

BOLTON COUNCIL

PARKING SERVICES

**Guidance for Civil Enforcement Officers
and Notice Processing staff**

TRAFFIC MANAGEMENT ACT 2004 (part 6)

Update and Reviewed: January 2026

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INTRODUCTION

The following guidance document has been prepared in respect of Civil Parking Enforcement. The procedures in this document are intended to provide guidance for the general public, Civil Enforcement Officer's and council employees working in the enforcement of parking regulations under the Traffic Management Act 2004, Part 6

This is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process, administered using quality based standards that the public understand and that are enforced fairly, accurately and expeditiously.

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

The guidance addresses the following:

- Observation times for enforcement staff

- The statutory grounds upon which representations may be made

- Mitigating circumstances

- The acceptance or rejection of representations

It is important to recognise that each case will be considered on its own merits.

This guidance will be subject to on-going review.

1. Standard Contravention Codes & Observation Times

On-Street

| Code | General suffix(es) | Description | Differential level | Observation Time | Notes |
|------|-------------------------------|---|--------------------|---|--|
| 01 | ajoyz | Parked in a restricted street during prescribed hours | Higher | *GV 5 minutes *PMC 2 minutes | Suffixes y & z for bbh only |
| 02 | ajo | Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force | Higher | 0 minutes | |
| 05 | cgpsuv1 | Parked after the expiry of paid for time | Lower | 11 minutes | |
| 07 | cgmprsv | Parked with payment made to extend the stay beyond initial time | Lower | 0 minutes | 'meter feeding' |
| 11 | gu | Parked without payment of the parking charge | Lower | 5 minutes | Mobile phone parking |
| 12 | arstuw4 | 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 | 5 minutes | |
| 14 | ay89 | Parked in an electric vehicles' charging place during restricted hours without charging | Higher | 0 minutes | |
| 16 | abdehqwxyz4569 | Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required | Higher | 0 minutes | Suffix "s" only for use where bay is completely non-resident |
| 19 | airsuwx4 | 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 | 5 minutes | |
| 21 | abcdefghijklmnpqrsuvxy1256789 | Parked wholly or partly in a suspended bay or space | Higher | 0 minutes | |
| 22 | cflgmnpv1289 | Re-parked in the same parking place or zone within one hour* of leaving | Lower | 0 minutes | |
| 23 | abcdefghijklprsvwxy123789 | Parked in a parking place or area not designated for that class of vehicle | Higher | 0 minutes | |
| 24 | abcdefghijklmnpqrsuvxy1256789 | Not parked correctly within the markings of the bay or space | Lower | 0 minutes | |
| 25 | n2 | Parked in a loading place during restricted hours without loading | Higher | *GV 10 minutes *PMC 5 minutes (Depends on location) | On-street loading bays |
| 26 | n | Parked in a special enforcement area more than 50 cm* from the edge of the carriageway and not within a designated parking place | Higher | 2 minutes | |
| 27 | no | Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway | Higher | 2 minutes | |
| 30 | acflgmnpvuy12789 | Parked for longer than permitted | Lower | 10 minutes | |
| 34 | j0 | Being in a Bus Lane | Higher | 0 minutes | |
| 40 | n | Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner | Higher | 0 minutes | |
| 45 | nw | Stopped on a taxi rank | Higher | 0 minutes | |
| 46 | n | Stopped where prohibited (on a red route or clearway) | Higher | 0 minutes | |
| 47 | jn | Stopped on a restricted bus stop or stand | Higher | 0 minutes | |

| | | | | | |
|----|----|--|--------|-----------|------------------------------------|
| 48 | j | Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited | Higher | 0 minutes | |
| 55 | | A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban | Higher | 0 minutes | |
| 56 | | Parked in contravention of a commercial vehicle waiting restriction | Higher | 0 minutes | Non- overnight waiting restriction |
| 99 | no | Stopped on a pedestrian crossing or crossing area marked by zigzags | Higher | 0 minutes | Pedestrian Crossings |

* = or other specified time

**** = or other number

† = or other specified distance

Off-Street

| | | | | | |
|----|------|--|--------|----------------------------------|--------------------------|
| 70 | | Parked in a loading place or bay during restricted hours without loading | Higher | *GV 10 minutes *PMC 5 minutes | Off-street loading areas |
| 71 | | Parked in an electric vehicles' charging place during restricted hours without charging | Higher | 0 minutes | |
| 80 | gu | Parked for longer than permitted | Lower | 10 minutes | Off-street car parks |
| 81 | o | Parked in a restricted area in an off-street car park or housing estate | Higher | 0 minutes | Off-street car parks |
| 86 | prs | Not parked correctly within the markings of a bay or space | Lower | 0 minutes 5 Minutes Bolton One | Off-street car parks |
| 87 | | Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner | Higher | 0 minutes | Off-street car parks |
| 90 | psuv | Re-parked within one hour* of leaving a bay or space in a car park | Lower | 0 minutes | Off-street car parks |
| 91 | cg | Parked in a car park or area not designated for that class of vehicle | Higher | 0 minutes | Off-street car parks |
| | | | | | |
| 93 | | Parked in car park when closed | Lower | 0 minutes | Off-street car parks |

* = Or other specified time

**** = or other number

*GV = Goods vehicle – a minimum of 5 minutes observation

*PMC =Private Motor Car including estate cars – a minimum of 2 minutes observation

An 'instant' penalty charge notice may be issued in circumstances where the Civil Enforcement Officer has evidence, other than the period of observation, which supports the action of issuing the penalty charge notice without observing the vehicle for the minimum periods indicated.

Suffixes

General suffixes:—

- | | | | |
|---|-----------------------|------------------------------------|------------------|
| a) permit holder only electric vehicle charging bay | b) business bay | c) buses only | d) doctor's bay |
| e) car club bay | f) free parking bay | g) motor cycle bay | h) hospital bay |
| i) wrong type of voucher | j) camera enforcement | k) ambulance bay | l) loading place |
| m) parking meter | n) red route | o) blue badge holder | p) pay & display |
| q) market traders' bay | r) residents' bay | s) shared use bay | |
| t) voucher/P&D ticket used in permit bay | u) electronic parking | v) voucher | |
| w) e-scooter bay | x) disabled bay | y) electronic solo motor-cycle bay | |

0) local buses / trams only 1) electric vehicles bays 2) goods vehicle loading bays 3) bicycle bay 4) virtual permit

5) dedicated disabled bay 6) hotel bay 7) taxis only 8) zero commission capable taxis only 9) electric vehicle car club bay

Restricted Street (Codes 01 & 02 only)

- a) Temporary traffic order (code specific)

Permit Contravention Codes (Codes 01, 12, 16, 19 and 85 only)

- w) wrong parking zone x) incorrect VRM y) obscured/illegible permit z) out of date permit (code specific)

Taxi Ranks (Code 45 only)

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

Footway parking only:—

- | | | |
|-------------------------|----------------------|--------------------------|
| 1) One wheel on footway | 2) Partly on footway | 4) All wheels on footway |
| c) on vehicle crossover | g) on grass verge | |

Moving traffic contraventions only:—

- 32 d) proceeding in the wrong direction t) turning in the wrong direction

- 33 b) buses only c) buses and cycles only e) buses, cycles and taxis only f) buses and taxis only g) local buses only
h) local buses and cycles only i) local buses, cycles and taxis only k) local buses and taxis only q) tramcars and local buses only r) tramcars only s) tramcars and buses only

- 38 l) must pass to the left r) must pass to the right

- 50 r) no right turn l) no left turn u) no U turn

- 52 b) buses v) all vehicles except non-mechanically propelled ones being pushed m) motor vehicles
x) motor vehicles except solo m/cycles s) solo motorcycles g) goods vehicles exceeding max gross weight indicated

2. STATUTORY GROUNDS TO MAKE REPRESENTATIONS (TRAFFIC MANAGEMENT ACT 2004, PART 6)

Important note:

Although the following are the nine Statutory Grounds to make representation following the service of a 'Notice to Owner' letter, full consideration will be given and account taken of all representations received, whether or not they fall within the description of '**Statutory Grounds**'. It is for this reason that a 10th Ground of appeal has been included to allow the motorist or owner/ registered keeper to provide other information for the Council to consider.

2.1 The contravention did not occur:

Where the motorist claims loading/ unloading was taking place

| May accept representations | May reject representations |
|---|--|
| If evidence is available or provided to show: 1. Goods being delivered or collected were heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from a 'legal' parking place. 2. Loading/unloading activity was timely (including checking goods and paperwork, but not delayed by unrelated activity). Is in the course of normal business, including commercial delivery/ collections, couriers, multi drop parcel carriers, removal services etc. | On a school keep clear, zigzag marking On a bus stop clearway On a taxi rank On a permit bay In a disabled bay without displaying a valid blue badge Where loading/ unloading is prohibited |

| | |
|--|---|
| | In pay and display bays or car parks, when a valid pay and display ticket was not purchased first |
|--|---|

Where the motorist claims that a pay and display machine was faulty

| May accept representations | May reject representations |
|---|--|
| <p>If service records confirm a fault or that the machine was out of service at the time of the contravention.</p> <p>If there is reasonable doubt i.e. no evidence is available to confirm machine was working at the time or no other working machine nearby.</p> | <p>If there was another machine nearby working correctly at the time of the contravention.</p> <p>If there is no record of the machine being faulty or out of service.</p> <p>If there is reasonable doubt because evidence confirms that other motorists had been able to purchase tickets during the relevant period.</p> <p>If one chance has already been given for a small underpayment on a pay and display ticket</p> |

Where the motorist claims that the restriction is not clearly signed or marked

| May accept representations | May reject representations |
|---|---|
| <p>If signs and/or markings are not clearly visible.</p> <p>If signs and markings are inconsistent with each other and/or the 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> |

Where the motorist was carrying out building work

| May accept representations | May reject representations |
|----------------------------|----------------------------|
|----------------------------|----------------------------|

| | |
|---|-----------------------------------|
| <p>If evidence confirms that the motorist was loading/ unloading.</p> <p>If a valid dispensation to park at the location in question had been issued and was clearly displayed in the vehicle.</p> <p>If the work is of a statutory nature or is exempt from the restrictions in the Traffic Regulation Order</p> <p>If it can be proven that works were an emergency</p> | <p>In all other circumstances</p> |
|---|-----------------------------------|

Where the motorist claims that the Penalty Charge Notice was not served (i.e. PCN not found attached to vehicle or handed to driver)

| May accept representations | May reject representations |
|---|--|
| <p>If the Civil Enforcement Officer's (CEO's) notes or photographs do not confirm that the vehicle drove away before a PCN could be served i.e. PCN not handed to driver or fixed to the vehicle.</p> | <p>If the Civil Enforcement Officer's (CEO's) notes or photographs confirm that the PCN was correctly served i.e. PCN handed to driver or fixed to the vehicle</p> |

Where the motorist claims that their vehicle was not parked at the location on the date and time that the PCN was issued

| May accept representations | May reject representations |
|--|---|
| <p>If the motorist provides evidence that their vehicle was not parked at that location at the time of contravention (eg cloned vehicle)</p> | <p>If there is no evidence or the evidence provided does not support the claim.</p> |

Where the motorist claims that a valid authorisation to park, had been issued

| May accept representations | May reject representations |
|--|--|
| If the motorist can produce a valid authorisation to park or relevant proof is provided. | <p>If the motorist cannot produce a valid authorisation to park or relevant proof is not provided.</p> <p>If the motorist did not park in accordance with the authorisation given.</p> |

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

| May accept representations | May reject representations |
|---|--|
| If the motorist produces a valid pay and display ticket (this will still apply when a pay and display ticket has not been displayed at the time of the contravention) | <p>If the motorist is unable to produce a valid pay and display ticket.</p> <p>If a PCN issued previously in similar circumstances was cancelled (one chance for cancellation)</p> |

2.2 The penalty exceeded the relevant amount

| May accept representations | May reject representations |
|---|---|
| If the PCN and/or the 'Notice to Owner' showed the incorrect amount | If The PCN or Notice to owner show the correct amount |

2.3 The Traffic Order was invalid

| May accept representations | May reject representations |
|---|---|
| If the Traffic Regulation Order prescribing the restrictions is defective in some way or was not made in accordance with relevant procedures and is inaccurate or incorrect in terms of detail. | <p>If the relevant Traffic Regulation Order is sound and accurate in all respects.</p> <p>If the motorist considers the restriction to be unfair.</p> |

2.4 The recipient was not the owner/ keeper of the vehicle at the time of the contravention:

Where the registered keeper (as notified by DVLA) claims that the vehicle was disposed of before the contravention occurred

| May accept representations | May reject representations |
|---|--|
| <p>If the current registered keeper is able to provide proof that the vehicle was disposed of before the date of the contravention i.e. bill of sale, insurance documents or a letter from DVLA.</p> <p>If the current registered keeper is able to provide the full name and address of the person to whom they disposed of the vehicle.</p> | <p>If the current registered keeper is unable to provide proof that the vehicle was disposed of before the date of the contravention.</p> <p>If the new keeper details supplied by the current registered keeper do not exist, cannot be traced or for some reason they are not considered to be bona fide.</p> <p>If DVLA confirm that the recipient of the NTO was the registered keeper at the time of the contravention.</p> |

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

| May accept representations | May reject representations |
|--|--|
| <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 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 current registered keeper is unable to prove that they purchased the vehicle after the contravention occurred nor provide the name and address of the person from whom they bought the vehicle. If the person named by the current registered keeper as the person to whom they disposed of the vehicle, either does not exist, cannot be traced or is for some other reason not considered to be bona fide.</p> |

Where the current registered keeper claims that a contracted third party was responsible for the vehicle at the time of the contravention

| May accept representations | May reject representations |
|---|---|
| Only when an approved, signed, formal hire agreement exists | In all other circumstances, because the registered keeper is always liable. |

Where the motorist claims that they never owned the vehicle

| May accept representations | May reject representations |
|--|--|
| If DVLA confirm the motorist was not the registered keeper at the time of the contravention. | <p>If DVLA confirm the motorist was the registered keeper at the time of the contravention.</p> <p>If the previous registered keeper provides proof that the motorist purchased or acquired the vehicle before the contravention and the subsequent registered keeper also supplies proof that the motorist disposed of the vehicle after the date of the contravention.</p> <p>If the motorist is proven to have hired the vehicle on the date of the contravention and signed an agreement to take responsibility for PCNs incurred.</p> |

2.5 The vehicle had been taken without the owner's consent:

Where the current registered keeper claims that the vehicle had been stolen

| May accept representations | May reject representations |
|--|--|
| If the registered keeper provides a valid police crime reference number. | <p>If the current registered keeper is unable to provide any proof of theft.</p> <p>If the crime reference number provided does not exist or it does not</p> |

| | |
|--|--|
| | match the theft or date and time of the contravention. |
|--|--|

Where the current registered keeper claims that the vehicle was driven by a third party i.e. friend or relative

| May accept representations | May reject representations |
|-----------------------------------|---|
| In no circumstances | In no circumstances because the registered keeper is always liable. |

2.6 The recipient is a hire company and they have supplied the name of the hirer

| May accept representations | May reject representations |
|---|--|
| <p>If the hire company are able to provide proof that the vehicle was hired at the time of the contravention i.e. signed hire agreement</p> <p>If the vehicle is on a long term hire and the hire company are able to provide the full name and address of the person to whom they hired the vehicle.</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's issued.</p> |

2.7 There has been procedural impropriety on the part of the Council

| May accept representations | May reject representations |
|--|---|
| Only where there is clear evidence the Council has failed to observe any requirement of the legislation of the Traffic Management Act 2004 | If the Council has fully complied with the legislation of TMA 2004. |

2.8 The Notice to owner should not have been served

| May accept representations | May reject representations |
|---|---|
| If the PCN has already been paid in full or by the amount of any discount allowed under TMA 2004 regulations i.e. 50% discount if paid within 14 days of issue of the PCN. Proof of payment is required. | If the motorist cannot show proof of payment i.e. receipt, copy bank statement, credit card authorisation code etc. |

2.9 Where a PCN was served by post on the basis that a CEO was prevented by some person from fixing it to the vehicle concerned or handing it to the owner or person in charge of the vehicle.

(Vehicle Driven Away)

| May accept representations | May reject representations |
|---|--|
| The decision to cancel the PCN will only be made if the CEO has made an error or lines and signs are unclear. | If the CEO's handheld notes, photographs confirm that a contravention occurred and the CEO was prevented from serving the PCN before the vehicle drove away. |

2.10 Any other information that the motorist/ vehicle owner wants the Council to take into consideration.

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

3 Bus Lane Enforcement

Bolton Council uses Closed Circuit Television (CCTV) cameras to enforce bus lanes. Images must clearly show the vehicle in contravention waiting, parked or travelling more than 20 metres in the bus lane or entering a bus gate. Representations will be considered in line with the Traffic Regulation Order.

3.1 Where the motorist claims they entered the bus lane for access

| May accept representations | May reject representations |
|---|--|
| If the motorist can provide evidence of entering for access | If the motorist enters the bus lane in advance of the point where access is required |

3.2 Where the motorist claims there was no signage

| May accept representations | May reject representations |
|--|--|
| If there are any issues with the markings, signs or camera | If all lines and signs are clearly visible |

3.3 If the motorist claims their vehicle is exempt from entering a bus lane

| May accept representations | May reject representations |
|---|--|
| If the motorist can provide evidence that their vehicle is included in the exemptions e.g. Hackney Carriage license/V5C logbook | If the vehicle is not included in the exemptions |

3.4 If the motorist entered in an emergency

| May accept representations | May reject representations |
|----------------------------|----------------------------|
|----------------------------|----------------------------|

| | |
|--|-----------------------------------|
| <p>If the motorist can provide evidence of a medical emergency</p> <p>If directed by police during an emergency incident</p> <p>If road is closed due to emergency repairs</p> | <p>In all other circumstances</p> |
|--|-----------------------------------|

4 MITIGATING CIRCUMSTANCES

4.1 The motorist claims to have become unwell while driving

| May accept representations | May reject representations |
|---|---|
| <p>If the motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described.</p> <p>When the notes made by the CEO support the motorist's representations.</p> | <p>If the motorist cannot provide some proof of a medical condition, temporary or permanent, that is consistent with the conditions described.</p> <p>Where other evidence contradicts the motorist's claim</p> |

4.2 Where the motorist claims to be a doctor, nurse, health visitor attending a patient

| May accept representations | May reject representations |
|--|--|
| <p>If the motorist provides evidence that they were responding to an urgent medical call and there is no nearby legal parking place.</p> | <p>If motorist was not attending a patient in urgent circumstances or if there was a legal parking space nearby.</p> <p>If the motorist is 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 is parked in an area which does not correspond with the</p> |

| | |
|--|--|
| | claim made, i.e. far from the patients location. |
|--|--|

4.3 Where the motorist stopped to use the toilet

| May accept representations | May reject representations |
|--|----------------------------|
| On production of medical evidence confirming a relevant medical condition and in support of the circumstances described in the representation. | In all other circumstances |

4.4 Where the motorist stopped to collect prescribed medication from a chemist

| May accept representations | May reject representations |
|--|-----------------------------|
| Only in the most grave and exceptional circumstances where the use of a legal parking place would have caused unacceptable delay | In any lesser circumstances |

4.5 Where the motorist was a patient visiting a doctor's surgery

| May accept representations | May reject representations |
|--|---|
| If the motorist can provide a letter from the doctor to confirm that the visit was very urgent and that they were unable to walk from the nearest legal parking place. | <p>If the motorist was not the patient but only the driver of the vehicle.</p> <p>If the motorist was attending a pre-arranged, non-urgent appointment.</p> <p>If the motorist could reasonably have been expected to park legally elsewhere.</p> |

4.6 Where the motorist claims to have been recently bereaved

| May accept representations | May reject representations |
|----------------------------|---|
| | Only if there is significant reason to doubt the sincerity of the |

| | |
|---|--|
| If the motorist can provide proof, taking into account the sensitivity of the matter. | representations i.e. the CEO's handheld notes indicate that the motorist was going about a normal day shopping or working. |
|---|--|

4.7 Where the motorist was delayed in returning to their vehicle and the parking time had expired

| May accept representations | May reject representations |
|--|--|
| <p>If the motorist's representation claims that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional (appropriate evidence must support this).</p> <p>If the motorist's vehicle had broken down (appropriate evidence must support this).</p> <p>If the motorist was unable to drive since parking the vehicle (appropriate evidence must support this).</p> <p>The CEO's will also give an 11 minute grace period after a pay and display ticket has expired, before issuing a PCN.</p> | <p>If the delay described by the motorist was entirely avoidable i.e. queuing in a shop.</p> <p>If the motorist simply under estimated the time needed and could have reasonably purchased more time i.e. when conducting business, attending meetings, shopping or commuting.</p> <p>If the motorist is unable to drive since parking due to being under the influence of intoxicating substances in the body or had been detained and charged by the police.</p> |

4.8 Where the motorist 'fed' the meter or pay and display machine by buying subsequent time to park in the same place or returned to the same place within a specified and prohibited period.

| May accept representations | May reject representations |
|-----------------------------------|-----------------------------------|
|-----------------------------------|-----------------------------------|

| | |
|---------------------|--|
| In no circumstances | If the motorist overstays initial period of time or returns within a period of 'No return' |
|---------------------|--|

4.9 Where the motorist left the vehicle parked without a valid ticket on display to obtain change.

| May accept representations | May reject representations |
|--|--|
| <p>If the motorist had not left the car park, or on-street pay and display area, while obtaining change and a valid ticket was purchased and produced.</p> <p>CEO's allow a 10 minute grace period before a penalty charge notice is issued.</p> | <p>If the CEO's handheld notes indicate the motorist returned to the vehicle having completed their purpose for parking i.e. carrying shopping or left location to obtain change</p> |

4.10 Where the motorist claims to be unaware of a recent tariff rise

| May accept representations | May reject representations |
|--|--|
| <p>If the statutory notices were not erected in accordance with procedural regulations.</p> <p>If the revised tariff is not displayed correctly.</p> | <p>If the statutory notices were erected in accordance with procedural regulations.</p> <p>If the revised tariff is displayed correctly.</p> |

4.11 Where the motorist had parked with one or more wheels outside of a parked bay

| May accept representations | May reject representations |
|---|---|
| <p>Only in the most exceptional circumstances that were out of the motorist's control and supported by incontrovertible evidence.</p> | <p>When clear photographic evidence is available</p> <p>When CEO handheld notes state vehicle out of bay.</p> |

| | |
|----------------------------|--|
| In no other circumstances. | |
|----------------------------|--|

4.12 Where a Blue Badge holder/ transporting a Blue Badge holder and they did not have their blue badge on display

| May accept representations | May reject representations |
|--|---|
| If the blue badge is shown to the CEO at the time of the contravention or the CEO can see a blue badge that has fallen from the dashboard and this is noted in his handheld notes. | If there is no evidence to support that a blue badge was on display |

4.13 Where a Blue Badge holder/ transporting a Blue Badge holder and they did not display their badge and/or clock correctly (when applicable) so that the issuing authority, expiry date and time of arrival can be clearly seen from outside the vehicle or the badge is faded and the details cannot be read

| May accept representations | May reject representations |
|---|--|
| If it is established that this is the Blue Badge holders first contravention of this type and they can provide evidence that they are a Blue Badge holder or were being transported in the vehicle at the time of the contravention | <p>If the Blue Badge holder has previously had a PCN cancelled for the same contravention and has been warned to display a valid badge / time clock in the future.</p> <p>If the motorist was parked on a waiting restriction beyond the 3 hour time limit permitted by the Blue Badge scheme, or on another restriction for which a Blue Badge does not provide an exemption.</p> |

4.14 Where a Blue Badge holder/ transporting a Blue Badge holder and the badge has expired

| May accept representations | May reject representations |
|-----------------------------------|-----------------------------------|
|-----------------------------------|-----------------------------------|

| | |
|---|--|
| If the Blue Badge has expired within 28 days of the date of the contravention | If the Blue Badge has expired after 28 days of the date of the contravention |
|---|--|

4.15 Where the motorist claims to have been unaware of the existence of a Controlled Parking Zone

| May accept representations | May reject representations |
|--|-----------------------------------|
| If it can be established that the signing and markings of Controlled Parking Zone are at fault | In all other circumstances. |

4.16 Where the motorist was displaying an expired authorisation to park i.e. dispensation, parking place suspension, residents permit or visitors permit

| May accept representations | May reject representations |
|---|-----------------------------------|
| <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 i.e. sickness on the part of the applicant or a postal dispute/ delay (supported by appropriate evidence).</p> <p>In the case of a residents/ visitors permit only, if the authorisation had expired by less than 14 days.</p> | In all other circumstances. |

4.17 Where a motorist is parked in contravention of a waiting/ parking prohibition whilst displaying a residents/ visitors permit

| May accept representations | May reject representations |
|--|-----------------------------------|
| In no circumstances unless it refers to point 3.21 | On all occasions |

4.18 Where a motorist is a new resident within a residents parking scheme and had parked in a residents bay without displaying a valid residents permit

| May accept representations | May reject representations |
|-----------------------------------|-----------------------------------|
| In no circumstances | On all occasions |

4.19 Where the motorist claims that snow, foliage, fallen leaves or flooding covered the signs or markings

| May accept representations | May reject representations |
|--|---|
| If it can be established that such conditions prevailed and it is likely signs or lines were obscured as claimed and there was no alternative indication of the parking restriction. | <p>If it can be established that such conditions did not cause lines and signs to be obscured as claimed.</p> <p>If the CEO's handheld notes and/or photographic evidence contradicts the motorist's version of events.</p> |

4.20 Where the motorist claims that their vehicle had broken down

| May accept representations | May reject representations |
|---|--|
| If the motorist is able to provide satisfactory evidence of a breakdown, i.e. proof of vehicle recovery and bill of sale for repair | <p>If the motorist is unable to provide satisfactory evidence of a breakdown.</p> <p>If the cause of the vehicle 'break down' was due to negligence on the part of the motorist i.e. the vehicle had not been properly maintained, had run out of petrol or water or a similar reason.</p> <p>If the CEO's handheld notes contradict the motorist's version of events.</p> |

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

| May accept representations | May reject representations |
|---|--|
| If the motorist is able to provide reasonable proof of the emergency i.e. credible report of an accident or incident. | If the motorist is unable to provide evidence of any kind that they were attending an emergency. If the CEO's handheld notes contradict the motorist's version of events. |

4.22 Where the motorist claims to have been unaware of a temporary parking restriction or suspension for a special event restriction.

| May accept representations | May reject representations |
|---|--|
| If the motorist claims that there was no indication of the restriction and the CEO's handheld notes/ photographs do not confirm that appropriate signing was in place. If the process followed to make the temporary order was defective in some way | If the CEO's notes/ photographs confirm that the vehicle was parked in an area restricted by the Temporary Order or Notice and the appropriate signing was in place and clearly visible. |

4.23 Where the registered keeper liable for the payment of the PCN is expected to be absent for a long period of time i.e. is living abroad or is in prison

| May accept representations | May reject representations |
|-----------------------------------|-----------------------------------|
| In no circumstances | On all occasions |

4.24 Where the registered keeper liable for the payment of the PCN is said to have died

| May accept representations | May reject representations |
|-----------------------------------|-----------------------------------|
|-----------------------------------|-----------------------------------|

| | |
|--|--|
| Where the circumstances can be confirmed | If the circumstances cannot be confirmed |
|--|--|

4.25 Where the motorist received a Fixed Penalty Notice (FPN) from a police officer or police traffic warden when parked at the same location

| May accept representations | May reject representations |
|---|----------------------------|
| To prevent 'double jeopardy' if confirmation provided by the police or copy notice provided | In all other circumstances |

4.26 Where a Council officer or Member parked in contravention and claims to have been on Council business.

| May accept representations | May reject representations |
|---|---|
| If the officer carrying out emergency or statutory work and the vehicle is necessary for the job and could not have been reasonably parked elsewhere. | If it can be established that the officer/ member could have reasonably parked elsewhere. |

4.27 Where the motorist stopped to drop off / pick up someone

| May accept representations | May reject representations |
|--|--|
| <p>If the circumstances are seen by a CEO</p> <p>If, in exceptional circumstances and subject to observation times, the motorist had to escort a passenger i.e disabled person with a valid blue badge</p> | If the motorist parked/ stopped on school keep clear markings, pedestrian crossing, bus stop clearway, zig zag crossing markings |

4.28 Where the motorist claims there was no legal place to park and an emergency had occurred

| May accept representations | May reject representations |
|----------------------------|----------------------------|
|----------------------------|----------------------------|

| | |
|--|---|
| Only in the most exceptional circumstances (evidence required) | In the absence of exceptional circumstance (no evidence provided) |
|--|---|

4.29 Where the motorist claims they were parked on private property (off the highway)

| May accept representations | May reject representations |
|--|-----------------------------------|
| <p>If the Council's on line map confirms location is private property and not subject to the relevant Traffic Regulation Order.</p> <p>If there is insufficient evidence to establish location of vehicle.</p> | <p>In all other circumstances</p> |

4.30 Where the motorist was delayed in returning to their vehicle parked in a limited waiting parking place

| May accept representations | May reject representations |
|--|--|
| <p>If supported by appropriate evidence, the motorist's representation claims that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional.</p> <p>If the motorist's vehicle had broken down (proof required)</p> <p>If the motorist is unable to drive, since parking the vehicle.</p> | <p>If the delay described by the motorist was not exceptional i.e. queuing in a shop</p> <p>If the motorist simply underestimated the time needed and could have reasonably purchased more time.</p> <p>If the motorist was unable to drive since parking due to being under the influence of intoxicating substances in the body or had been detained and charged by the police for any reason, unless subsequently released without charge or proven innocent.</p> |

4.31 Where the motorist had parked while asking directions/ opening gates to private property

| May accept representations | May reject representations |
|---|-----------------------------------|
| If evidence provided by the CEO does not contradict representations | In all other circumstances |

4.32 Where the motorist stopped to answer mobile phone

| May accept representations | May reject representations |
|-----------------------------------|-----------------------------------|
| In no circumstances | On all occasions |

4.33 Where the motorist states that the details of the PCN are incorrect

| May accept representations | May reject representations |
|---|---|
| If there is reason to doubt the PCN was issued correctly, taking into account evidence provided by the CEO. | If the PCN was fully and correctly completed. |

4.34 Where the motorist states they were unaware of enforcement on Bank/ Public holidays

| May accept representations | May reject representations |
|-----------------------------------|-----------------------------------|
| In no circumstances | On all occasions |

4.35 Where the motorist states that the restriction was marked after the vehicle had been parked.

| May accept representations | May reject representations |
|--|---|
| If records confirm that signing/ lining placement of cones or suspension notices was likely to have taken place after the vehicle parked | If there is evidence to show that markings were already in place at the time of parking |

