit details have been checked and verified as being valid.
	Uphold	Where no permit was noted by the CEO as being in the vehicle at the time the PCN was issued. As these types of permit can be used on any vehicle there is no way of verifying if this permit was in use on another vehicle at the time.
A resident permit for a different zone was displayed.	Uphold	Permits are only valid for use in the zones that they are issued in.
The driver or passenger has a disabled badge and it was not displayed at the time, but has subsequently been provided.	Uphold	Blue badge holders are not exempt from resident only restrictions.

30. Contravention 22 – Re-parked in the same parking place within one hour (or other specified time) after leaving.

<p>Restriction indicated by:</p> <p>On street parking places with signs indicated by the 'no return' section (figure 1).</p>	
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Figure 1
<p>Class of vehicle affected:</p> <p>All</p>
<p>Blue badge holders:</p> <p>Blue badge holders are exempt from this restriction. Unless stated otherwise.</p>
<p>PCN issue protocols:</p> <p>The CEO will make two casual observations of the vehicle, recording the wheel valve positions at each visit. If the vehicle is parked on both observations with <u>different</u> wheel valve positions on each visit then a PCN may be issued as long as it is still within the 'no return' time limit.</p>

31. Contravention 22 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle needed to return to that place as the driver was working nearby.	Uphold	<p>A dispensation in advance may be granted for working at a property where the vehicle is required. See dispensation Appendix B.</p> <p>Where no dispensation is approved in advance the vehicle must comply with the parking restrictions.</p>
The driver or passenger has a disabled badge and it was not displayed correctly at the time, but has subsequently been provided.	Cancel	<p>Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of the PCN.</p> <p>The valid badge, or a copy, has been provided.</p>
	Uphold	<p>Where there is no evidence of a badge being on display at the time the vehicle parked.</p> <p>It is a requirement that the badge must be displayed correctly when parked.</p>
The driver or passenger had an expired disabled badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	<p>Where the badge was expired for longer than 2 weeks when the PCN was issued.</p> <p>Even though a valid badge may have been provided or applied for subsequently.</p>

32. Contravention 23 - Parked in a parking place or area not designated for that class of vehicle

Restriction indicated by:

Signs stating the type of vehicle permitted to use that space, such as a goods vehicle (figure 1)). Line marking may also indicate which vehicle type is permitted (figure 2).



Figure 1

Goods vehicle:

A motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.

Motorcycle:

A mechanically propelled vehicle, not being an invalid carriage, having less than four wheels and the weight of which unladen does not exceed 410 kg.



Figure 2

Class of vehicle affected:

All

Blue Badge holders:

Badge holders are not exempt from this restriction.

PCN issue protocols:


Vehicles parked in an area / space that is not designated to that class of vehicle will be issued an instant PCN.

Drivers should note that other restrictions may apply when parking the correct vehicle class within that space, for example ‘goods vehicle loading only’ means that only goods vehicles may park, but only for loading.

33. Contravention 23 - Appeals and representation assessment criteria guidance

The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from resident only restrictions.
Loading / Unloading was taking place at the time the PCN was issued and evidence of the loading of goods has subsequently been provided in document form, for example by way of an invoice for the goods being loaded.	Uphold	Only vehicle classes permitted within the restriction are permitted to park. Loading / unloading or any other activity must be completed from a legitimate location.
The vehicle is taxed and / or insured for the class of vehicle corresponding to the space that it was parked in.	Uphold	<p>The Traffic Penalty Tribunal has ruled that neither the taxation class nor the insurance cover affect the definition of the class of vehicle.</p> <p>The vehicle must conform to the appropriate definition.</p> <p>Goods vehicle:</p> <p><i>A motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.</i></p> <p>Motorcycle:</p> <p><i>A mechanically propelled vehicle, not being an invalid carriage, having less than four wheels and the weight of which unladen does not exceed 410 kg.</i></p>
The vehicle has been adapted for carrying goods, therefore it is a goods vehicle.	Cancel	Where the adaptation is shown to be a permanent alteration to the original construction of the vehicle.
	Uphold	<p>Where the adaptation is not shown to be a permanent alteration to the original construction of the vehicle.</p> <p>For example, an estate car with the seats folded down is not classed as a goods vehicle as this is not a permanent adaptation.</p>

34. Contravention 24 – Not parked correctly within the markings of the bay or space

<p>Restriction indicated by:</p> <p>The road marking line indicating a parking space (figure 1).</p>	 <p>Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>Blue badge holders are not exempt from this restriction and must parked correctly within the space markings.</p>	
<p>PCN issue protocols:</p> <p>Where a vehicle is parked in such a manner that at least one of its wheels is beyond the line marking a parking space and that it is causing an issue for other road users or pedestrians a PCN may be issued.</p>	

35. Contravention 24 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The driver could not park correctly as another vehicle was parked badly or it is too large to fit in the space.	Uphold	If the vehicle does not fit within the space available, drivers must find an alternative place to park.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction.
The space being obstructed is too small for another vehicle.	Uphold	Civil Enforcement Officers will only issue PCNs where the vehicle is “causing an issue for other road users or pedestrians”. Just

		because the space may be too small for some vehicles smaller one may be able to park.
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36. Contravention 25 - Parked in a loading place or area during restricted hours without loading

<p>Restriction indicated by:</p> <p>Signs indicating that vehicles may park for loading purposes only (figure 1).</p> <p>Loading restrictions may also be placed on specific vehicle class restriction (figure 2).</p> <p>Loading may also be indicated by road markings around the bay (figure 3).</p>	 <p>Figure 1</p>  <p>Figure 2</p>  <p>Figure 3</p>
<p>Class of vehicle affected:</p> <p>All</p>	

Blue badge holders:

Badge holders must not park in loading only bays unless they are loading. They are not exempt from this restriction.

PCN issue protocols:

Vehicles will be continuously observed by a CEO for a period of 5 minutes (or 10 minutes for goods vehicles) to establish if loading or unloading is taking place. If no evidence of loading is seen within this time a PCN will be served.

37. Contravention 25 - Appeals and representation assessment criteria

Appeal Scenario	Action	Notes
The vehicle was loading / unloading.	Cancel	Where documentary evidence is provided that loading/unloading of goods was taking place at the time the PCN was issued.
	Uphold	Where no documentary evidence is provided. The activity taking place did not constitute loading/unloading.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from loading only restrictions.

38. Contravention 26 - Parked in a special enforcement area more than 50cm from the edge of the carriageway and not within a designated parking place.

Restriction indicated by:

Vehicles must not double park or park more than 50cm from the kerb line, unless they are in a marked parking space.

Class of vehicle affected:

All

Blue badge holders:

Badge holders are not exempt from this restriction.

PCN issue protocols:

CEOs will check a parked vehicle as to whether it is more than 50cm from the kerb, and that it is causing an issue for other road users or pedestrians. If it is at least, and clearly,

50cm from the kerb a CEO will observe the vehicle for 5 minutes (10 minutes for good vehicles it will be issued a PCN).

39. Contravention 26 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Cancel	Where documentary evidence is provided that loading/unloading of goods was taking place at the time the PCN was issued.
	Uphold	Where no documentary evidence is provided. The activity taking place did not constitute loading/unloading.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction.

40. Contravention 27 – Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway

Restriction indicated by:

Vehicles must not park where a kerb has been lowered to meet the road (figure 1). Or, where the road has been elevated. This may be for vehicles, pedestrians or cycles to enter or exit the footway.

White painted 'H-bars' (figure 2) or tactile paving (figure 3) may also indicate this.



Figure 1



Figure 2



Figure 3

Class of vehicle affected:	
All	
Blue badge holders:	
<p>Badge holders must not park adjacent to a dropped kerb, this includes where they are exempt from other restrictions. For example, a badge holder may park on a double or single yellow line for 3 hours but must not park adjacent to a dropped kerb covered by the double or single yellow lines.</p>	
PCN issue protocols:	
<p>Vehicles (non-goods vehicle) parked adjacent to a dropped kerb for <u>cycles or pedestrians</u>, where loading is permitted, but where there is no visible evidence of this taking place, will be served with a PCN. Observation periods will only usually take place in respect of goods vehicles where they may be continuously observed by a CEO for a period of 10 minutes to establish if loading or unloading is taking place. Where no evidence of loading is seen a PCN will be served.</p> <p>Vehicles parked adjacent to a dropped kerb for a vehicle crossover into or out of a <u>residential / business property</u> will be dealt with at the request of the occupier of the property. The occupier will be required to sign the CEOs notebook to confirm that they have not granted permission for the vehicle to obstruct the dropped kerb. Only vehicles that obstruct a dropped kerb so that it cannot safely be used for its intended purpose will be subject to a PCN. Observation periods will only usually take place in respect of goods vehicles where they may be continuously observed by a CEO for a period of 10 minutes to establish if loading or unloading is taking place. Where no evidence of loading is seen a PCN will be served.</p>	

41. Contravention 27 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes

The vehicle was loading / unloading	Cancel	Where documentary evidence is provided that loading / unloading of goods was taking place at the time the PCN was issued.
	Uphold	Where no documentary evidence is provided. The activity taking place did not constitute loading/unloading.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction.

42. Contravention 30 – Parked for longer than permitted

Restriction indicated by:

Time restriction signs adjacent to on street parking place (figure 1). The spaces may also be marked with a white box (figure 2)

It may also apply to some on street disabled spaces (or other restriction) where there is a time limit. The clock must be set correctly with the badge (figure 3).



Figure 1

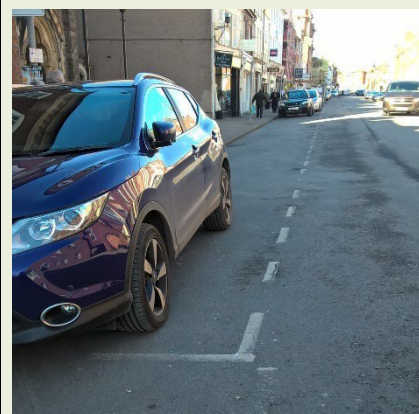


Figure 2



Figure 3

Class of vehicle affected:

All

Blue badge holders:

Blue badge holders are exempt from this restriction and may park for free for as long as needed, unless the signage or information specifically prescribes a time limit to badge holders (i.e. in a disabled space).

Blue badge holders should note that where they are prescribed a time limit, such as 3 hours on double yellow lines, they may be issued a PCN if they overstay the prescribed time.

PCN issue protocols:

The CEO will make two casual observations of the vehicle, recording the wheel valve positions at each visit. If the vehicle is parked on both observations with the same wheel valves on each visit then a PCN may be issued as long as it over the maximum permitted time. A 10 minute grace period also applies following the maximum permitted time period.

The CEO will also issue a PCN to a disabled badge holder that has overstayed the prescribed time limit for badge holders.

43. Contravention 30 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Cancel	Where documentary evidence is provided that loading / unloading of goods was taking place at the time the PCN was issued and that the loading / unloading would have taken longer than the permitted time.
	Uphold	Where no documentary evidence is provided.

		<p>The activity taking place did not constitute loading / unloading.</p> <p>The items loaded / unloaded could have been loaded in the time period allowed within the restriction.</p>
<p>The driver was delayed due to an unforeseen event(s). See also emergencies in general appeals criteria.</p>	Cancel	<p>Where unforeseen circumstances prevented the driver from being able to return to the vehicle within the permitted time.</p> <p>Documentary evidence may be requested.</p>
	Uphold	<p>The circumstances could have been foreseen. Such as, a meeting, appointment that overruns or queue in a shop, or where a child or elderly person travelling with the driver made the trip slower than expected.</p> <p>Allowance should be made for such delays when parking your vehicle.</p>
<p>The residents permit had expired or has been lost (where the parking place carries an exemption for resident permits holders).</p>	Uphold	<p>It is the driver's responsibility to ensure that they apply for a new permit prior to the expiration, or upon the loss of the old one.</p>
<p>There was no <u>resident</u> permit displayed for the vehicle at the time the PCN was issued but it has subsequently been provided (where the parking place carries an exemption for resident permits holders).</p>	Cancel	<p>Where a valid permit issued to the vehicle (specifically to the number plate) has been provided, the PCN may be cancelled.</p>
<p>A <u>visitor</u> permit has subsequently been provided (where the parking place carries an exemption for resident permits holders).</p>	Cancel	<p>Where the visitor permit was visible in the vehicle at the time the PCN was issued and the enforcement recorded some of the details from it. The PCN may have been issued as the expiry date was obscured or the permit was facedown, for example.</p> <p>The permit details have been checked and verified as being valid.</p>
	Uphold	<p>Where no permit was noted by the CEO as being in the vehicle at the time the PCN was issued. As these types of permit can be used</p>

		on any vehicle there is no way of verifying if this permit was in use on another vehicle at the time.
A resident permit for a different zone was displayed.	Uphold	Permits are only valid for use in the zones that they are issued in.
The driver or passenger has a disabled badge and it was not displayed correctly at the time, but has subsequently been provided.	Cancel	Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN. The valid badge, or a copy, has been provided.
	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked. It is a requirement that the badge must be displayed correctly when parked.
The driver or passenger had an expired disabled badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	Where the badge was expired for longer than 2 weeks when the PCN was issued. Even though a valid badge may have been provided or applied for subsequently.

44. Contravention 40 – Parked in a designated disabled person’s parking place without displaying a valid disabled person’s parking badge in the prescribed manner

Signs adjacent to on street parking bays (figure 1) with



Figure 1



Figure 2

Class of vehicle affected:

All

Blue badge holders:

Blue badge holders are exempt from this restriction and may park for free for as long as needed, or other specified maximum permitted time. The clock part of the badge is required where there is a time limit and the badge must be displayed correctly.

PCN issue protocols:


A PCN will be issued instantly to any vehicle parked within a disabled space not displaying a badge, displaying one incorrectly, or displaying an expired badge.

45. Contravention 40 - Appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	Loading is not permitted within a disabled space.
The driver or passenger does not have a disabled badge but their mobility is impaired resulting in them needing to use the space.	Uphold	A vehicle must have a valid disabled badge on display to make use of the space.
The driver or passenger has a disabled badge and it was not	Cancel	Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN.

displayed correctly at the time, but has subsequently been provided.		The valid badge, or a copy, has been provided.
	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked. It is a requirement that the badge must be displayed correctly when parked.
The driver or passenger had an expired disabled badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	Where the badge was expired for longer than 2 weeks when the PCN was issued. Even though a valid badge may have been provided or applied for subsequently.




46. Contravention 45 – Parked in a taxi rank

<p>Restriction indicated by:</p> <p>Signs adjacent to on street parking bays with road markings (figure 1).</p>	 <p style="text-align: center;">Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>Blue badge holders are not exempt from this restriction.</p>	
<p>PCN issue protocols:</p> <p>A PCN will be issued instantly to any vehicle parked within a taxi rank that is not a hackney carriage taxi. Private hire vehicles cannot use taxi ranks, and taxis using the space must have a driver in them and must be plying for trade - it is not a taxi parking space.</p>	

47. Contravention 45 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	Loading is not permitted within a taxi rank.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from taxi ranks restrictions.

48. Contravention 46 – Stopped where prohibited on a clearway

<p>Restriction indicated by:</p> <p>Sign at the start of the clearway restricted area (figure 1).</p> <p>Sign at the end of the clearway restricted area (figure 2)</p> <p>Clearway repeater signs within the clearway restricted area (figure 3)</p>	 <p>Figure 1</p>  <p>Figure 2</p>  <p>Figure 3</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p>	

Blue badge holders are not exempt from this restriction.

PCN issue protocols:

As there is no stopping permitted with this restriction an observation period is not required, and therefore the PCN will issued by a CEO instantly.

49. Contravention 46 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
Loading / Unloading was taking place at the time the PCN was issued.	Uphold	No loading is permitted. There are no exemptions in this respect.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from clearway restrictions.
A passenger was being collected or dropped off.	Uphold	Stopping to pick up and drop off passengers is not allowed

50. Contravention 47 – Parked in a restricted bus stop or stand.

Restriction indicated by:

Signs adjacent to on street bus stop with road markings (figure 1).



Figure 1

Class of vehicle affected:

All

Blue badge holders:

Blue badge holders are not exempt from this restriction.

PCN issue protocols:

A PCN will be issued instantly to any vehicle parked within a bus stop that is not a public service bus. Coaches cannot use bus stops, and buses using the space must have a driver in them and must be on their scheduled route.

51. Contravention 47 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	Loading is not permitted within a bus stop.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from bus stop restrictions.

52. Contravention 48 – Parked in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited

Restriction indicated by:

Signs and zig-zag road markings outside a school, hospital, or fire, police or ambulance station.



Figure 1

Class of vehicle affected:

All

Blue badge holders:

Blue badge holders are not exempt from this restriction.


PCN issue protocols:

A PCN will be issued instantly to any vehicle parked within these restrictions.

53. Contravention 48 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	Loading is not permitted within this restriction.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction.


54. Contravention 49 –Parked wholly or partly on a cycle track

<p>Restriction indicated by:</p> <p>Cycle lane road markings, with accompanying symbols.</p>	 <p>Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>Blue badge holders are not exempt from this restriction.</p>	
<p>PCN issue protocols:</p> <p>A PCN will be issued instantly to any vehicle parked within these restrictions.</p>	

55. Contravention 49 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	Loading is not permitted within this restriction.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction.

56. Contravention 99 – Stopped on a pedestrian crossing or crossing area marked by zig-zags

<p>Restriction indicated by:</p> <p>Zig-zag road markings next to a pedestrian crossing.</p>	 <p style="text-align: center;">Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>Blue badge holders are not exempt from this restriction.</p>	
<p>PCN issue protocols:</p> <p>A PCN will be issued instantly to any vehicle parked within these restrictions.</p>	

57. Contravention 99 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	Loading is not permitted on zig zag lines.

The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt zig-zags restrictions.
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58. Index of off Street Contraventions

Contravention code	Details	Page number
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58. Contravention 70 - Parked in a loading area during restricted hours without reasonable excuse

<p>Restriction indicated by:</p> <p>The area of the car park is restricted by a sign or surface, or bay markings.</p>
<p>Class of vehicle affected:</p> <p>All</p>
<p>Blue badge holders:</p> <p>There is no exemption for badge holders on this restriction.</p>
<p>PCN issue protocols:</p> <p>Vehicles will be continuously observed by a CEO for a period of 5 minutes (or 10 minutes for goods vehicles) to ensure that no loading or unloading is taking place. If no evidence is seen within this time a PCN will be served.</p>

59. Contravention 70 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Cancel	Where documentary evidence is provided that loading/unloading of goods was taking place at the time the PCN was issued.
	Uphold	Where no documentary evidence is provided. The activity taking place did not constitute loading/unloading.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from loading only restrictions.

60. Contravention 71 – Parked in an electric vehicles’ charging place during restricted hours without charging

Restriction indicated by:

Surface markings within a space with an electric car symbol (figure 1). Signs will also inform drivers of the requirement to pay (figure 2).



Figure 1



Figure 2

Class of vehicle affected:

All

Blue badge holders:

There is no exemption for badge holders on this restriction.

PCN issue protocols:

Where a vehicle is parked in a space reserved for electric cars to charge that is not connected to the charging unit in the appropriate manner a CEO will issue a PCN instantly.

Other contraventions may apply such as non-display of a pay and display ticket or a time limit.

61. Contravention 71 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
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The vehicle was loading / unloading	Uphold	Loading is not permitted with an electric car charging space.
	Uphold	Blue badge holders are not exempt from loading only restrictions.
The vehicle is an electric car but it was not connected to the charger as the battery was full.	Uphold	The vehicle must be connected to the charger to park in the space.

62. Contravention 80 - Parked for longer than permitted


<p>Restriction indicated by:</p> <p>Time restriction signs. This may cover a set number of spaces or the whole car park.</p> <p>It also applies to disabled badge holders, which are entitled to 3 hours free parking within council owned car parks. The clock must be set correctly with the badge.</p>
<p>Class of vehicle affected: All</p>
<p>Blue badge holders:</p> <p>Blue badge holders must check local signage.</p>
<p>PCN issue protocols:</p> <p>If a CEO has evidence that the maximum time limit permitted has been exceeded a PCN will be issued – 10 minute grace period applies.</p> <p>The CEO will also issue a PCN to a disabled badge holder that has overstayed the prescribed time limit for badge holders. In these cases the CEO will take the time recorded on the clock set by the badge holder as the time of arrival, it is the badge holders' responsibility to ensure that this is set correctly.</p>

63. Contravention 80 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Cancel	Where documentary evidence is provided that loading/unloading of goods was taking place at the time the PCN was issued and that the loading/unloading would have taken longer than the permitted time.

	Uphold	<p>Where no documentary evidence is provided.</p> <p>The activity taking place did not constitute loading/unloading.</p> <p>The items loaded/unloaded could have been loaded in the time period allowed within the restriction.</p>
The driver was delayed due to unforeseen event. See also emergencies in general appeals criteria.	Cancel	<p>Where unforeseen circumstances prevented the driver from being able to return to the vehicle within the permitted time.</p> <p>Documentary evidence may be requested.</p>
	Uphold	<p>The circumstances could have been foreseen. Such as, a meeting, appointment that overruns or queue in a shop, or where a child or elderly person travelling with the driver made the trip slower than expected.</p> <p>Allowance should be made for such delays when parking your vehicle.</p>
The driver or passenger has a disabled badge and it was not displayed correctly at the time, but has subsequently been provided.	Cancel	<p>Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN.</p> <p>The valid badge, or a copy, has been provided.</p>
	Uphold	<p>Where there is no evidence of a badge being on display at the time the vehicle parked.</p> <p>It is a requirement that the badge must be displayed correctly when parked.</p>
The driver or passenger had an expired disabled badge displayed at the time.	Cancel	<p>If the PCN was issued within 2 weeks of the expiry of the badge.</p>
	Uphold	<p>Where the badge was expired for longer than 2 weeks when the PCN was issued.</p> <p>Even though a valid badge may have been provided or applied for subsequently.</p>


64. Contravention 81 - Parked in a restricted area in a car park

<p>Restriction indicated by:</p> <p>The area of the car park is restricted by sign or surface markings (figure 1).</p>	 <p>Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>There is no exemption for badge holders on this restriction.</p>	
<p>PCN issue protocols:</p> <p>As there is no loading or parking permitted with this restriction an observation period is not required, and therefore the PCN will issued by a CEO instantly.</p>	

65. Contravention 81 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	Loading is not permitted.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction.
The driver was working on a property that adjoins the car park.	Uphold	Permission must be sought and given in advance.

66. Contravention 82 - Parked after the expiry of paid for time

<p>Restriction indicated by:</p> <p>The time purchased will be displayed on the pay and display ticket or other means of payment such as pay by phone.</p>	 <p>Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>There is no exemption for badge holders on this restriction (excluding the 3 hours free parking).</p>	
<p>PCN issue protocols:</p> <p>A grace period of 10 minutes will follow the expiry of paid for time to allow for general lateness. Following this grace period a PCN may be issued instantly.</p>	

67. Contravention 82 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The driver was unavoidably delayed due to being with an elderly person or child who caused them to return to the vehicle slower than expected.	Uphold	Drivers should factor in the required time for their visit when they park. Who they are travelling with should form part of this 'factoring in' process.
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction, and should return to their vehicle for when the pay and display ticket expires if they have bought one (unless the badge is displayed with clock set at the expiry time).
An appointment or meeting over ran, or there was a longer than expected queue.	Uphold	Drivers should factor in any foreseeable delays when purchasing their parking time.
	Cancel	The event or incident was unforeseen.

The driver was delayed due to an unforeseen event or incident.	Uphold	The event or incident was not considered unforeseen.
The driver paid for a ticket, but purchased the incorrect amount of time for what they required.	Uphold	It is the drivers responsibility to ensure that they pay the correct amount when purchasing their pay and display ticket.
The machine was faulty and gave the driver the incorrect amount of time or did not record the coins entered into the machine.	Cancel	The machine logs will be checked, along with the shorts and overs recorded by the machine for that day. Where the machine is over, or a fault recorded.
	Uphold	The machine logs will be checked, along with the shorts and overs recorded by the machine for that day. Where the machine is not over, or a fault is not recorded.

68. Contravention 83 - Parked in a car park without clearly displaying a valid pay and display ticket or voucher or parking clock

Restriction indicated by:

Each pay and display car park has multiple signs and machines to inform drivers of the requirement to pay and when.



Figure 1



Figure 2

Class of vehicle affected:

All

Blue badge holders:

Badge holders may park for free for up to 3 hours, the badge and clock with arrival time must be displayed. Badge holders wishing to stay for longer than 3 hours may do so if they purchase a pay and display ticket and set the time of arrival on their clock to the expiry time shown on the ticket, this will allow them the paid for parking time plus the 3 hours for free.

PCN issue protocols:

Where there is no valid ticket, payment on another service (via telephone) or blue badge, the enforcement officer will record the time they have first seen the vehicle then if no payment is made after 5 minutes a PCN will be issued.

If a motorist who has not paid for parking arrives back to their vehicle with shopping etc. and refuses to pay for their parking, a PCN may be issued within the 5 minutes grace period.

69. Contravention 83 - appeals and representation assessment criteria guidance


Appeal Scenario	Action	Notes
The driver had gone for change to pay for their parking.	Uphold	Drivers are expected to have the means to pay with them when parking in a car park. Payment by phone is available in all car parks if a driver has no change; payment by credit / debit card is also available in selected car parks.
The driver did not know it was a pay and display car park, or that charges applied at the time they parked.	Uphold	All of our car parks are clearly signed that they are pay and display with machines placed at prominent locations within. It is for the driver to check if payment is required by observing the tariff board signs.
The machine was out of order or faulty.	Cancel	The machine log is checked for faults and there are faults recorded at the time the vehicle was parked. There was no other machine available. Other members of the public were not able to purchase a ticket.
	Uphold	The machine log is checked for faults and there are none recorded for the period when the vehicle was parked. Another machine is available. Other members of the public were able to purchase a ticket.
The driver can produce a valid pay and display car park ticket for the location and time of the contravention, or claims to have	Cancel	Where a ticket subsequently produced was visible at the time of the contravention and the CEO noted details from it which confirms it is the same ticket as the one provided. For

made payment by another means.		<p>example, the serial number from reverse of the ticket recorded where the ticket was facedown. On the first occasion only.</p> <p>Where a driver makes payment through the appropriate pay by phone provider before the time that the PCN is issued and the record confirms this.</p> <p>Where a driver pays on a pay by phone service but records VRM incorrectly. On the first occasion only.</p>
	Uphold	<p>Where no ticket is displayed and the notes or photographs taken by the officer support this. There is no way to verify if the ticket subsequently provided was purchased by that driver for that vehicle.</p> <p>Where there is no record of a payment by phone or the driver paid after the PCN was issued.</p> <p>Where the driver has had a PCN cancelled previously for the same circumstances.</p>
The driver has a season permit and it was not displayed correctly at the time, but has subsequently been provided.	Cancel	<p>Where the permit issued to a vehicle (specifically to the number plate) has been supplied the PCN may be cancelled.</p> <p>Where the permit, that is not issued to a specific vehicle, was visible in the vehicle at the time the PCN was issued and the enforcement officer recorded some of the details from it. The PCN may have been issued as the expiry date was obscured or the permit was facedown, for example.</p> <p>The permit details have been checked and verified as being valid.</p> <p>On the first occasion only.</p>
	Uphold	<p>Where the permit can be used on any vehicle and was not noted by the CEO as being visible in the vehicle at the time the PCN was issued.</p> <p>Where the driver has had a PCN cancelled previously for the same circumstances.</p>

<p>The driver was unaware of a price change on the car park since their last visit.</p>	<p>Uphold</p>	<p>All price changes are advertised by way of statutory notices within the car parks.</p> <p>It is the responsible of the driver to check the correct tariff when purchasing a pay and display ticket.</p>
<p>The driver has purchased a ticket from the wrong ticket machine or street; or displayed a credit card receipt, voucher or some other document which is a not a valid pay and display ticket.</p>	<p>Uphold</p>	<p>It is the responsibility of the driver to check the signs and correct tariff when purchasing a pay and display ticket.</p> <p>As it cannot be concluded that the voucher or receipt was purchased for that parking session.</p>
<p>Errors using Ringo (payment by phone). Wrong location, wrong or incorrect VRM.</p>	<p>Cancel</p>	<p>On first occasion only.</p> <p>Where it can be satisfied that a genuine error occurred using the system, and that other vehicle (s) did not use the parking session.</p>
<p>The driver can pay the parking charge required</p>	<p>Uphold</p>	<p>We do not accept payments for car park fees in settlement of a Penalty Charge Notice Charge Notice.</p>
<p>The driver or passenger has a disabled badge and it was not displayed correctly at the time, but has subsequently been provided.</p>	<p>Cancel</p>	<p>Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN.</p> <p>The valid badge, or a copy, has been provided.</p>
	<p>Uphold</p>	<p>Where there is no evidence of a badge being on display at the time the vehicle parked.</p> <p>It is a requirement that the badge must be displayed correctly when parked.</p>
<p>The driver or passenger had an expired disabled badge displayed at the time.</p>	<p>Cancel</p>	<p>If the PCN was issued within 2 weeks of the expiry of the badge.</p>
	<p>Uphold</p>	<p>Where the badge was expired for longer than 2 weeks when the PCN was issued.</p> <p>Even though a valid badge may have been provided or applied for subsequently.</p>

<p>A disabled badge was displayed; however the clock was not displayed or set incorrectly, or the badge details were not visible.</p>	<p>Uphold</p>	<p>As above, it is a requirement that the badge, with accompanying clock be displayed correctly.</p>
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70. Contravention 85 - Parked without clearly displaying a valid permit where required


<p>Restriction indicated by:</p> <p>Car park or space in a car park reserved for permit holders only (figure 1).</p>	 <p>Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>There is no exemption for badge holders on this restriction.</p>	
<p>PCN issue protocols:</p>	

Where there is no valid permit, the enforcement officer will record the time they have first seen the vehicle then if no permit is visible after 5 minutes a PCN will be issued. This allows time for a driver to park and then collect the permit from a nearby premise.

71. Contravention 85 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from this restriction.
The driver did not know it was permit holders only.	Uphold	All of our car parks are clearly signed.
The vehicle was not displaying a permit, but one has subsequently been provided.	Cancel	The permit is specifically issued to the vehicle that has received the PCN and no other vehicle can use that permit.
	Uphold	The permit is not specifically issued to the vehicle that has received the PCN, or the permit supplied is issued to more than one vehicle.

72. Contravention 86 - Parked beyond the bay markings


<p>Restriction indicated by:</p> <p>The car park surface marking lines indicating a parking space (figure 1).</p>	
<p>Figure 1</p>	
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>There is no exemption for badge holders on this restriction.</p>	
<p>PCN issue protocols:</p>	

Where a vehicle is parked in such a manner that at least one of its wheels is beyond the line marking a parking space and that it is causing an issue for other road users or pedestrians a PCN may be issued.

73. Contravention 86 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The space being obstructed is too small for another vehicle.	Uphold	Civil Enforcement Officers will only issue PCNs where the vehicle is “causing an issue for other road users or pedestrians”. Just because the space may be too small for some vehicles smaller one may be able to park.
The driver could not park correctly as another vehicle was parked badly.	Uphold	If the vehicle does not fit within the space available, drivers must find an alternative place to park.

74. Contravention 87 - Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge

<p>Restriction indicated by:</p> <p>Surface marking or signs will indicate use by blue badge holders only (figure 1).</p>	 <p>Figure 1</p>
<p>Class of vehicle affected:</p> <p>All</p>	
<p>Blue badge holders:</p> <p>Blue badge holders may park for free in disabled spaces in car parks for up to 3 hours. The badge and clock showing the time of arrival must be displayed.</p>	
<p>PCN issue protocols:</p> <p>Where there is no valid disabled badge on display a CEO will issue a PCN instantly. This also applies if the time clock is not set or set incorrectly.</p>	

75. Contravention 87 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
The driver or passenger has a disabled badge and it was not displayed correctly at the time, but has subsequently been provided.	Cancel	Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN. The valid badge, or a copy, has been provided.
	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked. It is a requirement that the badge must be displayed correctly when parked.
The driver or passenger had an expired disabled badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	Where the badge was expired for longer than 2 weeks when the PCN was issued. Even though a valid badge may have been provided or applied for subsequently.
A disabled badge was displayed; however the clock was not displayed or set incorrectly, or the badge details were not visible.	Uphold	As above, it is a requirement that the badge, with accompanying clock be displayed correctly.

76. Contravention 91 - Parked in a car park or area not designated for that class of vehicle

Restriction indicated by:

Car park / space signs (figure 1) and / or surface markings (figure 2) will indicate the type of vehicle permitted to use that space(s).



Figure 1



Figure 2

Class of vehicle affected:

All

Blue badge holders:

There is no exemption for badge holders from this restriction.

PCN issue protocols:

Vehicles parked in an area/space that is not designated to that class of vehicle will be issued an instant PCN.

Drivers should note that other restrictions may apply to the correct vehicle class within that space for example 'goods vehicle loading only' means that only goods vehicles may park, but only for loading.

77. Contravention 91 - appeals and representation assessment criteria guidance

The driver or passenger has a disabled badge.	Uphold	Blue badge holders are not exempt from resident only restrictions.
Loading / Unloading was taking place at the time the PCN was issued and evidence of the loading of goods has subsequently been provided in document form, for example by way of an invoice for the goods being loaded.	Uphold	Only vehicle classes permitted within the restriction are permitted to park. Loading/unloading or any other activity must be completed from a legitimate location.
The vehicle is taxed and / or insured for the class of vehicle corresponding to the space that it was parked in.	Uphold	<p>The Traffic Penalty Tribunal has ruled that neither the taxation class nor the insurance cover affect the definition of the class of vehicle.</p> <p>The vehicle must conform to the appropriate definition.</p> <p>Goods vehicle:</p> <p><i>A motor vehicle or trailer constructed or adapted for use for the carriage or haulage of goods or burden of any description.</i></p> <p>Motorcycle:</p> <p><i>A mechanically propelled vehicle, not being an invalid carriage, having less than four wheels and the weight of which unladen does not exceed 410 kg.</i></p>

78. Contravention 92 - Parked causing an obstruction

<p>Restriction indicated by:</p> <p>If the vehicle is parked in such a manner so that it causes an obstruction to other car park users or pedestrians.</p>
<p>Class of vehicle affected:</p> <p>All</p>
<p>Blue badge holders:</p> <p>There is no exemption for badge holders from this restriction.</p>

PCN issue protocols:

If a vehicle is parked so that another car park user or pedestrian is prevented from safely manoeuvring around the car park and the CEO believes that it is the cause of such an obstruction a PCN may be issued.

79. Contravention 92 - appeals and representation assessment criteria guidance

Appeal Scenario	Action	Notes
There was nowhere else to park.	Uphold	It is the responsibility of the driver to park legally and correctly at all times. If no other parking is available drivers must make alternative arrangements.

Glossary of terms

80. PCN – Penalty Charge Notice

81. TMA - Traffic Management Act 2004: The TMA provides a single framework to make regulations for the civil enforcement by local authorities or parking and waiting restrictions, bus lanes and some moving traffic offences.

82. CPE - Civil Parking Enforcement

83. CEA - Civil Enforcement Area: Within a CEA waiting, loading and parking restrictions are not criminal offences, but civil contraventions of the restrictions.

84. SEA - Special Enforcement Area: The TMA enables authorities with CPE powers to enforce in a Special Enforcement Area (SEA) prohibitions of double parking and parking at dropped footways as if they had been introduced using a Traffic Regulation Order (Traffic Management Order in London). An SEA must be within a CEA or cover the same area as one.

85. TRO - Traffic Regulation Order (outside London)/Traffic Management Order (inside London): A Traffic Order is a legal document made by a local authority under its powers as a highway authority, that enables the local authority to introduce parking restrictions, speed limits, one-way streets, banned turns, disabled parking bays, width restrictions, weight limits, vehicular traffic restrictions, parking bays and to close roads for construction works, maintenance or special events.

86. CEO - Civil Enforcement Officer: A CEO is an individual employed or appointed by an authority to enforce parking, and/or some moving traffic restrictions under the Traffic Management Act 2004.

87. CPZ/RPZ - Controlled Parking Zone: The entry sign indicates a uniformed underlying waiting restriction. Therefore the single yellow lines within the zone do not normally have time-plates indicating the times of the prohibition unless the times are different from those shown on the entry sign. If loading is prohibited at the same time as the waiting prohibition, the entry sign should include the words “No loading” at the bottom of the upper panel.

88. TPT – Traffic Penalty Tribunal. An independent body which a motorist can appeal to regarding a PCN.

89. TEC – Traffic Enforcement Centre. At Northampton County Court where all cases for recovery are listed.

Appendices

90. Appendix A - Blue Badge Enforcement – Operational Guidance

91. Appendix B – Dispensations – Operational Guidance