



## Telford & Wrekin

# Parking Enforcement Operational Guidance



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# 1 Introduction

Civil Parking Enforcement (CPE) means that enforcing the majority of on and off street parking restrictions becomes the responsibility of local authorities, as opposed to the Police. Under CPE there will be a more coherent approach to parking management for both on and off-street parking.

Within this guidance off street parking is classed as any parking within Council owned car parks. On-street parking, is any parking which takes place on the public highway and can be in designated parking bays or along any road which is subject to parking controls. Often inappropriate parking is managed through Traffic Regulation Order's utilising double or single yellow lines and other parking restrictions such as limited waiting, loading restrictions, disabled bays etc. It is recognised that accessible parking is important to support the local area and as a result, this document sets out the ways in which we will manage this to support our local Towns as part of our wider Parking Strategy.

This Operational Guidance provides clear information about how we will carry our parking enforcement activities from January 2020 when CPE powers will transfer to Telford & Wrekin Council. This document details our working practices for undertaking this enforcement activity, and also sets out the standard of service we will deliver to customers, and will be under constant review.

## 1.1 Aims & Objectives

Parking is enforced to support our wider traffic management operations and our [Local Transport Plan](#) objectives to maintain a free flowing highway network. Parking restrictions and management operations discussed in this guidance are used to support these wider aims, and enforcement of these restrictions aims to ensure their correct operation.

The overall aim of our parking enforcement operation is to achieve good compliance with restrictions, and have a low number of Penalty Charge Notices (PCN's) issued. CPE will be used to support our wider transport strategies and objectives, and our CPE operation will not be viewed in isolation or as a way of raising revenue.

The objectives for our enforcement activities are as follows:

- Maintain the existing free car parks in our local Towns
- Support businesses by ensuring well managed parking in our local Towns
- Support sustainable travel, such as local bus services and Park & Ride
- Improve residential parking in our local communities



## 1.2 Customer Statement

In undertaking parking enforcement activities, Telford & Wrekin Council will:

- enforce regulations fairly, lawfully and without discrimination
- deliver the service in a manner that is proportionate to the problems caused by the parking
- enforce restrictions every day of the year, except Christmas Day

In determining the above enforcement activities, due account has been taken of:

- Existing and projected levels of demand for parking by all classes of vehicle
- The availability of on and off-street parking places
- The accuracy of existing Traffic Regulation Orders
- The adequacy, accuracy and quality of signing and lining
- Agreed patrolling of traffic sensitive areas through partnership agreements with Town & Parish Councils, local business community and schools
- The Standard Contravention Codes - Traffic Management Act 2004 (see Appendix B)

It is important to recognise that each case will be considered on its own merits with matters of proportionality, objectivity, fairness and reasonableness being paramount. The following is therefore a guide for information and will be subject to ongoing scrutiny and review.



## 2 Restrictions & Enforcement

Our officers will enforce restrictions both on-street (on public roads) and off street (on council owned or operated car parks – See Appendix A for locations). Enforcement of these restrictions require a Traffic Regulation Order (TRO). Details of TRO's in Telford can be found online at <https://www.telfordtro.co.uk/>, including the locations of all restrictions as well as detail on the impact of the restrictions, such as limited waiting restriction times. These restrictions are marked on site with a combination of signs and/or road markings in accordance with national regulations and the associated TRO. When parking, motorists should take note of any signs and road markings in the area before leaving their vehicle.

Further detail on popular restriction types can be found in our [parking information leaflet](#).

### 2.1 PCN Issuing Criteria

The Council will employ Neighbourhood Enforcement Officers (NEOs) who as part of their role will undertake the role of the Civil Enforcement Officer issuing Penalty Charge Notices (PCN) to all vehicles parked in contravention of a restriction, following any grace period or agreed observation period as detailed within this guidance. Before issuing a PCN, the NEO will:

- Check that all signs and/or road markings in the immediate area are visible and correct
- Check that any Pay and Display or free ticket machines in the vicinity are operational
- Check that the vehicle has not broken down (Further details relating to abandoned vehicles can be found within our enforcement guidance for abandoned vehicles )
- Check that the vehicle is not displaying a permit – Whilst permits must be displayed in the front windscreen, NEO's will also take reasonable steps to check if a permit may have become dislodged
- Checking that the vehicle is not displaying anything (i.e. a blue badge) that would give dispensation in that instance
- Check that the vehicle is parked wholly within the bay markings

A PCN will be issued if the NEO believes that the vehicle is parked in contravention of the TRO. The PCN will either be attached to the windscreen of the vehicle in an envelope or handed directly to the driver (Regulation 9 PCN).

In exceptional circumstances, PCNs will be sent out by post if:

- The NEO was in the process of issuing the PCN and the vehicle drives away
- The NEO was prevented from issuing the PCN

In this case, details of the registered keeper of the vehicle parked in contravention with a restriction will be obtained from the DVLA before the PCN is sent out (Regulation 10 PCN).



The issued PCN will contain the following information:

- A unique PCN reference number
- Registration number of the vehicle
- The date on which the notice is served
- Detailed location of the vehicle (full street name)
- Date and time of the alleged contravention
- The contravention code of the alleged contravention
- The identification number of the NEO issuing the PCN
- Details of alleged contravention
- The times of any observations undertaken
- Details of penalty payable
- Instructions on how and where to pay
- Instructions on how and when an appeal against the issue of the penalty may be made

In issuing a PCN the NEO will wherever possible take photographic evidence of the contravention. This will allow the Council to;

- Provide evidence to support the issue of the PCN in cases of dispute, including (but not limited to) the necessary signing and lining being in place at the time of the contravention
- Provide evidence that the NEO has acted correctly and within the current guidelines

Although photographic evidence will solely be used for the considering of appeals and the recovery of any debts incurred it is not essential criteria that photographs are taken.

## **2.2 Instant Issue PCN's**

Instant PCN's will be issued to vehicles for a number of contraventions. Full details of all contraventions and which may attract an Instant PCN are contained in Appendix B.

## **2.3 Observation period prior to issue of Penalty Charge Notice**

For some contraventions we will undertake a mandatory observation period. Further details of what contraventions attract observation periods are contained in Appendix B. These observation periods to allow for genuine attempts to park before they may issue a PCN. If the contravention attracts an observation period the NEO will not issue a PCN until after the initial observation has taken place.

For example if a contravention has a 10 minute observation period, a PCN will not be issued until the 6<sup>th</sup> minute after the potential contravention was first recorded.

## **2.4 Exemptions and Waivers**

At this time, no exemptions or waiver system will be implemented due to there being low support for this in previous public consultation. However, this will be reviewed should circumstances change, with this section of the guidance being updated to suit the scheme.

## **2.5 Residents Parking Schemes**

At this time, no on-street parking schemes will be operated. However, it is anticipated that this will be reviewed in the future on a case by case basis, and at such time, this section of the guidance will updated to suit the scheme.



## 2.5.1 Ironbridge Permit System

We currently operate a parking permit system in Ironbridge for off-street parking, of which the following types are available:

- Residents Permit – Available to all residents living within The Gorge Parish Council area, up to a maximum of two permits per household
- Residents Visitor Permit – Permit for visitors to residents within The Gorge at a cost of £25 per annum, per permit
- Annual Permit – Available to purchase for local businesses for their employees to park in The Wharfage and Station Yard car parks at a cost of £55 per annum, per permit
- Concessionary School Permit - Free permit to allow afternoon parking in Dale End Car Park to Parents/Guardians of students at Coalbrookdale Primary School to allow them to pick up students from the school

PCN's will be issued where vehicles do not have a valid permit displayed whilst parked in a designated area. Further details of the Ironbridge Permit Scheme are contained at the following website:

[https://www.telford.gov.uk/info/20460/parking\\_and\\_permits/20/ironbridge\\_parking\\_permit](https://www.telford.gov.uk/info/20460/parking_and_permits/20/ironbridge_parking_permit)

## 2.6 Disabled Badge Holders

The Blue Badge scheme is national and applies to on-street parking only. However most local authorities allow additional benefits in off-street locations, these vary from authority to authority and it is advisable to check the tariff boards on the car parks. At car parks operated by Telford & Wrekin Council, Disabled Badge Holders are entitled to one hour free parking at Southwater multi-storey car park, and free parking in all other car parks (See Appendix A). Where the car parks are operated by other car park operators this may not be the case, so Disabled Badge Holders should check the information available in the relevant car park.

PCN's will be issued where vehicles do not display the disabled badge or clock correctly. In most instances, the PCN may be cancelled for a first contravention should a user have a valid Blue Badge. This helps disabled badge holders understand the correct procedure for displaying the blue badge and clock, and avoids misunderstanding at a later date. It also helps to detect misuse or abuse of the blue badge scheme.

We will record evidence of possible misuse or abuse of the scheme, and report this to the Police and the issuing authority. This will be done routinely, but our Officers may from time to time also work in a more targeted manner in conjunction with partner agencies to support efforts to reduce blue badge fraud.

### What to remember when using your disabled badge:

- When displaying your badge the expiry date must be on display
- Make sure your clock is on display with the correct time
- Make sure your badge is in date and valid. You must apply for a new disabled badge before the old one expires. If you do display an expired badge you may receive a PCN
- Always check signs and tariff boards to see what restrictions (if any) are in place for Blue Badge holders

Further information on the use of Disabled Parking Badges can be found at:

<https://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england>



## 2.7 Suspected Abandoned & Vandalised Vehicles

Instances will arise where a vehicle remains parked in a restricted area for a period of time accumulating a number of PCN's. There may be a number of reasons for this; one of which may be that the vehicle has been abandoned. If a NEO suspects the vehicle may have been abandoned, this will be recorded and investigated by the NEO.

It is often difficult to judge if a vehicle is in fact abandoned; especially with older vehicles. A NEO coming across a vehicle that has 3 or more PCN's and finds the vehicle is untaxed or the tax has expired, or that the vehicle is generally of poor condition, then there is a good chance the vehicle has been abandoned and will be reported to the relevant authority.

Once a vehicle has been reported by the NEO as potentially being abandoned, no further PCN's will be issued. The PCN's already issued will be enforced against the registered keeper in the usual manner.

### 2.7.1 Vandalised Vehicles

All PCN's issued will be cancelled when a vehicle has been vandalised to such a degree that it prevents its safe removal. Written evidence will be required before such PCN's are cancelled.

Written evidence could include police crime reference details or motoring organisation/garages who have recovered the vehicle. The details contained within the Officer's pocket book will also be considered in assessing extent of any damage to the vehicle in question.

PCN's will not be cancelled without the provision of such supporting evidence.

### 2.7.2 Clamping & Removal of Vehicles

Telford & Wrekin Council does not intend to introduce the use of clamping but the Council will remove vehicles, if;

- The vehicle is causing an obstruction
- The vehicle is not registered with the Driver & Vehicle Licensing Agency (DVLA)

The vehicle owner is a repeatedly offender and evades and has three or more outstanding PCNs (classed as a 'Persistent Evader', as per [Guidance for Local Authorities on Enforcing Parking Restrictions.](#)).

The Council will attempt to contact the driver prior to removing vehicle wherever possible. However, this may not always be possible.

The Council will be sensitive to public needs, and responsive to the requirements of those whose vehicles have been removed. The Council will release removed vehicle only when the PCN and associated charges have been paid. It does not intend to remove vehicles as a matter of routine.

Motorists whose vehicle is impounded should contact Telford & Wrekin Council Customer & Neighbourhood Services to arrange for the vehicle to be released. Should a Penalty Charge Notice be issued on a vehicle with a diplomatic registration plate, then the Notice to Owner will not be sent but a record of the charge will be kept and passed to the Foreign and Commonwealth Office annually for pursuit.



## 2.8 Enforcement of dropped kerbs

The borough of Telford & Wrekin is registered as a Special Enforcement Area. This means that Telford & Wrekin Council have enforcement powers to issue a Penalty Charge Notice on those who park their vehicle alongside a dropped kerb.

Parking across a dropped or lowered kerb can prevent other members of the public from gaining access to the road or carriageway or from getting their vehicle in and out of their driveways.

It may also impact the safety of people:

- with lower levels of mobility
- reliant on mobility aids such as wheelchairs
- who are using a pushchair

Vehicles must not be parked adjacent to any footway, cycle track or verge that has been dropped or raised to meet the level of the carriageway.

Especially where the level of the footway, cycle track or verge has been lowered in order to assist pedestrians crossing the carriageway or assist cyclists or vehicles entering or leaving the carriageway.

Although valid Blue Badge holders are permitted to park for up to 3 hours on yellow line restrictions, where it is safe to do so and providing they are not causing an obstruction, Blue Badge holders are not permitted to park at dropped kerbs.

A vehicle is considered to be committing a parking contravention where any part of the vehicle is blocking any part along the full length of the dropped kerb, this includes the sloped kerb stones.

The only exceptions are where a vehicle is:

- parked in a designated parking bay
- parked outside of a residential premises by or with consent (does not apply to shared driveways, which includes driveways to buildings of multiple occupancy e.g. flats)
- being used by the emergency services
- parked for the purpose of making a delivery (20 minute max)
- parked for the purpose of certain building or maintenance works.

The public can report someone blocking access if it is obstructing their own driveway and they are the owner of the property.

To report blocked access please refer to the website: [Parking Enquiries - Online form - Telford & Wrekin Council](#)



## 3 Neighbourhood Enforcement Officers

The NEO's are exercising powers under the Traffic Management Act 2004, and they will enforce both on and off street parking restrictions throughout the Borough. All NEO's are trained to issue PCN's to vehicles parked in contravention of the parking regulations.

Within Telford & Wrekin, we will deliver NEO functions within a wider role, the Neighbourhood Enforcement Officer. Whilst undertaking the key functions of a Civil Enforcement Officer, these staff will also often be the first point of contact for many customers. They will also report back items for action not normally covered by parking enforcement staff, such as fly-tipping, abandoned vehicles, graffiti, and damage to street furniture.

The NEO's will also carry out the following routine duties;

- Checking signage, bins, markings and general cleanliness
- Check ticket levels and restock where needed. A test ticket will be taken from the printer to ensure the Pay & Display machines are operational before starting enforcement
- Carry out general maintenance and cleaning of the Pay & Display machines
- Investigating a wide range of environmental issues to include;
  - Littering
  - Fly posting
  - Abandoned vehicles
  - Dog fouling
- Checking for any vegetation overgrowth that needs to be cut back
- Report any hazards or health and safety issues
- Report any wider issues with council assets, such as (but not limited to) potholes
- Maintain a Pocket Book to record information required to support the enforcement operation
- Other enforcement duties that may be assigned to the post

All NEO's will be required to work towards and within 6 months of recruitment have obtained, the City and Guilds NEO's (Parking) - QCF (No. 1889) or NVQ equivalent.

All Telford & Wrekin Council Civil Enforcement staff will treat customers with respect and expect to be treated in the same way.

### 3.1 Neighbourhood Enforcement Officers Uniforms & Equipment

NEO uniform will be worn in accordance with national guidance, and as such, will clearly show:

- That the wearer is engaged in parking enforcement
- The name of the authority
- And, a personal identity number

The NEO's will carry a personal photo identity card along with Telford and Wrekin Warrant card. Mobile phones will also be carried for the purpose of maintaining contact with the office team in order to request assistance and to alert the Police to incidents or issues requiring their attention.



### 3.1.1 Body-worn cameras

Body worn CCTV forms part of a NEO's Personal Protective Equipment and is provided solely for Health and Safety purposes. It will be used in an overt manner and emphasized by NEO's wearing clear identification that they are wearing a CCTV device. Prior to commencement of any recording, where possible, NEO's will give a clear verbal instruction that recording is taking place.

The use of Body worn CCTV can provide a number of benefits which include a deterrent to acts of aggression or verbal and physical abuse towards staff, and providing evidence to support Police investigations.

Full details of our procedures for the use of Body-worn cameras are contained within the separate document – Policy & Operational Procedural Guidelines for the use of Body-worn CCTV Cameras.

### 3.2 Complaints against NEOs

In striving towards continuous improvement in the service provided by the Council's parking enforcement operation, the Council complaints procedure will be followed enabling members of the public, both motorist and non-motorists, to register a complaint against any NEO or member of staff connected to the service.

If a complaint is made:

- We aim to acknowledge complaints within two working days. We aim to acknowledge requests for a Stage 2 investigation within five days
- Our target for Stage 1 complaints is to give a full response within 15 working days. However, if the complaint is complicated, it may take longer to sort out - but we will keep the complainant informed
- Our target for Stage 2 complaints is to give a full response within 25 working days. However, if it's not possible to respond within this timescale, this may be extended to 65 working days for complex matters
- We will treat complaints confidentially and fairly, and complainants should not be treated negatively as a result of raising a complaint
- We carry out our compliments, comments and complaints processes in line with our Equality & Diversity policy

Where Telford & Wrekin Council is at fault we will do our best to put things right.



## 4 Informal Challenges, Formal Representations & Appeals

The authority will operate a consistent and fair process overseen by Council staff and in line with a clear policy. The authority operate an Informal Challenge, Formal Representation & Appeals process as required by national regulations.

All correspondence must be in writing either by letter or via our online portal at [parking.telford.gov.uk](http://parking.telford.gov.uk). Copies of any evidence regarding the appeal should be attached to the letter or via the online portal. For example, if you wish to appeal on the basis that you own a blue badge, scan/photograph/photocopy both sides of the Blue Badge and provide those with your appeal.

Correspondence can also be sent through the post and be addressed to;

Telford & Wrekin Parking Office,  
PO Box 3584,  
Chippenham,  
Wiltshire,  
SN15 9EF

Our back office system is administered by a specialist third party who ensure all case information is held centrally on one system. For this reason, the postal address for correspondence is not within Telford & Wrekin. However, experienced Telford & Wrekin Officers will have oversight of all cases.

Every piece of correspondence against the issue of a PCN will be considered on its individual merits, and we are committed to treating each customer fairly, and in an open and honest manner. This approach is consistent with current legal requirements, practices and accepted best practice and complies with the Statutory Guidance, more information can be found at [How local authorities should enforce parking restrictions - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

Cancellation of a PCN can only be undertaken by authorised personnel after written correspondence is received. No staff member involved in the issuing of a PCN will be involved in the decision making process relating to any challenges or representations.

There are three stages where the vehicle owner can request for the case to be reviewed as follows:

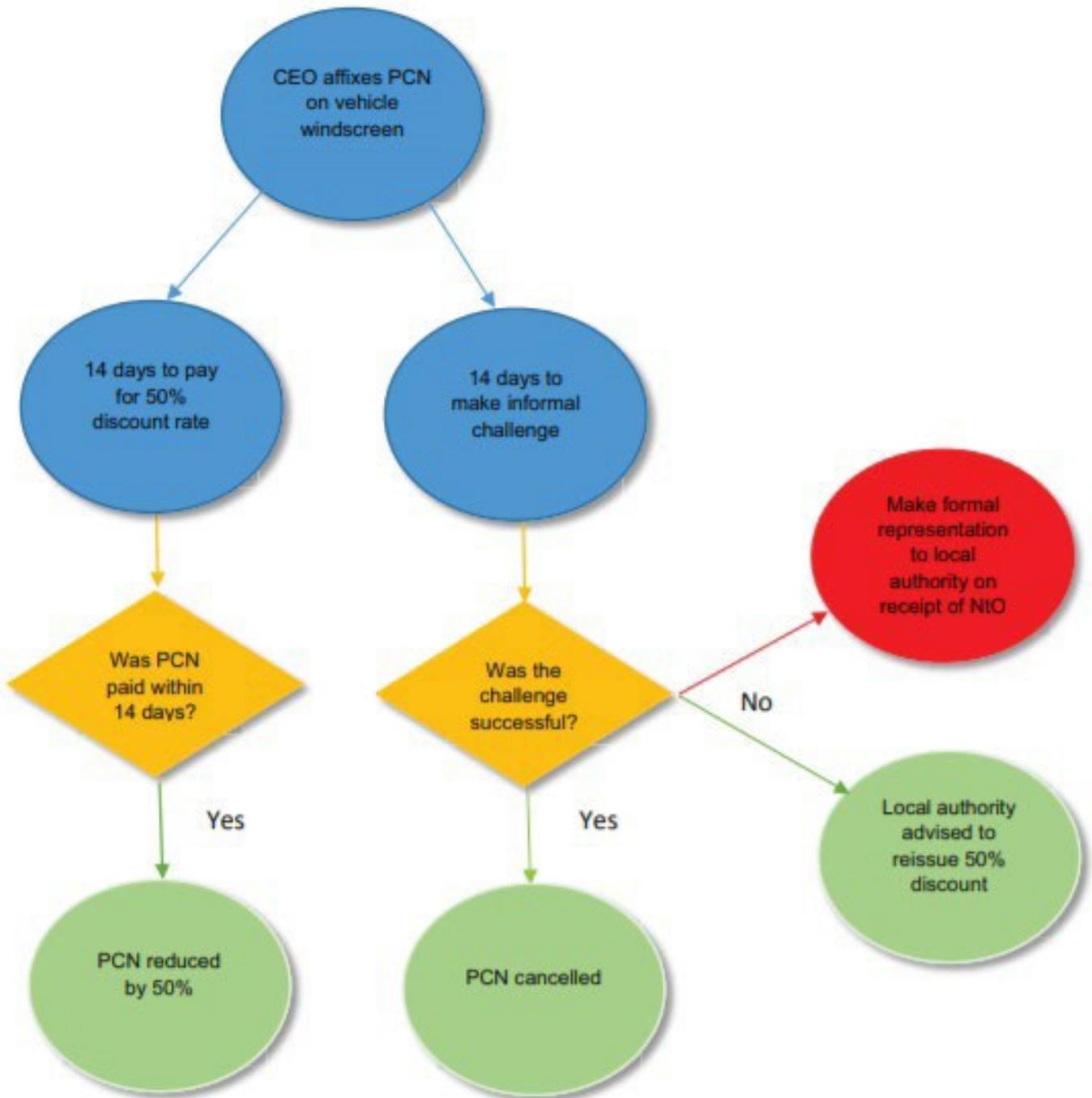
- Owners may make an 'Informal Challenge' against the penalty charge before the authority has served a Notice to Owner;
- Once a Notice to Owner has been served, an owner may make a 'Formal Representation' to the authority; and
- If a Formal Representation is rejected the owner may Appeal against the Notice of Rejection to an independent adjudicator

Each of these stages is described in the following sections.



## 4.1 Informal Challenges/Informal Representations

Informal Challenges or Informal Representations against the PCN can be made before the authority has served a Notice to Owner (NtO).



*(Source - The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions)*

The appellant has 28 days to make an Informal Challenge against a PCN. This will be considered at the discounted amount if received within the first 14 days from the date the PCN was issued.



When a PCN has been served by post using evidence from an approved device, this also serves as the NtO. As such, the Informal Challenge period does not apply, and the customer should refer to the Formal Representation stage.

We aim to ensure that each Informal Challenge is responded to within 14 working days. In the event that we are unable to respond within this time an interim letter will be sent out explaining that the case is still on hold and will not progress.

Each Informal Challenge will be looked at by a fully trained member of the parking team. The team will look at each case and take into consideration the individuals' circumstances and issues raised in their Informal Challenge before responding. In making a decision the team may also take into consideration any additional notes of the matter made by the NEO.

If an Informal Challenge is received within 14 days and it is accepted, a cancellation letter will be sent to the appellant which will explain that the case has been cancelled and will be closed on the system.

If an Informal Challenge is received within 14 days and the PCN is upheld, a rejection letter will be sent to the appellant explaining the reasons why we have not cancelled their PCN. The rejection letter will state that the appellant has a further 14 days from the date of that letter to pay the discounted amount.

If an Informal Challenge is not received within 14 days, or the discounted payment has not been made within the 14 days, the case will revert back to the original amount of either £50.00 or £70.00 depending on the contravention.

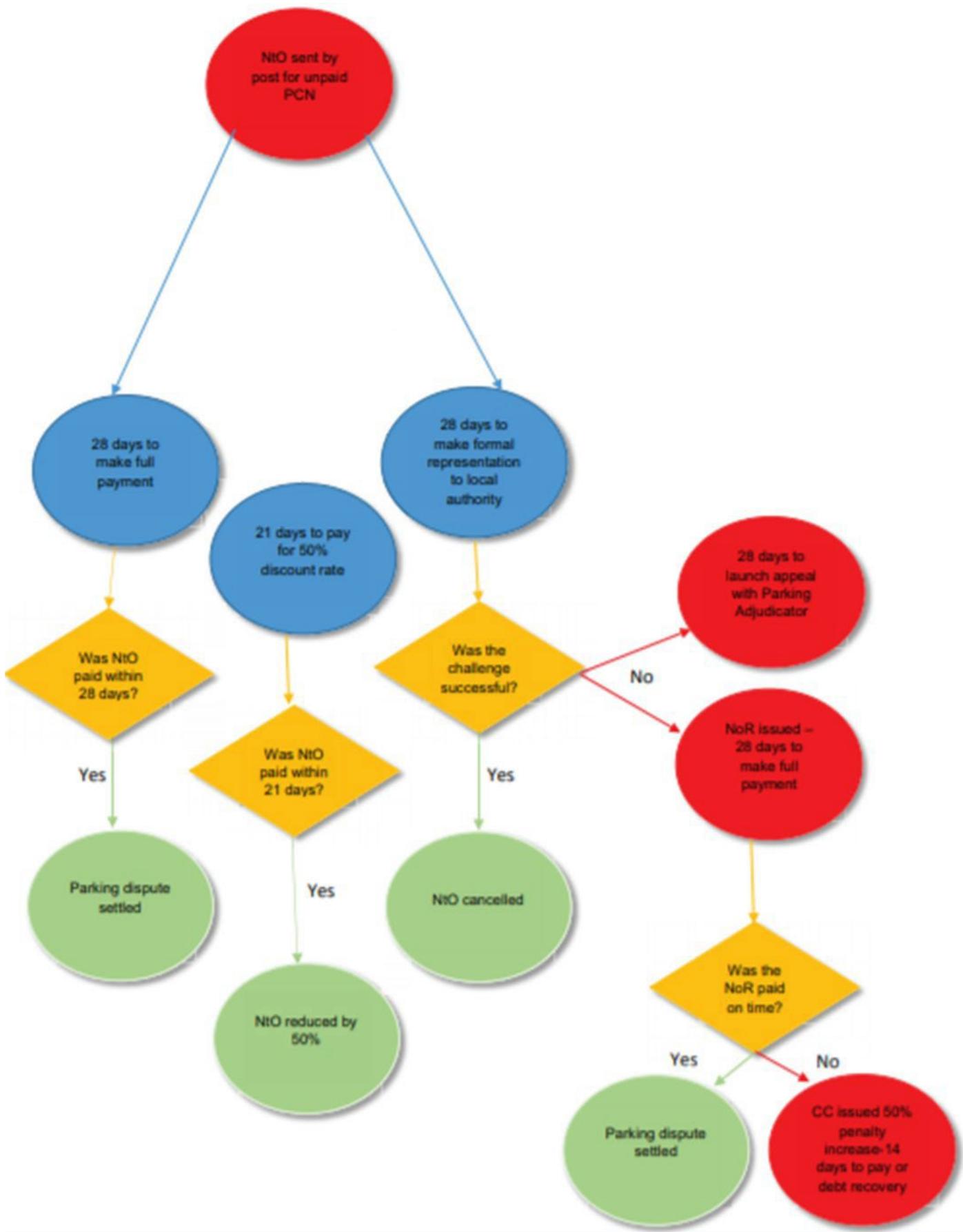
## 4.2 Formal Representations

If a PCN has not been closed by means of full payment or an informal challenge, on the 29<sup>th</sup> day following the issue of the PCN the Council will contact the Driver and Vehicle Licensing Agency (DVLA) in order to obtain the details of the registered keeper at the time of the PCN was issued. Once the details have been provided, the Council will then send out a NtO by post to the address provided by the DVLA. This is a formal letter and will give the owner/keeper the option to make a formal representation within 28 days from the date of service of the NtO, or make the outstanding payment.

The misspelling of the owner's name and/or address on the NtO 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.

The flowchart below outlines the process for making a formal representation to the local authority following receipt of a NtO in the post.





(Source - The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions)



If the NtO is returned and the owner/keeper has made a formal representation then the parking team will look at this case and decide if the representations are to be accepted or upheld. If the representations are accepted a Notice of Acceptance will be sent to the owner/keeper of the vehicle and the case will be closed.

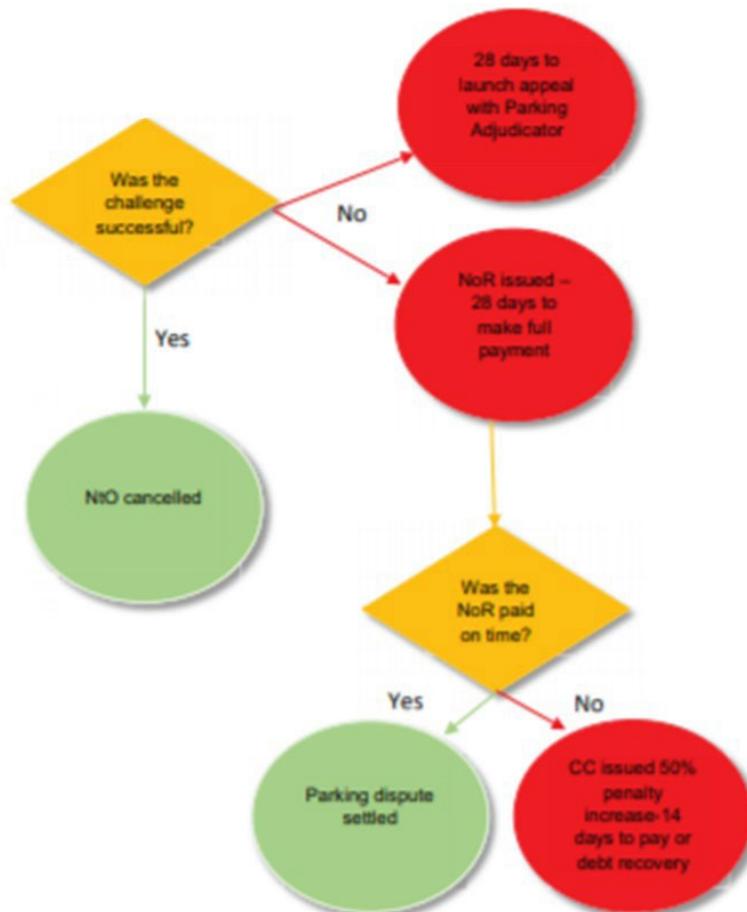
If the representations are not upheld then the appellant will receive a Notice of Rejection (NoR). In this case it will explain why the PCN has not been cancelled and will give the appellant the opportunity to pay the outstanding amount or appeal to the Traffic Penalty Tribunal within 28 days of the date of service of the NoR.

If the owner/keeper was not the driver they are still liable for the PCN and it will be their responsibility to ensure that the payment is made.

If the driver makes representation but is not the registered owner/keeper of the vehicle as confirmed by the DVLA a response will be sent out to them and the registered owner/keeper will also get a copy of the response.

### 4.3 Appeals

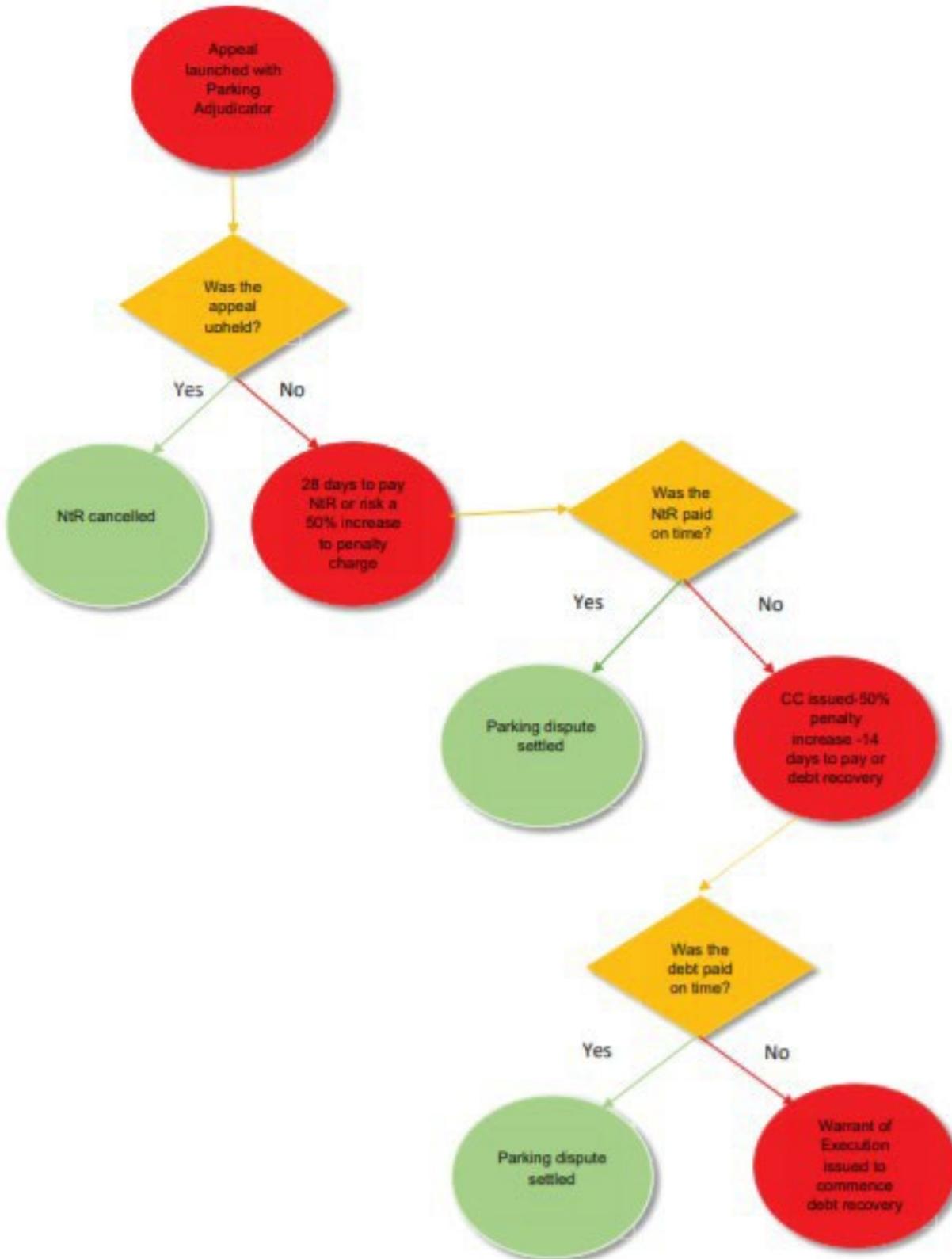
Following the issue of a NoR, the appellant has a further 28 days to Appeal to the Traffic Penalty Tribunal (TPT), or pay the outstanding amount. The flowcharts below outline the process for making a formal representation to the TPT following receipt of a NoR in the post.



(Source - The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions)



If no payment or appeal is made within 28 days of the date of service of the NoR, the PCN increases by 50% and a Charge Certificate is sent out. The registered keeper then has 14 days after it has been served to make the payment. Appeals sent in after this time will not be considered at a formal stage.



(Source - The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions)



Following this, if payment is not made within 14 days the case will then be registered as a debt at the Traffic Enforcement Centre (TEC) at Northampton County Court, there is a charge of £8.00 per case that is added when the case is registered.

A Witness Statement (Order) is then sent out informing the motorist that, within a further 21 days from receipt of the order, s/he must either pay the amount outstanding at this stage either £83.00 or £113.00 or send to the TEC a Witness Statement to refute the need to pay the penalty charge and that the registration of the unpaid penalty charge should be revoked.

The TPT will review the case and make an independent decision as to the validity of the ticket based purely on its legality. The TPT will not take mitigating circumstances into account but will, realistically, expect a Local Authority 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 the Local Authority. The TPT decision is final and binding on both parties.

### **4.3.1 Registered Keepers Liability**

A number of appeals may be received on the grounds that the registered keeper was not in possession of the vehicle at the time of the contravention. Although this may be the case, the registered keeper still has a responsibility to ensure that the vehicle is parked correctly and will still be liable for all PCN's issued.

All changes in keeper details must be forwarded to the DVLA by completing the relevant sections on the vehicle registration document. Where a PCN is issued and a registered keeper is claiming to no longer own the vehicle and did not own the vehicle at the time of the alleged contravention, clear written evidence will need to be provided showing the precise date the vehicle was sold and the person to whom it was sold.

If the vehicle is hired from a vehicle hire company, although the hire company is the registered keeper of the vehicle, the person hiring it is likely to have signed a statement of liability which transfers responsibility for such penalties to the hirer.

## **4.4 Grounds for Making Representations**

Please see Appendices C & D for full details of the grounds for making representations and likely outcomes. When an NtO has been sent to the registered keeper/owner, that person will have the following Statutory Grounds to make a representation, along with supporting evidence:

- The alleged contravention did not occur
- The motorist was not the owner of the vehicle in question
- At the time of contravention, the vehicle was stolen or taken without the keepers consent
- The vehicle is registered to a vehicle hire firm and the vehicle was on hire under a hiring agreement and the hirer had a signed statement acknowledging liability for any PCN served for that vehicle during the hiring period
- The penalty charge exceeded the amount applicable in the circumstances of the case
- There had been a procedural impropriety
- The Order in which is alleged to have been contravened in relation to the vehicle concerned is invalid
- The penalty charge has already been paid in full or at the discounted rate within the time specified

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 adjudicator.



## 4.5 Impartiality & Accountability

To preserve the integrity of these procedures, the Informal Challenges/Representation and Formal Representations processes will be undertaken so that no undue external pressure shall be brought, by external parties such as elected Members of the Council or other Council Officers.

As such, all stages will be dealt with by fully trained officers within the parking team, with an escalation to the Group Manager and Service Delivery Manager over that area to reach decisions on more complex cases. In addition to this, specialist input may be sought from other services areas such as (but not limited to) the Highways & Network Management team, Transport Strategy team and Legal Services as required by the case.

## 5 Payment & Non-payment of Parking Fines

Payments must be made within 28 days of the PCN being issued to prevent further action being taken. The fine will be reduced by 50% if payment is made within 14 days.

### 5.1 Payment Facilities

Payment will be permitted using Credit or Debit Cards online at [parking.telford.gov.uk](http://parking.telford.gov.uk) and by phone 0333 7000 423 and selecting the 'Pay a PCN' option.

- Cheque, Banker's Draft, Money Order or Postal Order should be sent to:

Telford & Wrekin Parking Office  
PO Box 3584  
Chippenham  
Wiltshire  
SN15 9EF

### 5.2 Non-payment of Fines

We will take action to recover any unpaid PCN as they are regarded as a debt to the Council. This process will commence with the issue of a Charge Certificate at;

- 28 days after a NtO is issued and if no Formal Representation has been received, or
- 28 days after a NoR to a Formal Representation was sent, where no appeal has been made to the TPT, or
- 14 days after any appeal to TPT is withdrawn (i.e. withdrawn before hearing), or
- 28 days after the rejection of an appeal by the TPT

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

If the penalty charge is not paid 14 days after the Charge Certificate has been issued, the authority can apply to the TEC at Northamptonshire County Court to register the debt. The current registration fee of £9 is added to the debt.

If payment continues to be withheld, the debtor is sent an Order for Recovery and Witness Statement advising of a further 21 day period to either pay the debt or complete a Witness Statement.



A Witness Statement must be witnessed by a Justice of the Peace or Commissioner for Oaths. It is a criminal offence to file a false Witness Statement knowingly or willingly. There are only 4 grounds for making a Witness Statement;

- The NtO was not received. If this is accepted by the Court, the issuing authority must re-issue the NtO and re-set the penalty to either £50.00 or £70.00 depending on the contravention
- A Formal Representation was made to the enforcement authority but the rejection notice was not received. If accepted, the enforcement authority must then treat the case as a formal appeal and forward all relevant paperwork to the TPT
- An appeal was made to TPT but no response has been received. If accepted, all paperwork is to be forwarded to TPT to determine
- The penalty charge to which the Charge Certificate relates has already been paid in full

Failure to either pay or complete a Witness Statement will result in the authority applying for a Warrant of Execution from the TEC.

Once a Warrant of Execution is issued, the authority will instruct approved bailiffs to collect the debt on their behalf.



## Appendix A – Off Street Car Park Locations

Area	Location	Type
Dawley	Burton Street	Free – No time limit
	Captain Webb	Free – No time limit
	George Street	Free – No time limit
	Lord Hill	Free – No time limit
Hadley	Hadley Centre	Free – No time limit
	Manse Road	Free – No time limit
Ironbridge	Dale End	Pay & Display – Long Stay
	Ironbridge Central	Pay & Display – Long Stay
	The Square	Pay & Display – Short Stay
	The Wharfage	Pay & Display – Short Stay
	Waterloo Street	Pay & Display – Short Stay
Newport	New Street	Free – No time limit
	Stafford Street	Free Ticket – Short Stay & Long Stay
	Victoria Park	Free – No time limit
	Water Lane	Free – No time limit
Oakengates	Bridge Street	Free – No time limit
	Limes Walk	Free – No time limit
	New Street	Free – No time limit
	Oakengates Theatre	Free – No time limit
	Station Approach	Free – No time limit
Telford Town Centre	Dark Lane	Pay & Display – Long Stay
	Hall Court	Pay & Display – Long Stay
	Southwater Multi Storey	Pay & Display – Long Stay
Wellington	Civic & Leisure Centre	Free Ticket – Short Stay
	Naylors Row	Free Ticket – Short Stay
	Tan Bank	Free – Long Stay
	Ten Tree Croft	Free – Long Stay
	Victoria Road North	Free Ticket – Short Stay & Long Stay
	Victoria Road South	Free – Long Stay
	Walker Street	Free Ticket – Short Stay
	Wellington Railway Station	Free – Long Stay
Wrekin Road	Free – Long Stay	



## Appendix B – Contravention Codes & Penalty Charges

PCN Codes version 6.7.6 (Published Dec 2017) - [www.patrol-uk.info/contravention-codes/](http://www.patrol-uk.info/contravention-codes/)

Codes that are not appropriate for our area have been removed from this list.

### On Street Contravention Codes

Code	Description	Level	Penalty Charge	Penalty Charge if paid within 14 days from the date of issue	Instant PCN or Mandatory Observation period
01	Parked in a restricted street during prescribed hours	Higher	70	35	Observation Period
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	Higher	70	35	Observation Period
05	Parked after the expiry of paid for time	Lower	50	25	Observation Period
06	Parked without clearly displaying a valid pay & display ticket	Lower	50	25	Observation Period
07	Parked with payment made to extend the stay beyond initial time	Lower	50	25	Instant PCN
09	Parked displaying multiple pay & display tickets where prohibited	Lower	50	25	Instant PCN
10	Parked without clearly displaying two valid pay and display tickets when required	Lower	50	25	Observation Period
11	Parked without payment of the parking charge	Lower	50	25	Observation Period
12	Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place	Higher	70	35	Observation Period
14	Parked in an electric vehicles' charging place during restricted hours without charging	Higher	70	35	Observation Period
16	Parked in a permit space without displaying a valid permit	Higher	70	35	Instant PCN



Code	Description	Level	Penalty Charge	Penalty Charge if paid within 14 days from the date of issue	Instant PCN or Mandatory Observation period
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	70	35	Instant PCN
19	Parked in a residents' or shared use parking place displaying an invalid permit, an invalid voucher or an invalid pay & display ticket	Lower	50	25	Observation Period
21	Parked in a suspended bay/space or part of bay/space	Higher	70	35	Instant PCN
22	Re-parked in the same parking place within one hour of leaving	Lower	50	25	Instant PCN
23	Parked in a parking place or area not designated for that class of vehicle	Higher	70	35	Instant PCN
24	Not parked correctly within the markings of the bay or space	Lower	50	25	Instant PCN
25	Parked in a loading place during restricted hours without loading	Higher	70	35	Observation Period
26	Vehicle parked more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	70	35	Instant PCN
27	Parked adjacent to a dropped footway	Higher	70	35	Instant PCN
30	Parked for longer than permitted	Lower	50	25	Observation Period
35	Parked in a disc parking place without clearly displaying a valid disc	Lower	50	25	Observation Period
40	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	Higher	70	35	Instant PCN



Code	Description	Level	Penalty Charge	Penalty Charge if paid within 14 days from the date of issue	Instant PCN or Mandatory Observation period
41	Parked in a parking place designated for diplomatic vehicles	Higher	70	35	Instant PCN
42	Parked in a parking place designated for police vehicles	Higher	70	35	Instant PCN
45	Parked on a taxi rank	Higher	70	35	Instant PCN
46	Stopped where prohibited (on a red route or clearway)	Higher	70	35	Instant PCN
47	Stopped on a restricted bus stop/stand	Higher	70	35	Instant PCN
48	Stopped in a restricted area outside a school	Higher	70	35	Instant PCN
49	Parked wholly or partly on a cycle track	Higher	70	35	Instant PCN
55	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	70	35	Instant PCN
56	Parked in contravention of a commercial vehicle waiting restriction	Higher	70	35	Instant PCN
57	Parked in contravention of a coach ban	Higher	70	35	Instant PCN
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	70	35	Instant PCN
62	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)	Higher	70	35	Instant PCN
63	Parked with engine running where prohibited	Lower	50	25	Instant PCN
99	Stopped on a pedestrian crossing and/or crossing area marked by zig-zags	Higher	70	35	Instant PCN



## Off Street Contravention Codes

Code	Description	Level	Penalty Charge	Penalty Charge if paid within 14 days from the date of issue	Instant PCN or Mandatory Observation period
70	Parked in a loading area during restricted hours without reasonable excuse	Higher	70	35	Instant PCN
71	Parked in an electric vehicles' charging placing during restricted hours without charging	Lower	50	25	Observation Period
73	Parked without payment of the parking charge	Lower	50	25	Observation Period
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	70	35	Instant PCN
80	Parked for longer than the maximum period permitted	Lower	50	25	Observation Period
81	Parked in a restricted area in a car park	Higher	70	35	Instant PCN
82	Parked after the expiry of paid for time	Lower	50	25	Observation Period
83	Parked in a car park without clearly displaying a valid pay & display ticket	Lower	50	25	Observation Period
84	Parked with additional payment made to extend the stay beyond time first purchased	Lower	50	25	Observation Period
85	Parked in a permit bay without clearly displaying a valid permit	Higher	70	35	Instant PCN
86	Parked beyond the bay markings	Lower	50	25	Instant PCN
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	Higher	70	35	Instant PCN



Code	Description	Level	Penalty Charge	Penalty Charge if paid within 14 days from the date of issue	Instant PCN or Mandatory Observation period
89	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area	Higher	70	35	Instant PCN
90	Re-parked within one hour of leaving a bay or space in a car park	Lower	50	25	Instant PCN
91	Parked in a car park or area not designated for that class of vehicle	Higher	70	35	Instant PCN
92	Parked causing an obstruction	Higher	70	35	Instant PCN
93	Parked in car park when closed	Lower	50	25	Instant PCN
94	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	50	25	Observation Period
95	Parked in a parking place for a purpose other than the designated purpose for the parking place	Lower	50	25	Instant PCN
96	Parked with engine running where prohibited	Lower	50	25	Instant PCN



## Appendix C – Statutory Grounds to Make Representations (Part 6, Traffic Management Act 2004)

Although the following are the 8 Statutory Grounds to make representation, in accordance with a directive issued by the Local Government Ombudsman, all representations received will be given full consideration and taken into account, whether or not they fall within the description of “Statutory Grounds”.

<b>THE CONTRAVENTION DID NOT OCCUR</b>	
<b>Where the motorist claims he/she was loading/unloading</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>In the event that the vehicle is parked on a waiting prohibition:</p> <p>If evidence is provided to show:</p> <p>Goods being delivered or collected were heavy, bulky or numerous and it would be unreasonable to expect them to be carried from ‘legal’ parking places.</p> <p>Loading/unloading activity was adjacent to the premises concerned.</p> <p>Loading/unloading activity was timely (includes checking goods and paperwork, but not delayed by unrelated activity)</p> <p>It is in the course of business, including commercial delivery/collections, couriers, multi drop parcel carriers, removal services etc.</p>	<p>On school zig zag markings;</p> <p>On zig zag lines</p> <p>On bus stop clearways;</p> <p>On Taxi Ranks</p> <p>Where loading is prohibited</p> <p>In car parks (except when depositing materials in recycling bins)</p> <p>Non goods vehicle parked in a goods vehicle loading bay parked</p> <p>Parked in a goods vehicle loading bay displaying a disabled badge</p>
<b>Where the motorists claims that a parking pay &amp; display machine was faulty</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If service records confirm a fault or that the machine had been taken out of service at the time of the contravention.</p> <p>If there is reasonable doubt because evidence was not available to confirm that a machine was working at the time (test ticket) and there was not another ticket machine nearby which was operating correctly.</p>	<p>If there was another ticket machine nearby that was working correctly at the time.</p> <p>If there is reasonable doubt because evidence confirms that other users had been able to purchase tickets during the relevant period.</p>
<b>Where the motorist claims that the restriction is not signed or marked clearly</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If signs and/or markings are missing or unclear.</p> <p>If signs and markings are inconsistent with each other and/or Traffic Regulation Order.</p>	<p>If site visit records or photographs establish that signs and/or markings are correct and consistent with each other and the Traffic Regulation Order.</p>

<b>Where the motorist was carrying out building works</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If evidence confirms that the motorist was simply loading/unloading. If a valid dispensation to park at the location in question had been issued and was on display in the vehicle or a verbal authorisation is in force.</p> <p>If works are of a statutory nature or are exempted from restrictions by a Traffic Regulation Order or legislation.</p> <p>If it can be proven that works were an emergency.</p>	<p>In all other circumstances including vehicles used by painters, decorators etc. whereby the equipment can be unloaded and then parked appropriately for work to take place.</p>
<b>Where the motorist claims that their vehicle was not parked in the location at the time and on the date alleged on the PCN which was issued</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>Following consideration of all available evidence:</p> <p>If the motorist provides a copy of their vehicle excise license which was valid at the time of the contravention and the serial number of which differs from the number noted by the NEO.</p>	<p>If there is no evidence or if the evidence presented does not support the claim or is inconclusive.</p> <p>There is photo evidence that was taken by the NEO to the contrary</p>

**Where the motorist claims that a pay & display ticket was purchased and displayed**

<b>Where the motorist claims that a pay &amp; display ticket was purchased and displayed</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If the motorist produces a pay & display ticket parking ticket that was valid at the time of the contravention and the NEO confirms that a face down ticket or a ticket that was displayed but concealed in some other way was seen and it is the first contravention of this kind.	<p>If the motorist is unable to produce a valid pay &amp; display ticket.</p> <p>There was no evidence to suggest that a face down ticket was valid or a ticket was displayed but concealed in some other way.</p> <p>The motorist has made a similar representation before and had a previous PCN cancelled.</p> <p>The NEO noted that the motorist obtained their ticket from another motorist in the car park.</p> <p>Where digits have been entered on the face of the ticket and do not match those of the motorist's vehicle registration number.</p> <p>Where a pay and display ticket was purchased in another car park and is non-transferable in accordance with the terms of the Car Park Order</p> <p>Where the ticket has been amended in some way</p>
<b>THE PENALTY CHARGE EXCEEDED THE RELEVANT AMOUNT</b>	
<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
If the PCN and/or Notice to Owner showed the incorrect amount of penalty charge i.e. the wrong penalty charge band	If the PCN or Notice to Owner showed the correct amount of penalty charge.
<b>THE TRAFFIC ORDER WAS INVALID</b>	
<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
If the Traffic Regulation Order which prescribes the restrictions that the vehicle was parked in contravention of was not constructed correctly.	<p>If the Traffic Regulation Order which prescribes the restrictions that the vehicle was parked in contravention of, was constructed correctly.</p> <p>If the motorist merely considers the restrictions to be unfair.</p>

**THE MOTORIST WAS NOT THE OWNER/KEEPER OF THE VEHICLE AT THE TIME OF THE CONTRAVENTION****Where the current registered keeper claims that the vehicle was disposed of before the contravention occurred**

<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>If the person who is currently shown as being the registered keeper of the vehicle by the DVLA is able to provide proof that the vehicle was disposed of before the contravention, i.e. a bill of sale, registration documents, insurance documents or a letter from the DVLA; and/or</p> <p>If the person who is currently shown as being the registered keeper of the vehicle by the DVLA is able to provide the full name and address of the person to whom they disposed of the vehicle</p> <p>ACTION – send a new Notice to Owner to the person named by the DVLA as current registered keeper.</p>	<p>If the person who is currently shown as being the registered keeper of the vehicle by the DVLA is unable to prove that they disposed of the vehicle before the contravention or provide the name and address of the person to whom they disposed of the vehicle.</p> <p>If the person who is currently shown as being the registered keeper of the vehicle by the DVLA , is proved that the person to whom they disposed the vehicle, either does not exist, cannot be traced or is for some other reason not considered to be bona fide. DVLA confirm owner details</p>

**Where the current registered keeper claims that the vehicle was purchased after the contravention occurred.**

<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>If the current registered keeper is able to provide proof that the vehicle was purchased after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or</p> <p>If the current registered keeper is able to provide the full name and address of the person from whom they purchased the vehicle.</p> <p>If the person who is currently shown as being the registered keeper of the vehicle by the DVLA can provide evidence that they took evidence after the contravention date.</p>	<p>If the current registered keeper is unable to prove that they purchased the vehicle after the contravention nor provide the name and address of the person from whom they bought the vehicle.</p> <p>If the person named by the current registered keeper as the person to whom they disposed of the vehicle, either does not exist, cannot be traced or is for some other reason not considered to be bona fide.</p>

<b>Where the current registered keeper claims that a contracted third party was responsible for the vehicle at the time of the contravention</b>	
<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>Only when a signed hire agreement exists</p> <p>If the registered keeper provides correspondence confirming that the third party was responsible for the vehicle at the time of the contravention.</p>	<p>In all other circumstances because the registered keeper is always liable, including where the vehicle was left in the care of a garage.</p>
<b>Where the motorist claims that they never owned the vehicle</b>	
<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>If the DVLA confirm that the motorist was not the registered keeper at the time of the contravention.</p>	<p>If the DVLA confirms that the motorist was the registered keeper of the vehicle at the time of the contravention.</p> <p>If the previous registered keeper provides proof that the motorist bought the vehicle before the contravention, or the subsequent registered keeper provides proof that the motorist sold the vehicle after the contravention.</p> <p>If the motorist is proven to have hired the vehicle for the day on which the contravention occurred and signed an agreement to take responsibility for the PCNs incurred, subject to the time of hire</p>
<b>THE VEHICLE HAD BEEN TAKEN WITHOUT OWNER'S CONSENT</b>	
<b>Where the current registered keeper claims that the vehicle has been stolen</b>	
<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>If the registered keeper provides a valid police crime report reference number.</p>	<p>If the current registered keeper is unable to provide any proof of theft.</p> <p>If the police crime report reference number provided by the current registered keeper does not exist or it does not match the theft or date of the theft alleged.</p>
<b>Where the current registered keeper claims that the vehicle was driven by a third party (i.e. a friend, relative or estranged partner)</b>	
<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>In no circumstances</p>	<p>In all circumstances, the registered keeper is always liable for the PCN, except when a hire agreement exists.</p>

**THE OWNER IS A HIRE COMPANY AND HAVE SUPPLIED THE NAME OF THE HIRER**

<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>If the hire company are able to provide proof that the vehicle was hired at the time of the contravention, i.e. a signed agreement, along with the full name and address of the person to whom they hired the vehicle</p> <p>ACTION – send a new Notice to Owner to the person named by the hire company</p>	<p>If the hire company are unable to prove that they hired out the vehicle on the date of the contravention nor provide the name and address of the person to whom they hired the vehicle.</p> <p>If the person named by the hire company as the person to whom they hired the vehicle, without proof, either does not exist, cannot be traced or denies responsibility for the contravention.</p> <p>If the vehicle was being used as a courtesy car without an agreement signed to accept responsibility for PCN issued.</p>
<b>Any other information that the motorist/vehicle owner want the Council to take into consideration</b>	
<b>MAY ACCEPT REPRESENTATION</b>	<b>MAY REJECT REPRESENTATION</b>
<p>The decision whether or not a PCN should be cancelled will only be taken following very careful consideration taking into account all of the evidence available.</p>	
<b>PROCEDURAL IMPROPRIETY</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If the Council has proven not to observe any requirement imposed on it by the Traffic Management Act 2004 in relation to the imposition or recovery of a PCN or other sum.</p>	<p>If the Council has observed and adhered to the requirement imposed by the Traffic Management Act 2004.</p>
<b>THE PCN HAS BEEN PAID IN FULL</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>The PCN can be proven to have been paid.</p>	<p>No evidence of payment or receipt of payment has been received by the Council.</p>

## Appendix D – Mitigating Circumstances

In addition to the statutory grounds in Appendix C, the following table highlights our approach to mitigating circumstances.

<b>WHERE THE MOTORIST CLAIMS TO HAVE BECOME UNWELL WHILE DRIVING</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If the motorist provides proof of a medical condition, temporary or permanent, that supports the circumstances explained in the representation.</p> <p>When the notes made by the NEO support the motorist's representations.</p>	<p>If the motorist cannot provide some proof of a medical condition, temporary or permanent, that supports the circumstances explained in the representation.</p> <p>Where other evidence contradicts the motorists claim</p>
<b>WHERE THE MOTORIST CLAIMS TO BE A DOCTOR, NURSE, HEALTH VISITOR ATTENDING A PATIENT</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If the motorist produces evidence that they were responding to an urgent medical call and there was no suitable unrestricted parking place.</p>	<p>If the motorist was not attending a patient in urgent circumstances or if there where alternative unrestricted parking spaces nearby.</p> <p>If motorist was parked outside their practice or other place of work for any reason other than to collect supplies for an urgent call.</p> <p>If the motorist was parked in an area which does not correspond with claims made in representations, i.e. far from patients property.</p> <p>All other cases</p>
<b>WHERE THE MOTORIST HAS STOPPED TO USE THE TOILET</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>On production of medical evidence confirming a relevant medical condition and in support of the circumstances described in a representation.</p>	<p>In all other circumstances.</p>
<b>WHERE THE MOTORIST HAS STOPPED TO COLLECT (PRESCRIBED) MEDICATION FROM A CHEMIST</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>Only in the most serious, urgent and exceptional of circumstances and the use of a 'legal' parking place would have caused an unacceptable delay.</p>	<p>In any lesser circumstances.</p>

**WHERE THE MOTORIST WAS A PATIENT VISITING A DOCTOR'S SURGERY**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If the motorist can provide a letter from a doctor to confirm that the visit was urgent and that they were unable to walk from the nearest legal parking space.	If the motorist was not the patient but only driving the vehicle carrying the patient.  If the motorist was attending a pre-arranged, non-urgent appointment.  If the motorist could reasonably have been expected to have parked legally elsewhere.

**WHERE THE MOTORIST CLAIMS TO HAVE BEEN RECENTLY BEREAVED**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If no evidence exists to the contrary, taking into account the sensitivity of this issue on first occasion.  Only in respect of immediate family.  A death certificate will be requested in most cases unless confirmation of death can be established elsewhere.	Only if there is a significant reason to doubt the sincerity of representations, i.e. the NEO's notes indicating that the motorist was going about a normal day, say, shopping or working, or the bereavement considered to be a long time ago.

**WHERE THE MOTORIST WAS DELAYED IN RETURNING TO THEIR VEHICLE AND PARKING TIME PURCHASED HAD EXPIRED**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If supported by appropriate evidence, the motorist's representations claims that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional.  If the motorist's vehicle had broken down, evidence should be provided of recovery.  If the motorist was unable to drive since parking the vehicle e.g. having attended a medical appointment and being advised not to drive or being sent into hospital.	If the delay described by the motorist was entirely avoidable, i.e. queuing in a shop, waiting for doctor/dentist appointment etc.  If the motorist simply under estimated the time needed and could have reasonably purchased more time, i.e. when conducting business, shopping or commuting.  If the motorist was unable to drive since parking due to excess alcohol in the body or had been detained and charged by the police.

**WHERE THE MOTORIST LEFT THE VEHICLE PARKED WITHOUT A VALID TICKET ON DISPLAY TO OBTAIN CHANGE**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If the motorist had not left the car park while obtaining a ticket within 5 minutes or parking the vehicle	If the NEO's notes indicate that the motorist returned to their vehicle, having completed their purpose for parking, while the PCN was being issued, i.e. carrying shopping, or had left the vehicle while obtaining change.

**WHERE THE MOTORIST CLAIMS TO HAVE BEEN UNAWARE OF THE RECENT RISE IN TARIFF**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If statutory notices were not erected in accordance with procedural regulations  If revised tariff is not on tariff board (s).	If the tariff boards were correct.

**WHERE THE MOTORIST HAD PARKED WITH ONE OR MORE WHEELS OUTSIDE OF A MARKED BAY IN A CAR PARK**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
Only in the most exceptional of circumstances that were outside the motorists control are supported by incontrovertible evidence	When clear and incontrovertible supporting evidence (photographs/sketch plan) is available.

**WHERE THE MOTORIST IS A BLUE BADGE HOLDER/TRANSPORTING A BLUE BADGE HOLDER AND THEY DID NOT HAVE THEIR BLUE BADGE AND/OR CLOCK ON DISPLAY OR COULD NOT BE READ**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If it can be established that this is the motorist's first contravention of this type and they can provide evidence that they are a Blue Badge holder or were transporting a Blue Badge holder.	If the motorist has previously had a PCN cancelled for the same contravention and has been warned to display a valid badge and clock correctly in the future.  If the motorist was parked on a waiting restriction beyond the 3 hour time limit permitted by the Blue Badge Scheme, or on another restriction which does not provide an exemption for Blue Badge holders.  The incorrect use of the clock

**WHERE THE MOTORIST IS PARKED IN CONTRAVENNTION OF A WAITING/PARKING PROHIBITION WHILST DISPLAYING A RESIDENT'S PERMIT**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
In no circumstances	On all occasions

**WHERE THE MOTORIST IS A NEW RESIDENT AND HAD PARKED IN A RESIDENTS BAY WITHOUT DISPLAYING A VALID RESIDENTS PERMIT**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
In no circumstances	On all occasions

**WHERE THE MOTORIST WAS DISPLAYING AN EXPIRED AUTHORISATION TO PARK, I.E. DISPENSATION, SEASON TICKET, RESIDENTS PERMIT, BLUE BADGE OR VISITORS PERMIT.**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If the renewal of the authorisation was delayed by the Council's administrative processes.</p> <p>If it can be established that other reasonably unforeseen circumstances delayed the renewal of an authorisation to park, e.g. sickness on the part of the applicant or a postal dispute (supported by appropriate evidence)</p>	<p>In all other circumstances.</p>

**WHERE THE MOTORIST ASSUMED THAT THEY WERE ENTITLED TO "A PERIOD OF GRACE" BEFORE THE PCN WAS ISSUED**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>In no circumstances</p>	<p>On all occasions</p>

**WHERE THE MOTORIST CLAIMS THAT SNOW, FOLIAGE, FALLEN LEAVES OR FLOODING COVERED THE SIGNS OR MARKINGS**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If it can be established that such conditions prevailed and it is likely that signs and markings were obscured as claimed and there was no alternative indication of the restriction.</p>	<p>If it can be established that such conditions did not cause lines and signs to be obscured as claimed.</p> <p>If the NEO's notes photographic evidence etc. directly contradict the motorist's version of events.</p> <p>If any reasonable alternative indication of the restriction was available to the motorist.</p> <p>If the location of the contravention was unlikely to be subject to the natural conditions described by the motorist, i.e. it was under cover.</p>

**WHERE THE MOTORIST CLAIMS THAT THEIR VEHICLE HAD BROKEN DOWN**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<p>If the motorist is able to provide evidence of a breakdown, e.g. proof of vehicle recovery or a bill of sale for repair or parts</p>	<p>If the motorist is unable to provide evidence of any kind that their vehicle had broken down.</p> <p>If the cause of the vehicle "breaking down" was due to negligence on the part of the motorist, i.e. the vehicle had not been properly maintained, had run out of fuel or water or a similar reason.</p> <p>If the NEO's notes contradict the motorist's version of events.</p>

<b>WHERE THE MOTORIST CLAIMS THAT THEY WERE ATTENDING AN EMERGENCY OR ANOTHER VEHICLE THAT HAD BROKEN DOWN</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If the motorist is able to provide reasonable proof of the emergency, i.e. a credible report of an accident or incident, or that they were attending to another vehicle that had broken down.	If the motorist is unable to provide evidence of any kind that they were attending an emergency or another vehicle which had broken down.  If the NEO's notes contradict the motorist's version of events, i.e. the motorist was not seen attending an emergency or another vehicle which was broken down.
<b>WHERE THE VEHICLE IN QUESTION WAS ON POLICE, FIRE BRIGADE OR AMBULANCE DUTIES</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If a senior officer of the service concerned supports the representations and there is no reason to doubt that the vehicle was engaged on operational guidelines.	In all other circumstances.
<b>WHERE THE MOTORIST CLAIMS TO HAVE BEEN COLLECTING OR DEPOSITING MONIES AT A BANK</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If the procedure explained in the motorist's representations is consistent with the allowance for loading and unloading Or  If specific arrangements have been agreed.	In all other circumstances
<b>WHERE THE REGISTERED KEEPER LIABLE FOR PAYMENT OF THE PCN IS EXPECTED TO BE ABSENT FOR A LONG PERIOD OF TIME, E.G. IS LIVING ABROAD OR IS IN PRISON</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
Where evidence is provided that the keeper is in prison for an extended period, consideration may be given to writing off the PCN	On all occasions
<b>WHERE THE REGISTERED KEEPER LIABLE FOR PAYMENT OF THE PCN IS SAID TO HAVE DIED</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
Where the circumstances can be confirmed	Only if there is a significant evidence to doubt the sincerity of the representations (for example, if a death certificate cannot be produced).
<b>WHERE THE MOTORIST RECEIVED A FIXED PENALTY NOTICE (FPN) FROM A POLICE OFFICER OR TRAFFIC WARDEN WHEN PARKED IN THE SAME LOCATION</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If confirmation is provided by the police that proceedings for a criminal offence in connection with the same parking/waiting incident.	In all other circumstances

<b>WHERE A COUNCIL OFFICER OR MEMBER PARKED IN CONTRAVENTION AND CLAIMS TO HAVE BEEN ON COUNCIL BUSINESS</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If the officer was carrying out emergency work and provides evidence/confirmation from a senior officer.	If it can be established that the officer/member could have reasonably parked elsewhere.
<b>WHERE THE MOTORIST STOPPED TO DROP OFF SOMEONE</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If the circumstances are seen by the NEO.  If, in exceptional circumstances and subject to observations times, the motorist had to escort a passenger (child, elderly or disabled person) to home, or school.	If motorist was parked/stopped on school keep clear markings, pedestrian crossing, bus stop clearway, goods vehicle loading bay or other restricted or reserved parking places
<b>WHERE THE MOTORIST STATES THAT THEY WERE IN POLICE CUSTODY WHEN PCN ISSUED</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If proof (from the Police) has been provided that the police had instructed the motorist to leave the vehicle.	In most circumstances
<b>WHERE THE MOTORIST STATES THEY WERE VISITING A FRIEND OR RELATIVE IN URGENT CIRCUMSTANCES</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If due to an emergency, the parking contravention could not be avoided due to the urgent nature of the incident.	If the motorist has already received a PCN, which has been cancelled for the same reason.  If the NEO's pocket book notes provides significant reason to doubt sincerity of representation.
<b>WHERE THE MOTORIST CLAIMS THEY WERE PARKED ON PRIVATE PROPERTY</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If land search maps confirm location is private property and not subject of the relevant Traffic Regulation Order.  If there is insufficient evidence to establish location of vehicle.	In all other circumstances.
<b>WHERE THE MOTORIST WAS DELAYED IN RETURNING TO THEIR VEHICLE PARKED IN A LIMITED WAITING PARKING PLACE</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If supported by appropriate evidence, the motorist's representations claim that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional.  If the motorist's vehicle had broken down, subject to evidence provided.  If the motorist was unable to drive, since parking the vehicle.	If the delay described by the motorist was not exceptional, i.e. queuing in a shop.  If the motorist simply underestimated the time needed.  If the motorist was unable to drive since parking due to excess alcohol in the body or had been detained by the police for any reason, unless subsequently released without charge or proven innocent.

<b>WHERE THE MOTORIST HAS STOPPED TO ANSWER MOBILE PHONE</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
In no circumstances	On all occasions
<b>WHERE THE MOTORIST STATES THAT THE DETAILS ON THE PCN ARE INCORRECT, E.G. LOCATION</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
If there is reason to doubt that the PCN was issued correctly, taking into account evidence provided by the NEO.	If the PCN was completed correctly.
<b>WHERE THE MOTORIST STATES THAT THEY WERE UNAWARE OF ENFORCEMENT ON BANK/PUBLIC HOLIDAYS</b>	
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
In no circumstances	On all occasions
<b>WHERE THE MOTORIST HAS STOPPED TO ASSIST WITH AN ACCIDENT OR EMERGENCY SITUATION</b>	
Where sufficient written evidence has been provided to confirm the situation	If the motorist was able to park safely and appropriately nearby  If no evidence can be provided to support the incident