



Suffolk
County Council

West Suffolk
Council

West Suffolk Council Civil Parking Enforcement Procedures April 2020

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1. Introduction

West Suffolk Council Civil Parking Enforcement Procedures is the overarching document containing the processes and guidelines for Civil Parking Enforcement (CPE) within Suffolk.

CPE was introduced in West Suffolk, Babergh District Council, Mid Suffolk District Councils in April 2020. In 2020 the area of enforcement was expanded to take into account the new Unitary Authority status.

All on street contraventions of parking restrictions and contraventions occurring in all car parks controlled by West Suffolk Council are dealt with under the CPE process by officers who work for the council called Civil Enforcement Officers (CEOs).

West Suffolk Council is the issuing authority acting on behalf of Suffolk County Council for on street parking and Mid Suffolk and Babergh District Councils for off-street car parks.

The document outlines the prevailing legislation and national guidelines relating to CPE. It offers a reminder to people on how to park and the Highway Code – helping people to avoid Penalty Charge Notices (PCNs). It examines the background on how enforcement levels are determined throughout the county. It looks at the enforcement procedure starting with the role of CEOs, the process of issuing a PCN and the process after a PCN has been issued. The document then looks at the procedures for dealing with specific circumstances.

National guidelines state that the CEOs should not have discretion whether or not to issue a PCN. This is to protect the CEOs from allegations of inconsistency, favouritism or suspicion of bribery. It also gives greater consistency in the enforcement of traffic regulations. The guidelines state that the enforcement authority should have clear policies, instructions and training for CEOs on when it is acceptable not to issue a PCN. This document forms that policy and should be adhered to by all CEOs who are employed by the council.

Any discretion should rest with the back office as part of considering challenges against PCNs and representations against the Notice to Owner. This document provides guidelines for representations officers on how to deal with specific circumstances however each challenge or representation needs to be considered on its own merits.

2. Legislation

The statutory acts governing parking enforcement are:

The Civil Enforcement of Parking Contraventions Designation Order 2020 – (County of Suffolk) Designation Order and designates all areas of West Suffolk Council, Babergh District Council, and Mid Suffolk District Council as a civil and special enforcement areas, including all council car parks.

Traffic Management Act (2004). This act makes provision in relation to the civil enforcement of traffic contraventions. This act is backed up by: Operational Guidance to Local Authorities: Parking Policy and Enforcement.

The Secretary of State’s Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions (February 2008). The two documents above explain how to approach, carry out and review parking enforcement. It attempts to strike a balance between obtaining as much national consistency as possible and a system that is fair to the motorist, but also effective in enforcing parking regulations.

Civil Enforcement of Parking, Bus Lane, and Moving Traffic Contraventions 2022

The Government has committed to make the moving traffic enforcement powers under Part 6 of the Traffic Management Act 2004 (“the 2004 Act”) available to local authorities outside London from **31st May 2022**. The regulations giving effect to these powers (“the 2022 regulations”) were laid in Parliament on 27th January 2022. In making these powers available, the legislative opportunity has also been taken to consolidate, under the 2004 Act, the existing civil enforcement regimes for bus lane contraventions (outside London currently under 2005 regulations made under the Transport Act 2000) alongside parking contraventions (England-wide currently under 2007 regulations made under the 2004 Act). Creating a cohesive civil enforcement regime will remove numerous inconsistencies which inherently arose due to the disparate enabling legislation, enabling more efficient administration.

The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

3. How to park

Parking incorrectly, such as on double and single yellow lines, in a bus lane, stop or stand, across cycle lanes or in residents' parking bays, even for a few minutes, can cause inconvenience and even danger to other road users and pedestrians.




West Suffolk Council hopes that by enforcing parking regulations motorists will be more inclined to park safely and legally. This will therefore reduce the inconvenience and danger placed upon other road users every day.


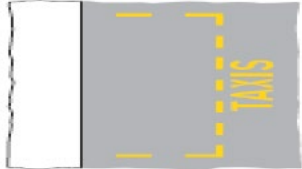



Following these simple rules will help you to park in a way that doesn’t cause inconvenience to other members of the public:





- Always check the lines on the road and, where applicable, the signs by the side of the road.
- Always make sure you have parked within any bay markings.
- Make sure that none of your vehicles wheels are resting on the yellow line(s).
- Do not assume that by parking behind yellow lines you are not parking in contravention of a traffic regulation order. Areas where you think you may be legally allowed to park will in fact be part of the highway and will be enforced as such.
- In car parks always make sure you read the signage.
- In car parks always make sure you purchase the appropriate pay and display ticket or make payment via the pay by mobile or app cashless parking facility in accordance with the instructions on the signage.


- In car parks always make sure you clearly display your pay and display ticket. Need to add pay by mobile option
- Do not stay longer than is permitted by:
 - the time shown on the car park signs, for longer than shown on the pay and display ticket you have purchased, or
 - for longer than the parking session you have purchased via the pay by mobile or app cashless parking facility.
- Do not block entrances to private properties.
- Do not double park.
- Do not park on footways or pavements.
- Do not park on pedestrian crossings or the white zig-zag markings near to the crossing.
- Do not park on 'School Keep Clear' markings or the yellow zig-zag markings near to schools.

The following are some of the common restrictions you will see and a reminder of what they mean:

Road signs and markings	Details of restrictions
 <p>The image shows two 'No loading' signs. The first sign specifies 'Mon - Fri 8.00 - 9.30 am' and '4.30 - 6.30 pm'. Below it is a single yellow kerb marking. The second sign says 'No loading at any time' and is accompanied by double yellow kerb markings.</p>	<p>Loading restrictions – are shown by yellow lines on the kerb or at the edge of the carriageway. They indicate that loading or unloading is prohibited. Single Kerb marks will have a sign in the area which will show the times of the restriction.</p> <p>Double kerb marks mean no loading or unloading at any time. The loading restriction which is in place at any time can be in place with or without a sign.</p>
 <p>The image shows a 'P' sign with 'Mon - Sat 8 am - 7 pm 20 mins' and 'No return within 40 mins'. Below the sign is a white dashed line marking on the road surface that outlines a rectangular bay.</p>	<p>Limited waiting bays – are shown by signs that indicate the maximum amount of time that you may park in the bay and will also usually have markings outlining the bay.</p> <p>Please take note of the 'no return' information displayed on the sign. This means that you are not permitted to return to the limited waiting bay within the time specified. CEOs will log all vehicles parked in limited waiting bays to ensure that they do not return to the bay within the specified timescale. Vehicles returning to the bay within the specified timescale will be issued with a PCN.</p>
 <p>The image shows a blue sign with a white trolley icon and the text 'Loading only'. Below the sign is a white dashed line marking on the road surface that outlines a rectangular bay with the words 'LOADING ONLY' written vertically inside it.</p>	<p>Loading bays – are white 'bays' marked with the words 'Loading only' and a sign with the white on blue 'trolley' symbol. Vehicles can't park here if they are not loading or unloading.</p> <p>A sign will show the times when the bay can be used and whether loading and unloading is restricted to certain types of vehicles. If no times are indicated the bay is in operation all times. If the bay is</p>

Road signs and markings	Details of restrictions
	Loading Only for 24 hours a day the bay can just have a sign without the bay marking, or it can have the bay marking without the sign.
	<p>Bus stop clearways – you must not park in a bus stop clearway during its period of operation. The period of operation will be shown on the adjoining signage. Buses must only use stops to allow passengers to board and alight vehicles.</p> <p>General vehicles must not park on Bus Stands during the period of operation; buses may park for longer than the period taken for boarding and alighting, to maintain a timetable or to change crews.</p>
	<p>Taxi ranks – You must not park in a taxi rank during its period of operation. The period of operation will be shown on the adjoining signage.</p>
	<p>Parking bays for specific use – you must not park in parking spaces reserved for specific users such as Doctors, Blue badge holders or residents, unless you are entitled to do so. Signs will indicate who is allowed to park and when the restrictions are in operation.</p>
	<p>Permit only zones – parking for permit holders only in the street or streets beyond this sign, during the times shown.</p>
	<p>Pedestrian crossing zig-zags – you must not park on a pedestrian crossing or in the area covered by the zig-zag markings. These markings are installed specifically to maintain pedestrian safety.</p>

Road signs and markings	Details of restrictions
	<p>Pedestrian zones - Areas such as shopping streets may be signed as 'pedestrian zones'. Depending on the extent of the vehicle entry restrictions, such areas may be paved without the usual separation between footway and carriageway and may not have yellow lines and kerb markings to indicate waiting and loading restrictions. Instead restrictions are detailed on zone entry signs and repeater plates. The entry signs may indicate that buses, taxis, disabled badge holders or permit holders may enter the zone. There are many variations of the sign dependent on the differing restrictions which might apply.</p>
	<p>Restricted parking zones - In some environmentally sensitive areas, where waiting and loading restrictions are uniform, they may be indicated by upright repeater signs, but not yellow lines and kerb marks. These are known as restricted parking zones. The zone entry sign indicates the times when waiting and loading are prohibited. Where parking and loading are permitted, usually in signed bays, this should be indicated on the entry signs. The bays within the zone may be fully marked in the conventional manner or indicated by other means such as a change in surface materials. Upright signs will give details about the use of the bays.</p>
	 <p>Yellow zig-zag markings - Outside schools, hospitals or fire, police or ambulance stations indicate the length of road where you should not stop, not even to pick up or set down children or other passengers. Where there is an upright sign, there is a mandatory prohibition of stopping during the times shown. These markings are provided outside schools to ensure that children can see and be seen clearly when crossing the road.</p>

Road signs and markings	Details of restrictions
	<p>Clearways – means no stopping, not even to pick up or set down passengers. The sign is used to indicate a 24-hour clearway (usually on a rural road). On a 24-hour clearway, the prohibition of stopping applies only to the main carriageway. You may stop in a lay-by unless there are signs to say otherwise. A 24-hour clearway does not have any special road markings, but there may be smaller repeater signs.</p>

4. How enforcement levels are determined

Enforcement levels are determined using a set of criteria based on the nature of the towns, the nature of the routes and the potential demand for parking with the aim of meeting the objectives of the service.

The objectives are compatible with the current Local Transport Plan:

- Respond to the challenges of climate change by ensuring we have a resilient transport network, reduce our reliance on fossil fuels in recognition of peak oil and support communities to live locally.
- Support economic prosperity and raise income levels by improving transport links for business and access to employment, education, and training.
- Respect and enhance our beautiful natural and built surroundings through the way in which we travel and deliver transport.
- Encourage healthy active lifestyles by providing people with the opportunity to walk and cycle.
- Ensure our communities are safer and more enjoyable places to live and improve individual wellbeing by reducing the negative impacts of transport.
- Provide equal opportunities for everyone regardless of age, postcode, income level or ability, to feel safe and access the services they need.
- Cost - The intention is to use the revenue raised from PCNs to fund the enforcement and not to call on any other sources of funding. A high level of enforcement is expensive and can lead to compliance however because people are not contravening the parking restrictions little revenue is then raised. A balance needs to be struck between the cost of enforcement and the amount of revenue received from Penalty Charge Notices (PCNs).

An average patrol time is worked out using an industry standard for the time it takes a CEO to cover a certain distance. We also ensure that the maximum limited waiting time will also be covered within a visit. This and travel times are used to calculate how many officers are required to carry out the specified levels of enforcement. In practice the average patrol time will vary depending on how many PCNs are issued, sometimes it will be shorter and sometimes it will be longer. They are told to cover the beat dealing with any contraventions that are witnessed.

The formation of the unitary authority and the bringing together of on and off street across the county has permitted further revision of the enforcement levels and coverage. West Suffolk Council currently employ 24 Civil Enforcement Officers.

West Suffolk Council currently have three operational bases:

- Bury St Edmunds
- Newmarket
- Stowmarket- Partnership with Mid Suffolk and Babergh District Councils.

The importance of these towns has been recognised and discussions have taken place with the local Highway Managers to identify areas, in addition to those identified by the above networks, where enforcement needs to take place.

5. Civil Enforcement Officers (CEOs)

Parking enforcement is carried out by CEOs. The CEOs operate within the framework of the legislation and within the 'rules' outlined in these procedures. Below are the key elements directly relating to CEOs.

Uniforms

CEOs must wear the uniform required by the council. The Operational Guidance states that CEOs must wear a uniform that clearly shows:

- clear identification that the wearer is engaged in parking enforcement.
- clear identification of the Local Authority on whose behalf the CEO is acting.
- a personalised number to identify the CEO which may contain letters as well as numbers.

The Secretary of State believes that "the corresponding requirements concerning the wearing of uniforms by CEOs outside of London should apply and statutory backing to this will be given".

Across West Suffolk, Babergh and Mid Suffolk areas the Civil Enforcement Officers uniform will consist of:

Required:

- Navy blue trousers
- Navy blue shirt
- Black or navy shoes
- Navy epaulettes with white embroidery

Optional (as appropriate for weather conditions):

- Navy blue peaked cap or black knitted hat
- Navy blue jumper
- Fluorescent yellow jacket
- Navy blue fleece (may have hi-visibility stripes)
- Navy blue anorak (may have hi-visibility stripes)
- Navy blue park vest with hi-visibility stripes
- Navy blue waterproof trousers
- Navy blue or black gloves.

The epaulettes must be worn when the CEO is on duty and when PCNs are issued. The epaulettes will clearly display the words 'Civil Enforcement Officer'.

Issuing penalty charge notices (PCNs)

CEOs are issued with handheld computers which are used to record details of the vehicle and contravention and to print the PCN. The handhelds have an integrated camera for the purpose of taking pictures, which are used as evidence to clearly show the vehicle registration number, the parking contravention and the PCN affixed to the windscreen.

Time and date calibration of handheld computer

Prior to commencement of each shift the CEOs shall calibrate and check the operation of their handheld computers to ensure that they reflect the correct time and date.

Pocketbook or notebook

The CEOs shall maintain a separate pocketbook in which they shall note daily details of their patrols, PCNs issued and so on. These books shall be kept in addition to any details entered into their handheld computers. They will be made available to the adjudicators in the event of a PCN being challenged through the independent adjudication process and will assist the investigation of any challenge or representation received by the council.

Each pocketbook will be numbered and when issued to the CEO the number of the previous book used by that CEO entered on its cover along with the CEO's name.

Similarly, when a pocketbook is completed the serial number of the new book issued will be entered on the cover. All completed pocketbooks will be retained in the office in numerical order. Each completed pocketbook should have the CEO's name, the serial number of the previous book and the serial number of the next book written on the front cover.

6. Complaints against CEO's

Allegations that a CEO has made an error whilst issuing a PCN will be investigated under the normal representations or challenge procedures and a formal written notice of acceptance or rejection will be sent within the stipulated timescale.

Any allegation of misconduct or rudeness made against a member of the enforcement staff will be dealt with separately to a challenge against the issuing of the PCN. These will be investigated and dealt with in accordance with the council's complaints procedure.

7. Penalty charge notices (PCNs) and the enforcement processes

This section looks at the enforcement process and outlines, in general terms, some of the issues that determine how PCNs are issued, how the appeals process operates and how the PCNs are ultimately enforced.

Penalty charge notice (PCN)

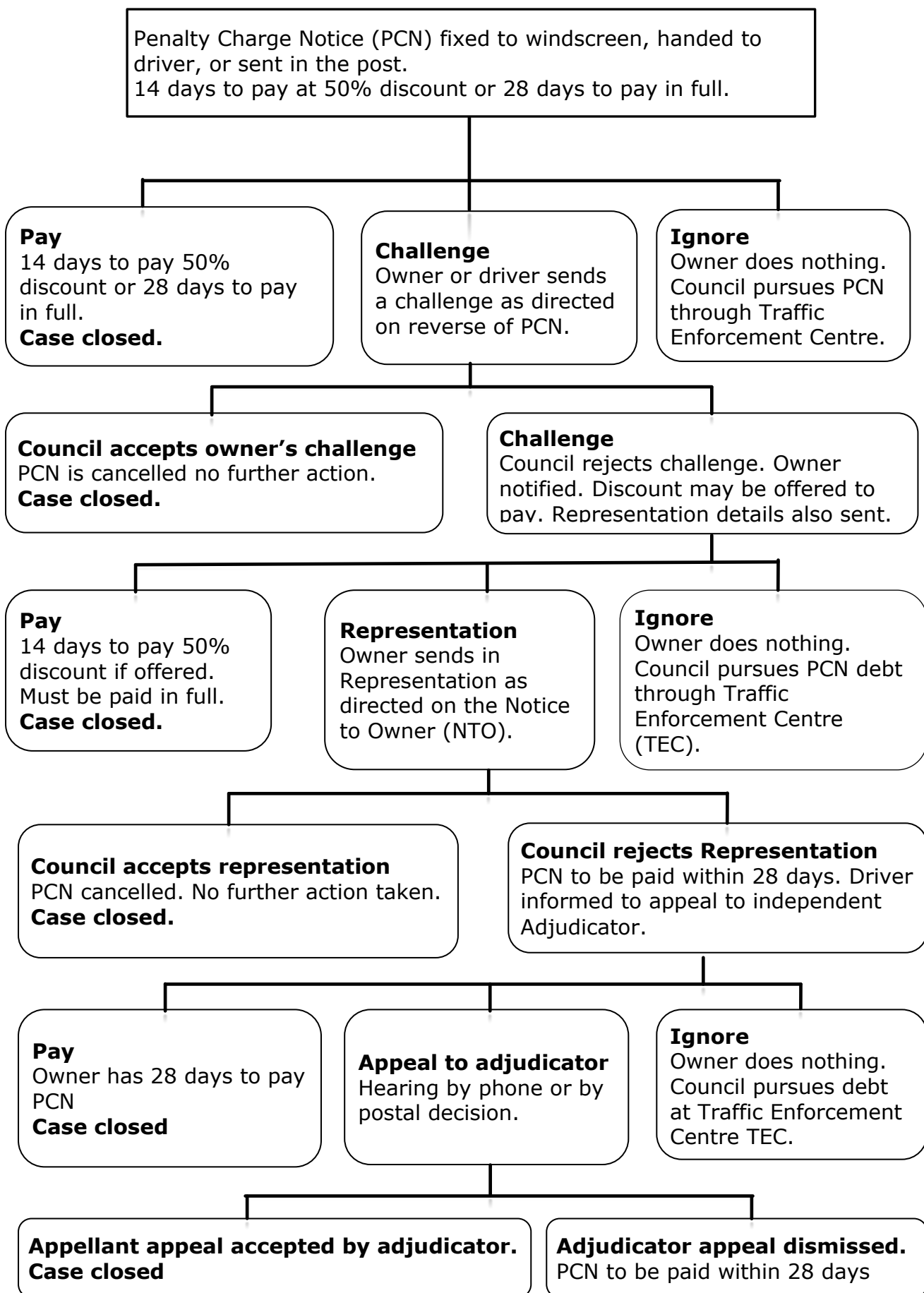
A PCN is the notification that a vehicle has been witnessed contravening a parking restriction. It is issued at the time of the alleged contravention and must be affixed to the vehicle within a sealed plastic carrier, handed to the driver, or issued by post (in the case of a vehicle driven away before the PCN was served, or where the CEO has been prevented from serving the notice to the driver).

The PCN will identify:

- the date on which the notice is served
- the name of the enforcement authority
- the registration mark of the vehicle involved in the alleged contravention
- the date and time at which the alleged contravention occurred
- the grounds on which the civil enforcement officer serving the notice believes that a penalty charge is payable
- the amount of the penalty charge
- that the penalty charge must be paid before the end of the 28-day period
- that if the penalty charge is paid before the end of 14 days beginning with the date of service of the notice, the penalty charge will be reduced by the amount of any applicable discount
- the manner in which the penalty charge must be paid
- that if the penalty charge is not paid before the end of the 28-day period, a notice to owner may be served by the enforcement authority on the owner of the vehicle, and
- that the person on whom the notice to owner is served will be entitled to make representations to the enforcement authority against the penalty charge.
- that an appeal may be made to an adjudicator if those representations are rejected, and
- that, if representations against the penalty charge are received at such address as may be specified for the purpose, before a notice to owner is served
- those representations will be considered
- that, if a notice to owner is served notwithstanding those representations, representations against the penalty charge must be made in the form and manner and at the time specified in the notice to owner.

PCN flowchart

Below is a flowchart that shows the whole enforcement procedure, outlining timescales and responsibilities.



PCN – standard contravention codes

The standard contravention codes that are used on PCNs can be found in the accompanying document West Suffolk Council Penalty Charge Notices – Contravention Codes and Costs.

Observation period – prior to issue of PCN

Some contraventions contain exemptions, for example for loading and unloading. Therefore, the council has introduced a period of observation so that CEOs can determine if such activities are taking place. These observation times are shown on the Penalty Charge Notice.

The details of the vehicle will be entered into the CEO's hand-held computer (HHC) when first seen and the computer will prevent issue of the PCN within the relevant time period.

The CEOs will be able to continue with their patrols, as long as the contravening vehicle is kept in view, and then return to the contravening vehicle. The observation time and the PCN issue time will appear on the face of the PCN itself and will be recorded by the enforcement software system.

Description of vehicle on PCN

When issuing a PCN the CEO will note the make, colour and registration number of the vehicle, which will appear on the PCN. He/she will also note other details such as positions of tyre valves, which will form part of the supporting records.

Claims may be made regarding the inaccuracy of such information e.g. colour or make of a vehicle. The council have good grounds to pursue the PCN irrespective of any other error regarding colour, although all such issues will be considered by the back office if such an appeal is made.

Incorrect vehicle location on PCN

Claims from a motorist that their vehicle was not parked in the location at the time and on the date alleged on the PCN requires careful consideration.

Following consideration of all available evidence against the issue of a PCN it may be rejected if:

- the photographic evidence obtained by the CEO at the time of the contravention proves that the vehicle was parked in the location specified on the PCN.
- there is no evidence or if the evidence presented does not support the claim or is inconclusive.

8. Specific procedures

Abandoned vehicles

Where a vehicle remains parked, in a restricted area, for a period during which 5 PCNs are issued for the same contravention and the PCNs are not removed from the vehicle, a CEO will report the vehicle as potentially abandoned to their Patrol

Supervisor. The supervisor will then liaise with the council's abandoned vehicle section in order to determine how it is best to further deal with the vehicle.

We will use the following criteria to help identify abandoned vehicles:

- general poor condition
- no evidence of movement (generally for three weeks or more)
- multiple PCNs attached to vehicle.

Andrew Harvey is our compliance officer at West Suffolk Council. Please contact him to report any abandoned vehicle.

Abandoned vehicles in the Babergh and Mid Suffolk areas will need to be reported to: Environmental@baberghmidsuffolk.gov.uk

Bank holidays

Enforcement: Car park charges and parking restrictions apply on bank holidays unless clearly marked on relevant signs. Enforcement can and will take place.

Back office: Claims that PCNs should not have been issued merely on the grounds that it is a bank holiday will not be upheld.

Bank visits

Enforcement: The only exemption given by CEOs will be for bullion vehicles clearly involved in loading and unloading cash boxes. All other vehicles involved in bank visits (including visits to the cash point) will be treated in the same way as other vehicles contravening restrictions with the same observation times and exemptions.

Back office: Claims from individuals or companies that because money is being taken to or from a bank will generally not be accepted as a reason to cancel, however if further proof is provided to show that large volumes and/or high values were involved the PCN may be cancelled.

Blocked access

Enforcement: Where access to a property is being blocked and a parking restriction is in place a PCN may be issued to the vehicle providing it is parked in contravention of the restriction. If any vehicle has blocked access to a property with no restriction, permission to enforce must be granted by the homeowner.

Back office: Drivers who claim that they were unable to gain access to their private or commercial property are not entitled to park in contravention of any parking restriction. The exception to this is when a driver has to collect a key to unlock a barrier that prevents access, proof will be required.

Other agency: Cases of obstruction should be referred to the police as a CEO will not be able to issue a PCN.

Blocked exit from a parking place

Enforcement: If the vehicle is left unattended, the CEO will issue a PCN but will make full notes of the vehicle in their pocketbook and may take a photograph of the

vehicle's position. If the driver remains with the vehicle, the CEO will not issue a PCN but will make full notes of their pocketbooks; they may take a photograph of the vehicle's position, and also advise any other CEOs in the immediate vicinity of the situation.

Back office: Drivers who claim that they were unable to exit a parking place because another vehicle was blocking their exit should not leave their vehicle unattended. Where a representation against the issue of a PCN is received claiming that a vehicle could not be moved due to another parked vehicle, then due consideration should be given to its cancellation. When considering this, the representation should be accompanied by any supporting evidence provided by the vehicle owner and due consideration will also be taken of the CEO's pocketbook notes and any photographs.

Breakdown organisations

Enforcement: Vehicles being used in conjunction with the repair or recovery of broken-down vehicles will be exempt from the regulations as long as they can be seen to be actively involved in such. Vehicles parked for long periods with no activity observed are subject to the same restrictions as ordinary motorists.

Broken-down vehicles

Enforcement: A note left in the windscreen, stating that 'the vehicle has broken down' will not be accepted by the CEO, as a reason for not issuing a PCN. A note will be made of anyone contacting West Suffolk Council Parking Services to report that they have broken down, but they will not be told to write a note, CEOs will be informed of the situation. If the vehicle has broken down in a car park, they will be expected to pay car parking fees, if they exceed the maximum stay of the car park additional time should be purchased, CEOs will be informed of the situation.

Back office: Claims of alleged breakdown should only be accepted if they appear to be unavoidable and, if supporting evidence in the form of one or more of the following is produced:

- Garage receipt, on headed paper, properly completed and indicating repair of the alleged fault within a reasonable time of the contravention.
- Till receipt for the purchase of seemingly relevant spare parts purchased on or soon after the date of contravention.
- Confirmatory letter from the RAC, AA or other similar motoring organisation.
- Confirmation from the CEO that the vehicle was obviously broken down.
- Each case should ultimately be considered upon its own merits.

Builders and tradesmen

- Waiting restrictions: Parking will only be allowed whilst loading/unloading of tools or materials are taking place. At all other times the vehicle must be moved to a permitted parking area.
- On-street residential parking zone: Trade vehicles can only park if they are loading/unloading, have a valid visitor's permit, have a business parking permit (only available in some zones) or where limited waiting is allowed without a permit – there will be a need to check the signs to determine how long the vehicle can be parked for.

Bus stops and stands

Bus stops can be restricted or unrestricted:

- **Restricted:** A restricted bus stop or stand will show yellow lines and a time plate showing the hours of operation.
- **Unrestricted:** An unrestricted bus stop or stand will not have a time plate but may show advisory road markings.

Enforcement: PCNs may only be issued to vehicles parked in contravention of a restricted bus stop.

Back office: PCNs issued to vehicles waiting in a restricted bus stop should be enforced.

Caravans and trailers

Enforcement: Caravans and trailers not attached to a motor vehicle and parked in contravention of a traffic regulation order will be reported to Suffolk County Council, in the case of car parks they will be reported to Property Services. A CEO cannot enforce in these circumstances.

Care organisations

Numerous care organisations are now operating within West Suffolk and Babergh and Mid Suffolk areas as a result of contract arrangements with Adult Care and Support and the local health authority as well as privately arranged care.

Enforcement: Badges issued by the various organisations do not allow the holder to park in contravention of parking restrictions and PCNs should be issued.

Back office: A protocol for dealing with PCNs issued to those on duty exists between the Parking section and care organisations and the health service. Where the organisation falls outside of this protocol supporting evidence will be considered – a PCN will usually only be cancelled where an unequivocal need to park at that location can be demonstrated.

Waiver permits

These are available to individual companies or residents that meet the requirements of the specific traffic order.

Cars for sale or hire

Enforcement: Vehicles parked on the highway for the purpose of being sold, or for hire, will be subject to the same restrictions as any other vehicle. CEOs will deal with vehicles for sale in the same way as any other vehicle parked in contravention of the TRO and will issue a relevant PCN.

Back office: Any challenge against the issue of a PCN to a vehicle parked in contravention of a TRO for the purpose of the vehicle being sold or hired will be rejected.

Commercial vehicles

The definitions of a commercial vehicle for the purpose of these procedures are as follows:

- Buses
- Hackney carriages
- Private hire vehicles
- Heavy goods vehicles
- Vans – a van may look like a private motor car but will have some, if not all, of the rear windows blanked out, or is sign written with the name of the business – this will be more than a website address in the rear window

Council officers and councillors on duty

Enforcement: Staff or councillors carrying out their official council duties will be expected to comply with any relevant on street parking regulations. In car parks they will be expected to pay the relevant fee or display an appropriate permit. Failure to comply may result in a PCN being issued.

The only exemptions will be the standard exemptions that apply to on street restrictions, for example working in the highway. The only exemptions in car parks will be for those people physically working in the car park, for example those emptying bins or cleaning toilets.

Back office: Request for cancellation of a PCN: this will only be considered in case of emergency and must be supported by written confirmation from the relevant corporate director.

Court attendance – defendants

Back office: The conditions applying to jury members and witnesses equally apply to defendants. However there have been instances when a defendant has unexpectedly been given a custodial sentence and, as a direct result, is unable to remove their car from a council car park or limited parking bay.

In such instances the council will expect that vehicle is removed as soon as is reasonably possible, by the defendant's family, friends or legal representative. Any PCN issued will not be enforced providing supporting evidence is supplied by the defendant's legal representative.

Court attendance – Jury Service or witness

Back office: The length or timing of any court hearing or trial cannot be guaranteed and often jury members and/or witnesses find that they are unable to leave court to purchase further pay and display time in a car park or to move their car. This often leads to overstay and to PCNs being issued. To counter this, courts issue clear instructions to all jury members and witnesses advising them as to how and where they should park. The courts will not pay any PCN issued to a witness or jury members whilst carrying out their legal duties even if they were delayed by the courts.

In such circumstances West Suffolk Council will enforce PCNs against the owner unless evidence is produced to support the fact that they were delayed to an extent that they could not have been reasonably foreseen for example, moved to a hotel overnight.

Dental or doctor's appointments

Back office: If the claim is made that, due to a delay in the appointment time or that treatment took longer than anticipated and this resulted in a PCN being issued for overstaying the parking time allowed, consideration should be given to the validity of the claim. Such claims should be supported by written confirmation from the dentist or doctor that the delay was caused for reasons outside of the driver's control.

However, West Suffolk Council must be satisfied that the driver allowed long enough when deciding where to park or when purchasing a ticket for normal delays experienced whilst attending such appointments.

Diplomatic vehicles

Back office: These fall into two categories: those with 'D' plates, which indicate that the driver has full diplomatic immunity, and those with 'X' plates, which indicate limited immunity.

PCNs issued to 'D' and 'X' plate vehicles should automatically be cancelled upon input to the processing system although, should the driver subsequently decide to make payment, it will be accepted.



Disabled drivers or passengers

Blue badges are issued to either a disabled driver or a disabled passenger. They can only be used when the vehicle is being used to transport the disabled person. It is not permitted to use the badge for any other purpose for example, shopping for the disabled person when they, themselves, are not being transported in the vehicle to carry out the shopping.

Enforcement: Blue badges must be clearly and properly displayed whilst the vehicle is parked. The Blue badge must be on the dashboard or the fascia of the vehicle where it can be seen through the windscreen. The front of the badge must be displayed, with the hologram visible. If there is no fascia or dashboard in the vehicle, the badge must be displayed in a prominent position. The Blue badge should always be displayed along with the disabled badge time clock set to the time of arrival

Failure to do so will result in a PCN being issued for the contravention of the relative parking restriction. When considering the matter West Suffolk Council will take into account previous contraventions by the same vehicle and/or badge holder for failure to display a disabled badge. Where no previous contravention has occurred, the representation should be allowed, providing proof of the existence of a valid badge is

supplied. In such circumstances the letter sent to the person making the representation should make it clear that this contravention will be taken into account when considering any future contravention and that this may lead to future representations being rejected.

Providing the disabled badge is clearly and properly displayed the badge holder can park in:

- disabled parking bays
- yellow lines: For a period not exceeding three hours (on-street only)
- West Suffolk Council, Babergh and Mid Suffolk District Council car parks- charges may apply. Details will be displayed on the tariff board.

Disabled badge holders are not allowed to park in:

- any area where there is a loading restriction.
- any area specifically reserved for other vehicles or purpose. That is taxi ranks, reserved spaces in car parks, bus stops or goods vehicle loading bays and clearways.

Parking with a Blue Badge must always be in accordance with the current Blue Badge Scheme guidance. Vehicles should not cause obstruction to other road users.

Blue badge holders must pay the normal parking fee in car parks unless signage states it is free.

In some locations, blue badge holders paying a parking fee automatically get one extra hour of free parking. For example, if you correctly display a blue badge and pay for two hours, you can park for three hours.

Disabled visitors from the European Union and some non-EU countries can enjoy the parking concessions provided in the UK by displaying the badge issued under their own national scheme. Where their national scheme does not include a parking disc (time clock) as required in England and Wales for parking on double yellow lines, the DfT suggests that, when parking in areas that would normally require a parking disc, the disabled badge holder should simply write the time of arrival on a piece of card and display it prominently on the dashboard or facia panel of their vehicle. Details of accepted disabled badges can be found at www.gov.uk

The UK has no arrangements for disabled badge holders with badges from other countries however West Suffolk Council will recognise non-EU disabled badges if the holder notifies Parking Enforcement in advance providing details which include a copy of the disabled badge, the registration of the vehicle to be used and the dates of the intended visit. All non-EU badge holders having gained approval for use of their badge must comply with the rules and regulations detailed in the Blue Badge Scheme rights and responsibilities leaflet issued to all UK disabled badge holders.

The Department for Transport is keen to ensure that the Blue Badge Scheme provides the intended benefits to badge holders while seeking to prevent improper use. By virtue of Disabled Persons' Parking Badges Act 2013 and the introduction of the Disabled Persons (Badges for Motor Vehicles) (England) (Amendment) Regulations 2013 police officers, Civil Enforcement Officers and persons authorised by a local authority can inspect and retain Blue Badges. It is an offence to fail to produce a badge when requested to do so by any of these authorised persons. CEOs employed

by West Suffolk Council will receive specific training on how the inspection of Blue Badges should take place

Dispensations and suspensions

Dispensations: The following vehicles will receive automatic dispensation from on street waiting restrictions:

- Police, fire, rescue services and ambulances but only whilst attending emergency situations, this also includes hearses whilst on duty.
- Vehicles involved in contracted highway maintenance or public utility work where there is a need for them to be parked adjacent to the site.
- Liveried council vehicles carrying out statutory duties such as refuse collection, street cleansing and verge maintenance.
- Vehicles displaying valid disabled badge.

Dispensations may be granted for other reasons.

Suspensions: Designated parking bays, on or off-street, may be suspended. Full guidance on dispensations and suspensions (what they will be granted for, how to apply and so on) can be found at <https://www.westsuffolk.gov.uk/parking> or on request.

Suspension of bays in West Suffolk Council off-street car parks need to be discussed with the council and a charge for the suspension will be made on a commercial basis.

Double parking

In June 2009 the law was changed so that double parking became a contravention. In West Suffolk, Mid Suffolk and Babergh areas enforcement will be carried out in the following circumstances:

Enforcement: Where no part of the vehicle is within 50 centimetres of the edge of the carriageway and the vehicle is not within the markings of a designated parking space a PCN will be issued except where the vehicle is being used for:

- fire, ambulance or police purposes
- for loading and unloading
- in connection with building works, waste collections, highway works, sewer or water main works or the supply of gas, water, electricity or communication services
- where the vehicle has stopped due to circumstances outside the control of the driver to avoid an accident
- to allow passengers to board or alight.

Please note there are no specific exemptions for blue badge holders.

Drink driving or other arrest

Back office: If the driver of a vehicle has been arrested and, as a direct result, has been forced to leave the vehicle in contravention of an on-street parking restriction any resultant PCN should not be enforced unless the driver has had ample time to safely remove the vehicle after his or her release from custody. (In the case of drink

driving a period of at least 12 hours should be allowed for safe removal of the vehicle).

Dropped kerbs

In June 2009 the law was changed so that parking by a dropped kerb became a contravention. In West Suffolk, Babergh and Mid Suffolk areas enforcement will be carried out in the following circumstances:

Enforcement: Where a vehicle is witnessed parked adjacent to dropped kerbs that form part of an official crossing point as indicated by the use of tactile paving a PCN will be issued, except where the vehicle is being used for:

- fire, ambulance or police purposes
- for loading and unloading
- in connection with building works, waste collections, highway works, sewer or water main works or the supply of gas, water, electricity, or communication services
- where the vehicle has stopped due to circumstances outside the control of the driver to avoid an accident
- to allow passengers to board or alight.

Please note there are no specific exemptions for blue badge holders.

If a blue badge holder parks adjacent to a dropped kerb and there is also a waiting restriction the more stringent dropped kerb contravention will take precedence.

Dropping off or picking up passengers

Enforcement: Except on designated clearways and zig-zag (schools and pedestrian crossing) restrictions, dropping off or picking up passengers is permitted irrespective of any on-street waiting or loading restriction in force and a PCN will not be issued if such activity is witnessed.

Back office: When considering the cancellation of PCNs special consideration will be given to hackney carriages or private hire vehicles who will need additional time to announce their arrival and accept payment.

Early issue of PCN

Enforcement: A claim that a PCN was issued before the time that a contravention is deemed to have been committed requires careful investigation. The issue of PCNs is controlled by handheld computers carried by each CEO. These computers have in built clocks, which are calibrated each morning prior to commencement of the patrols. Where appropriate the CEO will impose an observation period, prior to allowing a PCN to be issued. These times will appear on the PCN itself as 'Observed from – together with the actual times recorded', and 'Time – together with the actual time of issue'. The computer system will prevent any subsequent alteration to these times.

Emergency duties

- Local authority liveried vehicles – will be exempt from parking restrictions when actively dealing with an emergency on the highway. However, these vehicles

should not be parked in a way that will cause an obstruction to other road users and pedestrians wherever possible.

- Medical emergency – doctors, nurses, midwives engaged on emergency duties are, wherever possible, expected to park legally in accordance with local restrictions. Should a PCN be issued it will be cancelled only upon evidence of the emergency being provided or in line with any agreed protocol. Regular or programmed visits will not be considered an emergency.
- Non-liveried vehicles – such as private vehicles being used by any council department are wherever possible expected to park legally in accordance with local restrictions. Should a PCN be issued it will be cancelled only upon evidence of the emergency being provided or in line with any agreed protocol. Regular or programmed visits will not be considered an emergency.

Enforcement agents

Enforcement agents, as agents of the court, are court officers. Of the many functions they perform, executing warrants is one that is likely to concern us most. These are court orders for the collection of money and/or goods of sufficient value to produce the required amount. For this purpose, the Enforcement Agent will always have an appropriate vehicle nearby.

For their other activities they do not need a vehicle nearby, e.g. If they are serving a summons or warrant (not enforcing it). In such circumstances they would be expected to comply with parking restrictions.

When they are taking goods or high values in cash, we can exercise discretion where it appears reasonable to do so. Enforcement agents are not exempt from legislation however, and an official badge or permit should be displayed on the vehicle and, further, the act of loading or unloading should be observed as taking place. Once goods have been seized the enforcement agent is required to list them prior to leaving the premises and this could legitimately take some time. In such circumstances we should ask for a warrant number, identification and confirmation of the nature of goods being seized before the PCN is cancelled.

Estate agents

Back office: Estate agents are not exempt from parking restrictions and PCNs should always be enforced.

Exempt vehicles

Enforcement: The following vehicles are considered to be exempt from parking restrictions whilst attending emergencies:

- fire and rescue services vehicles (including private vehicles where the vehicle is being driven by emergency services personnel such as funeral directors and retained fire-fighters)
- marked Police vehicles
- ambulances.

The following vehicles are exempt in the circumstances described:

- Local authority vehicles (or those of their contractual agents), whilst being used to carry out statutory and common law duties and powers (that is refuse collection, street cleansing, highway maintenance), or while carrying out duties that require the vehicle to be in close proximity (that is verge grass cutting), including CEO vehicles.
- Post Office (Royal Mail) liveried vehicles engaged in the delivery of postal packets This does not include private vehicles used by postmen/women whilst carrying out letter deliveries. The council will expect such vehicles to be parked in compliance with any parking restriction.
- Electricity and gas contractors, water authority, telecommunication companies (and/or their appointed contractors), whilst actively laying or undertaking repairs to pipes, cables or other apparatus in the highway.
- Vehicles involved in building, excavating and demolition work whilst lawfully and actively engaged on those duties in the highway.
- Vehicles with pumping systems on-board whilst lawfully and actively using the pump system on the highway.
- Any vehicle displaying an approved notice that an exemption has been granted.

Fire-fighters on call

Enforcement: 'Fire-fighter on call' placards are issued to fire-fighters to display in their own private vehicles. The placard is meant to be a way of informing members of the public that the vehicle belongs to a fire-fighter and that the vehicle should not be obstructed in case the driver needs to report on duty at a nearby fire station. This, however, does not allow the vehicle to park in contravention of any parking regulations, PCNs can be issued to vehicle contravening parking restrictions.

Back office: Request for cancellation of a PCN: this will only be considered in case of emergency and must be supported by written confirmation from a senior fire officer that the vehicle was involved in an emergency.

Footway parking

Parking partially or wholly on a footway should not take place unless signs permit it.

Driving on the footway and obstruction of the footway may be enforced by the Police.

Most waiting and loading restrictions cover the relevant half of the highway – Centre line to boundary and this includes all footways and verges. A PCN will be issued for contravention of the restriction even if the vehicle is parked wholly behind the yellow line(s). The standard exemptions apply.

PCNs may also be issued as follows:

- HGVs parked on the footway.
- Where a Traffic Regulation Order (TRO) specifically restricting parking on a footway exists.

Funerals and weddings

Enforcement: PCNs will not be issued in the case of:

- Funerals – For the hearse and cortege vehicles.

- Weddings – bridal vehicles.

However, vehicles belonging to mourners or wedding guests that are not actively involved in the wedding or funeral will not be able to park in contravention of any parking restriction.

Back office: Any PCN issued to vehicles associated with a funeral or wedding, however, should be considered with due respect.

Garages – vehicles left unattended

Back office: When a garage employee parks a vehicle on a highway, in contravention of a parking restriction, whilst maintenance of the vehicle is being carried out (i.e. to facilitate vehicle movement within the workshop) any PCN issued will be the responsibility of the vehicle owner. Garages have no right to utilise the highway in such a manner and PCNs should always be enforced in such cases.

Glaziers

Back office: Claims from glazier companies that a vehicle needed to be parked close to the location of an emergency repair should be treated leniently providing it is confirmed, from the CEO's notes, that such activity was taking place at the time of the issue of the PCN. PCNs will not be cancelled when issued to vehicles that are not actively involved in the work.

Goods – definition when related to loading or unloading

- In claims of loading or unloading 'goods' are deemed to be anything that is of sufficient bulk, weight and or value that cannot be reasonably conveyed other than by vehicle and therefore requires the vehicle to be parked adjacent to the point of collection or delivery.
- If a delivery is being carried out to a trade or business premises by a commercial vehicle this will be seen as compliant with the above.

It must be recognised that application of this definition will be dependent on the individual claimant. For example, an elderly person is unlikely to be able to carry the same items that a younger, healthier person might.

Government department vehicles

Enforcement: PCNs may be issued to vehicles owned or operated by Government departments if they are parked in contraventions of parking restrictions.

Back office: Unless the reason for parking the vehicle was under exceptional circumstances PCNs issued to vehicles owned or operated by Government departments should be enforced or dealt with under agreed protocols. They are not exempt purely by virtue of the fact that they are operated by a Government department. If the vehicles are involved in exceptional activities such as surveillance by Customs and Excise or the Benefits Agency, evidence to support this in the form of a written statement from a senior manager on headed notepaper must be supplied. Wherever possible Government agencies involved in such activities should be encouraged to give the council advance notice and details if the vehicle(s) involved.

Hackney carriages or private hire vehicles (PHVs)

Hackney carriages and private hire vehicles operating within the county are licensed by the council and carry a numbered license plate that must be displayed on the rear of the vehicle. There is a distinct difference between hackney carriages and private hire vehicles (PHV). PHVs are not allowed to ply for hire on the street or display a 'Taxi' sign.

Hackney carriages licensed by local authorities are not allowed to ply for hire within another local authority area.

Enforcement: Hackney carriages and PHVs, like all vehicles, may stop to allow passengers to board or alight for as long as is reasonably necessary for the purpose. It is not an exempted activity to assist passengers into premises and to leave the carriage unattended.

If a licensed Hackney Carriage or PHV is left unattended for more than 10 minutes it is liable to receive a PCN.

Back office: When considering challenges or representations it should be considered that when a hackney carriage or PHV is called to an address to pick up passengers the driver should be allowed time to announce his or her arrival.

Hazardous chemicals or substances

Back office: Claims by companies that toxic or dangerous substances were being delivered or collected from premises and, as a result, a PCN was issued to the vehicle being used should be given careful consideration. If the PCN was issued for contravention of a no waiting restriction it can be established from the CEO's notes whether the activity of loading was taking place. If no loading activity was taking place the PCN should be enforced. There is no reason, in this case, to differentiate between toxic and non-toxic deliveries as it is the driver's responsibility to ensure that the vehicle is moved immediately after the loading/unloading activity is complete.

Ideally if there are serious Health and Safety concerns West Suffolk Council should be notified prior to the delivery.

If the PCN was issued for contravention of a no loading restriction then, once again, the CEO's notes should be viewed to establish whether the loading activity was taking place. If so, then serious consideration should be given to the cancellation of the PCN in view of the Health & Safety of the public. Any such representation should be accompanied by documentary evidence showing the nature of the goods being delivered.

Hiring agreement

Back office: It is within the legislation that, in the case of a hired vehicle, responsibility for a PCN is that of the hirer of the vehicle at the time. Consequently, in this case, the responsibility does not rest with the registered owner, the hire company, providing they make formal representation to the council once the Notice to Owner is received.

This representation must be accompanied by a copy of the relative hire agreement. In all cases this agreement must clearly state: The name and address of the hirer, the

start and finish dates for the hire period and the hirer's signature. It must also include a statement regarding the hirer's liability for any PCNs incurred during the hire period. Should any of the foregoing be unclear, absent or in contradiction of the date or time of issue of the PCN then the PCN will be enforced against the hire company and a notice of rejection of the representation sent to them with the reasons clearly stated therein.

Loading or unloading

Enforcement: Vehicles will be permitted to park in contravention of waiting restrictions, including resident parking zones, whilst carrying out the legitimate activity of loading or unloading provided:

- Loading or unloading involving the vehicle is observed by the CEO whilst the vehicle is parked. The observation period shall be for at least five minutes for a private vehicle and 10 minutes for a commercial vehicle, and a PCN shall only be issued if no activity is seen during this period.
- The goods being delivered or collected comply with the definition of goods.

Back office: Where a PCN is issued, a representation will be considered if supported by evidence confirming that the driver was delayed or was involved in delivering heavy goods. Loading or unloading is considered to have ceased when the goods are securely in the premises or vehicle and any paperwork has been completed.

Lost keys

Back office: Where it is claimed that car keys have been lost, stolen or locked in a car thus preventing removal of the car from a parking area which in turn resulted in the issue of a PCN, then due consideration should be given to its cancellation. When considering this the representation should be accompanied by any supporting evidence from the police, motoring organisations or relatives. The following should also be considered:

- If the vehicle was parked in a pay and display car park, did the loss of the keys prevent purchase of additional parking time?
- If the vehicle was parked on a yellow line, should it have been parked there in the first place?

Medical emergencies

Back office: If the motorist provides proof of a medical emergency, that is consistent with the conditions described or, if the CEO has made notes to support the motorist's representation, the representation may be accepted and the PCN cancelled. If the motorist cannot provide some proof of a medical emergency, consistent with the conditions described or, where other evidence contradicts the motorist's claim the representation may be rejected. Each case will be treated on its individual merits.

Mitigating circumstances

Back office: Each case will be treated on its individual merits and any particular circumstances are referred to elsewhere within this policy. However, the following are a few guidelines:

- **Delays:** Delays due to queues at shops, banks and so on, meetings taking longer than expected, caught up in crowds and so on, are not considered as valid reasons to cancel a PCN. Allowance should be made for such delays when purchasing parking time as they are a regular occurrence and part of normal life. (See emergencies below).
- **Children or elderly people:** Claims are often made by people, accompanied by young children or elderly people, that they were delayed because of them. Again, this should not be considered as a reason to cancel a PCN because allowance should be made for this when purchasing parking time (see emergencies below). Claims that PCNs issued whilst children were being dropped-off or collected from schools and so on, should not be cancelled unless the standard observation time was not allowed by the CEO.
- **Emergencies:** An emergency is an unforeseen situation that prevented the driver from moving his/her vehicle. They are usually of a medical nature and leniency should be exercised where it can be seen that the driver could not have foreseen the situation. Wherever possible such claims should be supported by independent evidence.

Mobile phones

Enforcement: The driver of a vehicle that is parked in contravention of any parking regulation whilst using a mobile telephone will only be allowed the relevant observation period in order to complete their call prior to the issue of a PCN. The relevant observation period is dependent on the parking contravention being committed, and the type of vehicle – whether it is a private or commercial vehicle.

Motorcycle bays

Enforcement: These are not mandatory bays but are exemptions to the normal restrictions in car parks. Consequently, any vehicle, other than a motorcycle, parked in such a bay is parked in contravention of the surrounding restriction, not for being parked in a motorcycle bay.

Motorist claims of feeling unwell

Back office: If a motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described or, if the CEO has made notes to support the motorist's representation, we may accept the representation and cancel the PCN. If the motorist cannot provide some proof of a medical condition, temporary or permanent, consistent with the conditions described or, where other evidence contradicts the motorist's claim we may reject the representation. Each case will be treated on its individual merits.

Motorist not the owner or keeper, or had sold the vehicle at the time of the contravention

Back office: We may accept representations made against the issue of a PCN if:

- the current registered owner is able to provide proof that the vehicle was disposed of before the contravention, that is a bill of sale, registration documents, insurance documents or a letter from the DVLA, and/or
- if the current registered owner is able to provide the full name and address of the person to whom they disposed of the vehicle along with the date of disposal.

- if the current registered owner is able to provide proof that the vehicle was purchased after the contravention, that is an invoice, registration documents, insurance documents or a letter from the DVLA, and/or
- if the current registered owner is able to provide the full name and address of the person from whom they purchased the vehicle along with the date of purchase.

Pay and display ticket machines – did not realise there was one there

Back office: Claims from owners that they did not see or realise that they had to use a meter or pay and display machine should be dismissed providing that they are clearly sign posted.

Pay and display ticket machines – not working

If someone telephones to say a pay and display ticket machine is not working, they will be asked to use another machine (if available), the cashless parking system (RingGo or MiPermit), or to find an alternative car park. If the machine has swallowed their money, details of their registration number must be taken and the machine inspected as soon as its possible.

Back office: Where it is claimed that a machine is not working then reference must be made to both the maintenance records, the CEO's notes, photographs and machine test record. If it is confirmed that the machine was not working at the time, then consideration will be given to cancelling the PCN. If there was an alternative machine in working order, and in close proximity, then it is reasonable to expect the driver to use this machine.

Pay and display tickets

Enforcement: Most of the council's car parks operate as pay and display. Pay and display requires the purchase of a ticket from the machine, or payment via a valid debit or credit card at the time of parking for the amount of time required. Pay and display tickets will display either:

- the expiry date and time on them along with the fee paid and car park name or
- the purchase date and time along with the fee paid and car park name.

The car park tariff is clearly displayed adjacent to each machine.

Pay and display tickets must be:

- clearly displayed whilst the vehicle is parked
- un-expired
- for the car park indicated
- for the vehicle indicated (if applicable).

PCNs will be issued for:

- failing to display a valid ticket, if its upside down or failing to purchase a valid parking session with a valid by credit or debit card.
- parking in excess of time paid for.

- purchasing additional pay and display tickets in order to extend the stay beyond that initially purchased (only applicable in some car parks where the contravention is clearly signed).

Back office: Representations made because the driver failed to correctly display a valid ticket even though one was held will not be allowed as the onus is upon the driver to ensure that the ticket is clearly displayed throughout the time that the vehicle is parked. Representations made because the driver did not have change will not be upheld.

For the avoidance of doubt correctly displayed means that the pay and display ticket must be displayed face up inside of the windscreen so that all of the information printed on the ticket covering arrival or departure times and amount paid are clearly visible through the front windscreen.

Appeals made because of delays returning to the car park will be dealt with in accordance with 'mitigating circumstances' above.

Pay by mobile or app (cashless parking)

The council provides a cashless parking facility through the **RingGo** app in West Suffolk.

MiPermit- currently available in Babergh and Mid Suffolk areas only where a motorist can pay for parking with the App or over the telephone with a valid credit or debit card.

PCNs will be issued for:

- failing to purchase a valid parking session through RingGo or MiPermit
- purchasing additional parking sessions in order to extend the stay beyond that initially purchased (only applicable in some car parks where the contravention is clearly signed).

Back office: Claims that a valid parking session had been purchased however records show that an incorrect vehicle registration or location code were input by the customer would not be allowed as the driver is responsible for ensuring the session they are purchasing is correct before they park.

Representations may be received that claim the pay by mobile or app was not working. We would expect the customer to have attempted to use the alternative methods of payment that is pay and display. A check would be made to see if there was a known issue with the system on that day and time or if the person had attempted to contact West Suffolk Parking Services team in relation to the problems with pay by mobile.

PCN was removed from vehicle or not received

It is an offence under the Traffic Management Act 2004 for any unauthorised removal or interference with a Penalty Charge Notice once it has been affixed to a vehicle.

Back office: Claims from the registered owner of the vehicle that a PCN was not received will require careful consideration. This is because the CEOs will gather

photographic evidence at the time of the contravention to prove that the PCN was affixed to the vehicle.

If we receive correspondence claiming that the PCN was not received, we will examine the evidence recorded by the CEO. If it is accepted that the PCN was not received we will write to the registered owner of the vehicle to inform them that if the PCN is paid within 14 days of issue of this letter, the PCN rate will be discounted by 50% and will be accepted in full settlement. If the PCN remains unpaid after 14 days, it will be dealt with via the normal PCN recovery process. When it is claimed that the PCN was not received the notice processing system will be interrogated to ensure that previous such claims have not been made by the same person. If there is a history of such claims the discounted period may not be re started and the full amount required.

Plumbers, electricians, gas fitters and other tradesmen

Back office: The tradesman claims that they were on an emergency call out: An emergency is considered to last as long as it takes to make the premises safe, that is turn off the main supply. After which, any vehicle should be moved to a permitted parking place before any subsequent repairs are undertaken.

Heavy equipment: Dealt with as loading or unloading.

Police officer gave permission to park

Back office: Where details of the officer concerned are given, confirmation should be sought prior to the cancellation of the PCN. Where these details are not given the PCN should be enforced unless they are supplied subsequently. A CEO will not be permitted to allow people to park in contravention of any on-street parking restriction.

Police officers on duty

Enforcement: PCNs should not be issued to marked police vehicles when on official duties.

Back office: Requests for cancellation of any PCN issued to an unmarked police vehicle must be made by the officer's area Inspector or equivalent. They should contain confirmation that the officer was on official business and that that it was inappropriate for the vehicle to be parked elsewhere.

PCNs issued to unmarked police vehicles regularly parked outside a police station should not automatically be cancelled as this can be deemed to be parking at a place of work and therefore, no different from any other employed person.

Pregnancy or parents with young children

Back office: Generally, pregnancy is not considered a disability, and delays caused by young children should not normally lead to cancellation of a PCN. However, this is a sensitive area and each case should be treated on its merits that is if the delay was short (up to 10 minutes) or was caused by a minor medical emergency, child being sick or pregnant woman feeling unwell, leniency should be shown. If the delay was caused by the parent not allowing enough time to deal with young children or her own condition, both of which they are fully aware of, then the PCN should be enforced.

Previous records of parking contraventions

Back office: All PCN records relating to West Suffolk Council are stored within a secure computer system. These records may be consulted before making any decision on appeals received.

Private property

Private landlords, residents etc can impose reasonable restrictions on their own property i.e. the need for permits etc. Enforcement of such restrictions, however, is also their responsibility although it may be subcontracted to other companies. Any person querying such an area should be referred to the relevant person.

Public service vehicles (PSVs)

- In service PSVs may stop anywhere to allow passengers to board the vehicle (unless there are specific exemptions in place).
- Out of service PSVs are not permitted to park in contravention of any restrictions and will be treated the same as any other vehicle.
- Touring coaches are permitted to park in order to allow passengers to board or disembark the vehicle. However, they are not permitted to park in contravention of any restriction for any length of time prior to, or after, passengers have boarded/disembarked.

Residents' parking (on-street)

West Suffolk Council has a number of residents' parking schemes in which the restrictions vary. Motorists must always consult the signs and park in accordance with the restrictions.

Restricted areas within car parks

Various markings are provided within car parks to allow the safe movement of vehicles these include hatched areas and double yellow lines.

Enforcement: A vehicle parked on a restriction should be issued with a PCN for the relevant contravention. Disabled drivers are not permitted to park in contravention of restrictions within a car park and should be treated as any other person in this respect.

Road signs or markings – missing, obscured or broken

Back office:

Yellow lines: Where it is claimed that a yellow line(s) is worn away or has been covered by a highway repair the area should be immediately inspected and remedial work undertaken as soon as practicable.

Where weather conditions have obscured the lines (for example snow or wind-blown sand) then remedial action to clear them will be taken as soon as practicable.

If it is confirmed that the claim is valid the PCN should be cancelled. The claim will be considered valid if the motorist could not establish if the restriction considered was in

operation. Where the lines can be clearly seen, even though they may be partially worn, the PCN will be enforced but remedial action to renew the lines should be undertaken.

Kerb markings: (loading restrictions) as per yellow lines above.

Obscured signs: Information signs accompanying waiting or loading restrictions must be clearly visible at all times. If it is claimed that a sign was obscured and could not be read (for example graffiti, weather, and overhanging trees) the sign should be inspected as soon as practicable and remedial action taken. Photographic records from the CEO will be consulted. If only one of a series of signs is obscured this will not normally be considered as the restriction being improperly signed. If the claim is proved to be correct, then consideration should be given to cancelling the PCN dependent on the proximity of the nearest visible signs.

If the sign can be easily read, then the PCN should be enforced but the sign should be returned to reasonable condition as soon as is practicable.

Missing signs: If a sign is claimed to be missing it should be inspected as soon as practicable and, if confirmed, arrangements made for its replacement. A single missing time plate will not normally be considered as the restriction being improperly signed. No Waiting At Any Time restrictions do not require time plates to be erected. Any missing signs must be reported to Suffolk County Council.

Restriction marked after vehicle parked: A PCN may be cancelled if records confirm that signing/lining/placement of cones or suspension notices are likely to have taken place after the vehicle was parked.

Security vans

Secure cash vans are occasionally required to park in close proximity to premises in order to affect safe delivery or collection of cash.

Back office: PCNs issued under such circumstances should be cancelled upon receipt of a representation from the security company confirming such an activity at the time, unless it can be clearly shown that the vehicle was parked for longer than was necessary.

Security vans involved in the delivery of mail or other such low value items are expected to comply with parking restrictions.

Street traders

Street trader's vehicles such as mobile kitchens and ice cream vans will not be permitted to park in contravention of any restrictions, or within any council car park without permission from the council.

Enforcement: If a street trader's vehicle is seen to be parked in contravention of a TRO, or in a car park without permission, the person appearing to be the driver of the vehicle will be advised to move the vehicle by the CEO. If the vehicle is not moved after advice from the CEO, a PCN will be issued.

Suspended bays

Back office: Where an appeal is received claiming that a vehicle was parked at the location without having received notice of the suspension and, upon investigation the claim is found to be valid the PCN should be cancelled, providing that a valid permit was displayed if required.

When a vehicle is parked legally within a designated bay, which is subsequently suspended, it is deemed to be legally parked as it cannot be made illegal retrospectively by the suspension. Vehicles parked when the suspension was placed should be recorded at that time. The owner will have to demonstrate however that, if the vehicle remains parked in contravention of the suspension for a considerable time, he/she remained unaware of the suspension (for example on holiday).

Taxi ranks

Enforcement: Suffolk County Council shall make orders for hackney carriage ranks. Signs and lines need to be displayed at each rank, indicating its limits and restrictions. Vehicles, other than hackney carriages, (including private hire vehicles) parked in such ranks may be issued with a PCN. Any vehicle, including a hackney carriage, parked outside of the rank and in contravention of a parking restriction may be issued with a PCN. Hackney carriage parked in a taxi rank must abide by the provisions of the relevant order.

Traffic regulation order – invalid

Back office: Appeals made against the issue of a PCN must be accepted if the Traffic Regulation Order which describes the restriction is legally flawed.

If the owner is querying the authority behind a specific restriction then reference should be made to the relevant Traffic Regulation Order, held by West Suffolk Council. Prior to any correspondence with the owner this Order should be checked to ensure the validity of the PCN. If any doubt exists, then the PCN should be cancelled and the decision communicated to the owner. No legal advice will be given.

Unauthorised movement of a vehicle

Back office: Where it is claimed that a vehicle was stolen prior to the issue of a PCN confirmation from the police that the vehicle was reported stolen at the time the PCN was issued including the relative crime report number will result in the PCN being cancelled.

Unauthorised use of a vehicle by another family member or a friend is difficult to substantiate and under these circumstances the PCN should be enforced unless it can be demonstrated that the matter was reported to the police prior to or just after the issue of the PCN. Subsequent reports will not lead to the cancellation of the PCN.

Vandalised vehicle

Back office: When a vehicle has been vandalised to an extent that prevents it from being safely moved any PCN issued will be cancelled providing acceptable supporting evidence is provided. This evidence should be from either:

- The Police, quoting the recorded crime number.
- Motoring organisation or garage service, who removed the vehicle from site.

CEO observation from their pocketbook must also be considered providing that it clearly states the extent of the damage.

Failure to provide supporting evidence or the absence of CEO observation will lead to the PCN being enforced.

Vehicle stolen

We will accept representations made against the issue of a PCN if the vehicle had been taken without the owner's consent subject to receiving satisfactory evidence. The registered owner will be asked to provide a valid police crime report including the crime reference number.

Vehicle partially on restrictions

Enforcement: A vehicle is deemed to be committing an offence in the following situations:

- Yellow lines – double yellow lines or single yellow lines
- Restricted zone, zig-zag lines, school markings.
- Bay markings: Residential areas, good vehicle loading and loading only bays.
- Where at least 50 per cent of the vehicle is parked on the restriction.

Visitor to UK

Back office: If a PCN is issued to a vehicle displaying foreign registration plates it should automatically be recognised by the processing system as the registration number will not be in DVLA format. Consideration should be given to cancellation of the PCN but, should payment be made then it should be accepted in the normal way. Equally all correspondence and representations should be dealt with in the normal way. If a PCN is issued to a UK registered vehicle, which has been borrowed or driven by a foreign resident, the PCN should be enforced against the registered owner(s) as they remain liable for it.

Voluntary patient transport vehicles

Enforcement: The display of a 'Voluntary Patient Transport' placard does not automatically exempt the holder from parking restrictions.

Back office: All appeals against the issue of a PCN should be given due consideration bearing in mind that this is a voluntary service provided for the elderly and sick so that they can be transported to and from hospitals.

Generally such consideration should extend to:

- allowing sufficient time to enable the driver to make his or her presence known to the passenger(s)
- allow sufficient time to assist the passenger(s) between the vehicle and their home(s), bearing in mind that they may be elderly, infirm, disabled or unwell. This may well involve sufficient time to ensure that the passenger is comfortably settled within his or her own home prior to departure by the driver.

Appeals should be accompanied by documentary evidence giving the date, time, the pick-up and drop-off locations for the trip and, wherever possible, a description of the passenger (such as elderly, disabled and so on).

Penalty charge rate

The current PCN rates can be found in the accompanying document West Suffolk Council Penalty Charge Notices – Contravention Codes and Costs.

Any changes must accord with guidelines from central Government and will require proper advertisement prior to introduction.

If paid within 14 days of issue the PCN rate is discounted by 50 per cent and will be accepted in full settlement.

West Suffolk Council may accept representations made against the issue of a PCN if the PCN or Notice to Owner showed the incorrect amount of penalty charge, that is the wrong penalty charge.

PCN discount period

If the PCN is paid within 14 days of issue a discounted amount – 50 per cent of the original PCN rate will be accepted in full settlement of the matter. If a representation is received from the owner within 14 days of issue of the PCN the discounted period will still apply.

Following the rejection of an initial representation or, in certain circumstances, of a formal representation, a further 14 days for the payment of the PCN at the discounted rate will be allowed. This fact will be included within the Notice of Rejection.

If the challenge is received more than 14 days from issue of the PCN the discount period will not apply and the full amount of the PCN will be payable in the event of the challenge being rejected.

If a Notice to Owner (NtO) is sent to the owner or keeper who subsequently states that they have not received a Penalty Charge Notice they may make a written statement to that effect. If accepted, the discount amount can be paid provided it is paid within 14 days.

PCN time to pay or instalment payments

As a general rule West Suffolk Council will neither offer extensive time in which to pay PCNs nor will it enter into instalment payment arrangements. Exceptions to this are only made in cases of demonstrated, genuine financial hardship. The Council will only consider such arrangements after the issue of a Notice to Owner (NtO) document and prior to the issue of a charge certificate. West Suffolk Council will not consider such arrangements if enforcement agent warrant(s) has been issued for recovery of the amount due although the enforcement agent may enter into such an arrangement.

- Application must be in writing and will be responded to within 10 working days.
- The application must contain proposal for payment and be accompanied by any evidence supporting the claim of financial hardship.
- The council's response will signify acceptance or rejection of the proposal.
- A rejection will be accompanied by the council's counter proposal which will be the final offer based on: Where the debt involves multiple PCNs the council will expect the settlement.

Payments will be applied to the oldest PCN first.

- Non-payment will result in enforcement action being recommenced.
- Where payment by cheque is not available, payments by postal order or debit card will only be accepted at West Suffolk Council's Parking Appeals Processing Team.

- West Suffolk Council will maintain a separate active file for each arrangement reached, which will be reviewed by a senior manager each month.

Vehicle driven away prior to PCN being served

If the CEO's pocket notebook and computer notes confirm that the vehicle drove away after the issue of the PCN had begun, that is whilst details were being noted, but before the PCN could be served, that is handed to the driver or affixed to vehicle, the PCN will be served on the owner of the vehicle by post after obtaining the owner details from the DVLA. This is also the case in other circumstances where the CEO has been prevented from serving the PCN.

Challenging a PCN

An informal written challenge against the PCN can be made anytime up to the receipt of the NtO (approx 28 days) using details on the back of the PCN. PCN's can also be appealed using West Suffolk Council's online system where details of the PCN, Within the challenge, mitigating circumstances, as well as challenging the validity of the PCN can be mentioned.

West Suffolk Council will respond, in writing, within 28 days of receipt of the challenge and must either give notification of acceptance of the challenge and cancellation of the PCN or rejection of the challenge. In some circumstances it may be determined that additional information is needed to support a challenge and the council will request this before a decision is made.

If a challenge is rejected the written notification from West Suffolk Council will give precise reasons why this decision has been reached. If the challenge has been received within 14 days of the issue of the PCN the discounted rate will be restarted and last for 14 days from the date of the representation rejection letter.

The making of an informal challenge in no way detracts from the ability of the owner to make a subsequent formal representation against the issue of the PCN to West Suffolk Council or to the Traffic Penalty Tribunal.

Challenges or representations accompanied by payment

Where members of the public submit a payment and enclose a letter challenging the PCN and seeking redress, the authority will always consider the challenge. If the informal challenge or representation is accepted the payment will be returned.

Non fee-paying enquiry and response to DVLA – VQ4 and VQ5

When a PCN remains unpaid for 28 days The councils will make an enquiry to DVLA (VQ4) to ascertain the identity of the owner of the vehicle. This enquiry is made electronically via the council's parking enforcement system.

The response (VQ5) from DVLA is also electronic and is automatically fed into the council's system. Responses are usually received within three days of enquiry.

Registered owner liability

Under the Traffic Management Act 2004 the responsibility for any PCN rests with the Registered Keeper of the vehicle as recorded at the Driver & Vehicle Licensing Agency (DVLA).

Where a parking contravention occurs, the person by whom the penalty charge for the contravention is to be paid shall be determined in accordance with the following provisions of this regulation.

2. In a case not falling within paragraph 3., the penalty charge shall be payable by the person who was the owner of the vehicle involved in the contravention at the material time.
3. Where:
 - a. the vehicle is a mechanically propelled vehicle which was, at the material time, hired from a vehicle-hire firm under a hiring agreement,
 - b. the person hiring it had signed a statement of liability acknowledging his liability in respect of any penalty charge notice served in respect of any parking contravention involving the vehicle during the currency of the hiring agreement, and
 - c. in response to a notice to owner served on him, the owner of the vehicle made representations on the ground specified regulation 4(4)(d) of the Representations and Appeals Regulations and the enforcement authority accepted those representations, the penalty charge shall be payable by the person by whom the vehicle was hired, and that person shall be treated as if he were the owner of the vehicle at the material time for the purposes of these Regulations.
4. In this regulation:
 - a. 'hiring agreement' and 'vehicle-hire firm' have the same meanings as in section 66 of the Road Traffic Offenders Act 1988(5), and
 - b. 'the material time' means the time when the contravention giving rise to the penalty charge is said to have occurred"

Notice to owner (NtO):

If a PCN remains unpaid for 28 days West Suffolk Council will make an enquiry with DVLA to ascertain the identity of the registered owner. Once this is done a legal Notice to Owner will be sent to the owner advising him/her that the relative PCN remains unpaid.

The notice will contain full details of the PCN issued and requests payment within 28 days of receipt or it gives the owner the opportunity to make a Formal Representation against the issue of the PCN, which also must be done within 28 days of receipt.

Misspelling of owner's name

The misspelling of the owner's name and/or address on the Notice to Owner does not invalidate it or discharge the liability of the person receiving it. The onus is still on the genuine owner to deal with the matter. Such names and addresses are, in most cases, obtained from the DVLA and are supplied by the owners themselves. It is also the

responsibility of the owner to ensure that these are correct. When the misspelling is severe and is radically different from the correct spelling consideration may be given to the reissuing of the Notice to Owner.

Formal representations against issue of PCN

The owner of a vehicle is given the opportunity to make a Formal Representation against a PCN once the Notice to Owner (NtO) is sent to him/her by the Council. This representation must be made within 28 days of receipt of the NtO. Formal Representation can only be made on the following grounds:

- The contravention did not occur
- The penalty exceeded the relevant amount (current PCN amounts can be found in the accompanying document Penalty Charge Notices – Contravention Codes and Costs)
- The traffic order was invalid
- The person receiving the NtO was not the owner or keeper of the vehicle at the time that the contravention occurred
- The vehicle had been taken without consent of the owner
- The NtO was received by a hire firm and they have supplied the name of the person hiring the vehicle at the time that the contravention occurred.

Evidence of mitigating circumstances however will also be considered.

Notice of rejection or acceptance of formal representation

On receipt of a formal representation from the owner of the vehicle West Suffolk Council will endeavour to send out a written notice of acceptance or rejection within 10 working days although the statutory requirement is for 56 days:

- Notice of Acceptance: This will confirm that the representation has been accepted and that the person's liability for the PCN has been cancelled.
- Notice of Rejection: This formally rejects the representation and gives detailed reasons why the council have come to this conclusion. The rejection gives instruction on how a further appeal can be made to the independent Traffic Penalty Tribunal. This appeal must be made within 28 days of receipt of the Notice of Rejection.

Traffic Penalty Tribunal (formally National Parking Adjudication Service):

The Traffic Penalty Tribunal is an independent body supported by subscriptions from Local Authorities by means of a levy on each PCN issued.

Once a formal representation against a PCN has been rejected the owner of the vehicle is given the opportunity to appeal to the Traffic Penalty Tribunal within 28 days of the rejection.

The Traffic Penalty Tribunal will review the case and make an independent decision as to the validity of the ticket based purely on its legality. The Traffic Penalty Tribunal will not take mitigating circumstances into account but will, realistically, expect West Suffolk Council to do this prior to the matter being sent to them. If they feel that

mitigating circumstances do apply, they will not uphold the appeal but will make their view known to West Suffolk Council.

The Traffic Penalty Tribunal decision is final and binding on both parties.

To ensure that appeals are not upheld Local Authorities must have watertight cases as any element of doubt will be given to the appellant and the PCN cancelled.

Charge certificate

A Charge certificate will be issued:

- 28 days after a Notice to Owner (NtO) is issued and no Formal Representation is received
- 28 days after a Notice of Rejection to a Formal Representation is sent where no appeal has been made to Traffic Penalty Tribunal
- 14 days after any appeal to Traffic Penalty Tribunal is withdrawn (that is withdrawn before hearing)
- 28 days after the rejection of an appeal by the Traffic Penalty Tribunal.

When a Charge Certificate is issued the amount of the full penalty charge is increased by 50 per cent. The Charge Certificate is sent to the debtor requiring payment within 14 days of the full increased amount.

Debt registration

This is done at the TEC (Traffic Enforcement Centre) electronically on or after 14 days from the issue of a Charge Certificate. The local authority must confirm issue of the Charge Certificate to the court and there is a fee from the court for each registration. This is added to the amount owed to the council.

Notice of debt registration

Once the debt has been registered at the TEC an Order for Recovery and Witness Statement Form is sent to the debtor advising him or her that they have 21 days in which to pay the amount owed or swear a witness statement. Failure to do either will lead to a Warrant of Execution being applied for by the council at the TEC. Once a Warrant of Execution has been issued, this will enable the council to instruct enforcement agents (bailiffs) to collect the debt on their behalf.

Traffic Enforcement Centre (TEC)

The TEC is located in Northampton and is a branch of the county court, which specifically deals with motoring contraventions. All communication with TEC is carried out electronically by online modem link via a Parking Enforcement computer system.

Enforcement agents (formerly known as bailiffs)

Enforcement agents will be work in partnership with West Suffolk Council to collect the debt relating to an unpaid PCN.

The debt will be made up of the following elements:

- The full PCN charge
- Charge certificate fee 50 per cent of the full PCN charge
- Debt registration fee as set by Her Majesty's Court Service
- Enforcement Agency fees as defined in The Taking Control of Goods (Fees) Regulations 2014

Intervention in the challenge and representation process by councillors and other officers

The process of dealing with challenges and representations against the issue of PCNs is well documented and will be carried out in a fair, unbiased and equal manner.

These procedures include the ultimate right of all appellants to refer the matter to an independent arbitrator (Traffic Penalty Tribunal). The national guidance states that elected members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. This will ensure that only fully trained staff make decisions on the facts presented.

The council will maintain a list of those officers who are authorised to cancel PCNs

9. Commonly used parking related abbreviations

CEA - Civil Enforcement Area
 CEO - Civil Enforcement Officer
 CPE - Civil Parking Enforcement
 CPZ - Controlled Parking Zone
 CV - Commercial vehicle
 DfT - Department for Transport
 DPE - Decriminalised parking enforcement
 DVLA - Driver and Vehicle Licensing Agency
 DYL - Double yellow lines
 ECN - Excess Charge Notice
 FCO - Foreign and Commonwealth Office
 FPN - Fixed Penalty Notice
 HA - Highways Agency
 HHC - Hand-held computer
 HMSO - Her Majesty's Stationary Office
 IHT - Institute of Highways and Transportation
 LTP - Local transport plan
 NoR - Notice of Rejection
 NtO - Notice to Owner
 NVQ - National Vocational Qualification
 NWAAT - No waiting at any time
 P&D - Pay and display
 PCN - Penalty Charge Notice
 PCSO - Police Community Support Officer
 PMC - Private motor car
 PNR - Private non-residential
 PPA - Permitted parking area
 PSV - Public service vehicle
 RTA - 1991 Road Traffic Act 1991
 RTRA - 1984 Road Traffic Regulation Act 1984
 SEA - Special Enforcement Area

SLA - Service level agreement
SPA - Special parking area
SYL - Single yellow line
TEC - Traffic Enforcement Centre (Northampton County Court)
TMA - 2004 Traffic Management Act 2004
TPT - Traffic Penalty Tribunal
TRO - Traffic Regulation Order
VED - Vehicle Excise Duty

West Suffolk Council Civil Parking Enforcement Penalty Charge Notices – Contravention Codes and Costs April 2020

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1. Introduction

This document accompanies the West Suffolk Council Civil Parking Enforcement Procedures document and outlines the various contravention codes which will be used when issuing PCNs and the relative rates that will apply.

It will be updated as necessary to ensure that the most up to date information available is included.

Only the most recent version of this document will be available on the council's website.

2. On-street contravention codes

Code	Description	Level
01	Parked in a restricted street during prescribed hours.	Higher
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force.	Higher
04	Parked in a meter bay when penalty time is indicated.	Lower
05	Parked after the expiry of paid for time.	Lower
06	Parked without clearly displaying a valid pay and display ticket or voucher.	Lower
07	Parked with payment made to extend the stay beyond initial time.	Lower
08	Parked at an out-of-order meter during controlled hours.	Lower
09	Parked displaying multiple pay & display tickets where prohibited.	Lower
10	Parked without clearly displaying two valid pay and display tickets when required.	Lower
11	Parked without payment of the parking charge.	Lower
12	Parked in a residents' or shared use parking place or zone without a valid virtual permit or clearly displaying a valid physical permit or voucher or pay and display ticket issued for that place where required, or without payment of the parking charge.	Higher
14	Parked in an electric vehicles' charging place during restricted hours without charging.	Higher
16	Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required.	Higher
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited.	Higher
19	Parked in a residents' or shared use parking place or zone with an invalid virtual permit or displaying an invalid physical permit or voucher or pay and display ticket, or after the expiry of paid for time.	Lower
20	Parked in a part of a parking place marked by a yellow line where waiting is prohibited.	Higher

Code	Description	Level
21	Parked wholly or partly in a suspended bay or space.	Higher
22	Re-parked in the same parking place or zone within one hour after leaving.	Lower
23	Parked in a parking place or area not designated for that class of vehicle.	Higher
24	Not parked correctly within the markings of the bay or space.	Lower
25	Parked in a loading place or bay during restricted hours without loading.	Higher
26	Parked in a special enforcement area more than 50 centimetres from the edge of the carriageway and not within a designated parking place.	Higher
27	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway.	Higher
28	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge.	Higher
30	Parked for longer than permitted.	Lower
40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner.	Higher
41	Stopped in a parking place designated for diplomatic vehicles.	Higher
42	Parked in a parking place designated for police vehicles.	Higher
45	Stopped on a taxi rank.	Higher
46	Stopped where prohibited (on a red route or clearway).	Higher
47	Stopped on a restricted bus stop or stand.	Higher
48	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited.	Higher
49	Parked wholly or partly on a cycle track or lane.	Higher
55	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban.	Higher
56	Parked in contravention of a commercial vehicle waiting restriction.	Higher
57	Parked in contravention of a bus ban.	Higher
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways.	Higher
62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway.	Higher
63	Parked with engine running where prohibited.	Lower
99	Stopped on a pedestrian crossing or crossing area marked by zigzags.	Higher

3. Off-street car park contravention codes

Code	Description	Level
70	Parked in a loading place or bay during restricted hours without loading.	Higher
71	Parked in an electric vehicles' charging place during restricted hours without charging.	Lower
73	Parked without payment of the parking charge.	Lower
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited.	Higher
80	Parked for longer than permitted.	Lower
81	Parked in a restricted area in a car park.	Higher
82	Parked after the expiry of paid for time.	Lower
83	Parked in a car park without clearly displaying a valid pay and display ticket or voucher or parking clock.	Lower
84	Parked with payment made to extend the stay beyond initial time.	Lower
85	Parked without a valid virtual permit or clearly displaying a valid physical permit where required.	Higher
86	Not parked correctly within the markings of a bay or space.	Lower
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner.	Higher
89	Vehicle parked exceeds maximum weight or height or length permitted.	Higher
90	Re-parked in the same car park within one hour after leaving.	Lower
91	Parked in a car park or area not designated for that class of vehicle.	Higher
92	Parked causing an obstruction.	Higher
93	Parked in car park when closed.	Lower
94	Parked in a pay and display car park without clearly displaying two valid pay and display tickets when required.	Lower
95	Parked in a parking place for a purpose other than that designated	Lower
96	Parked with engine running where prohibited.	Lower

CV = commercial vehicle (as defined in procedure document)

PMC = private motor car

An 'instant' PCN may always be issued in circumstances where the CEO concerned has evidence, other than the period of observation, which supports the action of issuing the PCN without observing the vehicle for the minimum periods indicated.

Visitors are not permitted time to obtain change away from the immediate area of the pay and display machine or car park. CEO's should observe queues at ticket machines and/or pedestrians who may be seeking change or returning to the vehicle in question, before issuing a PCN.

4. Penalty charge notice costs

Current penalty charge notice costs in Babergh, Mid Suffolk and West Suffolk areas, these costs are set by The Department for Transport.

Penalty Charge Notice	Costs
Higher level	£70
Lower Level	£50
Higher Level (Paid within 14 days)	£35
Lower Level (Paid within 14 days)	£25
Higher Level After service of a Charge Certificate	£105
Lower Level After service of a Charge Certificate	£75