



**Liverpool
City Council**

Liverpool City Council

Penalty Charge Notice

Appeal Process

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INTRODUCTION

Powers of Enforcement

On 14 May 2002 the Secretary of State for Transport, Local Government and the Regions, in exercise of powers conferred by paragraphs 1(1), 2(1) and 3(3) of Schedule 3 to the Road Traffic Act 1991 and of all other powers enabling him in that behalf, made the following Order:-

The Road Traffic (Permitted Parking Area and Special Parking Area) (City of Liverpool) Order 2002. This Order came into force on 1st July 2002.

Statutory Instrument 2002 N° 1353

The area for which the City Council has been granted Permitted Parking Area and Special Parking Area status, The Road Traffic (Permitted Parking Area and Special Parking Area) (City of Liverpool) Order 2002, comprises the entire City of Liverpool, with the exception of the M62 motorway including its on and off slip roads, for the whole its length within the City.

As a consequence of the above legislation, as from 1 July 2002, the responsibility of enforcing on-street parking restrictions moved from Merseyside Police to Liverpool City Council.

Legislative changes (effective from 31 March 2008) have superseded the above regulations and Civil Parking Enforcement within Liverpool is now undertaken in accordance with Part 6 of the Traffic Management Act 2004.

Aims and Objectives

This document sets out the City Council's current parking enforcement policy as from 2009 This document is intended as guidance only and will be updated as and when necessary.

This policy provides guidance on the various stages of Appeal, in relation to a Penalty Charge Notice, and on the way in which the City Council and it staff process any such Appeal. Each case will be considered on its own merits taking account of all evidence provided.

The City Council's Parking Services staff are committed to enforcing parking regulations fairly and equitably; to improving conditions for people living, and working in Liverpool and visitors to the city, through effective on-street parking enforcement; reducing the dangers posed by illegal, inconsiderate and dangerous parking, and to using parking enforcement to improve safety for pedestrians and cyclists by keeping junctions and pavements clear. Further benefits are improved access for the emergency services, local bus operations and reductions in congestion and associated airborne pollution.

The City Council's Parking Services and its partners endeavour to deal with all 'parking' enquiries in a courteous and helpful manner and respond to all written representations regarding Penalty Charge Notices. Telephone enquiries should be via Parking Services on 0151 233 3011, noting that details of individual challenges cannot be dealt with other than by written correspondence, addressed to Parking Services, PO Box 981, Municipal Buildings, Dale Street, Liverpool L69 1JB. Further information on Parking is available via the internet (www.liverpool.gov.uk)

Responsibilities

In addition to enforcement and any subsequent appeals process, Parking Services is responsible for the operation and maintenance of Pay & Display ticket machines as well as the traffic signs/road markings and infrastructure of on and off-street car parking, There are approximately 1900 on-street and 3500 off-street car parking spaces managed by Liverpool City Council.

This policy will be reviewed regularly

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PENALTY CHARGE NOTICE - APPEAL PROCESS

The following details briefly set out to explain the principle of Notice Processing, arising from the issuing of a penalty charge notice, from informal challenge through to debt recovery. Following this is a more detailed guide to the City Councils policy on the specific elements associated with the Penalty Charge Notice appeals process.

PCN stage - Once a **Penalty Charge Notice** has been issued, the notice can either be paid; challenged; or cancelled. If payment is to be made then a discount of 50% is applied if paid not later than the last day of the period of 14 days, beginning with the date on which the PCN was served (21 days in the case of an 'approved device' Regulation 10 PCN).

Informal Challenge stage - In the interim period (28 days) between the issue of a Penalty Charge Notice and the issue of a Notice to Owner, an **Informal Challenge** can be made.

Notice to Owner stage - If a Penalty Charge Notice is not paid on or before the end of the last day of the period of 28 days, beginning with the date on which the Penalty Charge Notice was served, or it is not successfully challenged within that period, the City Council may serve a **Notice to Owner** on the owner of the vehicle, requiring payment of the Penalty Charge Notice.

Formal Representation stage - Following the issue of a Notice to Owner the vehicle owner may make representations to the City Council and may subsequently appeal (via the **Traffic Penalty Tribunal**) to an independent Adjudicator if the **Formal Representations** are rejected.

Appeal stage – After receipt of a **Notice of Formal Rejection**, in response to a formal representation, an appellant may appeal to the Traffic Penalty Tribunal.

Charge Certificate stage - If, 35 days after posting a Notice to Owner, no appeal or payment has been made, a Charge Certificate will be issued to the **Registered Keeper**. If the Charge Certificate is not paid within 14 days it will be registered at County Court as a debt recoverable by Enforcement Agents (Bailiffs).

Adjudication:

An appellant may choose to have their case decided on documentary evidence, via a telephone hearing, or may ask for a personal hearing before the Adjudicator (see **Appeal Process**). Hearings are informal and short. The Council may send a representative although Civil Enforcement Officers do not normally attend.

Adjudicator:

An Adjudicator is a qualified lawyer, appointed with the consent of the Lord Chancellor, to consider evidence submitted in relation to an appeal against the issue of a penalty charge notice.

Appeals:

An Appeal is the act of referring a dispute concerning a Penalty Charge Notice (and possibly the clamping or removal of a vehicle) to an independent Parking Adjudicator (see - **Traffic Penalty Tribunal**). A motorist may only appeal after the City Council has rejected a **Formal Representation**, via a Notice of Rejection (NoR). Appeals may only be made on certain, specified grounds (see **Representations**) and must be made within 28 days of the date of the NoR. An appeals form is included with the NoR.

The Traffic Penalty Tribunal is also able to accept appeals lodged on-line via its website at www.trafficpenaltytribunal.gov.uk. Please note that you should not appeal on line and also send a Notice of Appeal concerning the same Penalty Charge Notice(s) by post. For further enquiries about the appeals process please contact the Traffic Penalty Tribunal on 01625 44 55 55.

Appeal Process:

Upon receipt of a "Notice of Appeal", TPT staff will make some basic checks and if everything is in order it will be registered as a formal appeal. Following this:

- an appellant will be sent formal acknowledgement that their appeal has been received and registered. If a postal decision has been requested, the appellant will be notified of the week in which the appeal is due to be decided.
- The council will be notified that an appeal has been lodged and will be given 21 days to submit their evidence to the Adjudicator. At the same time they must submit a copy of this evidence (the Case Summary) to the appellant.
- If a personal appeal has been requested, TPT staff will schedule it for the next appropriate hearing at the venue of choice and will give at least 21 days' notice of the precise date, time and venue location.

Postal Hearings

The Adjudicator will consider the appeal based solely on the written evidence the appellant and the City Council have supplied. A written decision will be sent to both parties, normally within a week of the case being decided.

Telephone Hearings

The TPT will contact the appellant on the telephone number previously provided, at a pre agreed time and date. The City Council will normally also participate in the telephone hearing and both they and the appellant will be given the opportunity of putting their 'case' to the Adjudicator based upon the previously submitted evidence and the Council's Case Summary. The appellant will have been sent a copy of the Case Summary (posted to them by the City Council) and ideally this should be at hand for reference purposes during the hearing. The Adjudicator will normally be able to determine and confirm the outcome of the case at the end of the hearing and will provide written confirmation in due course.

Personal Hearings

Personal hearings normally last about 20 minutes and are held in premises independent of the City Council. An appellant may choose to have their personal appeal heard in any

of the venues listed on the “Notice of Appeal” form, irrespective of where the Penalty Charge Notice was issued.

Hearing venues are generally well known buildings in the community such as libraries, leisure centres or hotels. They generally have access for people with disabilities although it is often helpful for an appellant to advise TPT staff in advance if special facilities or access is likely to be necessary.

In common with most other legal proceedings, parking appeals are open to the public and, in theory anyone may attend as an observer, although this is rare.

Personal appeals are relatively informal in nature. Those attending are normally just the Adjudicator, the appellant and the City Council representative. An appellant will have the opportunity to put a case to the Adjudicator and to answer any questions he or she asks. Although those attending are not required to give their evidence under oath, all parties are reminded of their duty to tell the truth at all times.

An appellant may choose to bring a relative or supporter to a personal appeal. Witnesses may also attend. Due to the informality of the proceedings, legal representation is seldom necessary.

At the end of the hearing, the Adjudicator will almost always give his or her decision. This decision is confirmed in writing to the appellant and the City Council, normally within seven days.

In exceptional circumstances the Adjudicator may refer a case back to the City Council for reconsideration. In cases where LCC does not accept the Adjudicator’s recommendation it must notify the Adjudicator and the appellant of the reasons for its decision, before issuing the Charge Certificate.

If LCC accepts the recommendation of the Adjudicator it must cancel the Notice to Owner and refund any sums paid in relation to the Notice to Owner.

Bailiff (Enforcement Agent):

The City Council, unless it is inappropriate in the circumstances, will employ Enforcement Agents (formerly known as Bailiffs) to recover non payment of penalty charge notices.

Subject to a Charge Certificate remaining unpaid within 14 days of the date of its issue the amount due, currently £75/£105, will be registered as a debt at the Traffic Enforcement Centre (within the County Court at Northampton) and if this subsequently remains unpaid (within 21 days) then a Distress Warrant may be issued to the Enforcement Agent for recovery of the debt.

Enforcement Agent charges, which are laid down in statute, become payable in addition to the sum being recovered for non payment of the Charge Certificate plus court costs (£7)

Cancellations:

Cancellation of a Penalty Charge Notice may be actioned in the event of a successful representation/appeal, or at the discretion of the City Council, with each case being determined on its own merit. Once a case has been cancelled should the appellant choose to engage in further correspondence in regards to that case, whilst a copy of any such correspondence will be kept on file, it may not be responded to.

Case Closed:

Once payment has been received in settlement of the penalty charge, whether in full or at the discounted rate (paid within 14 days), the case is closed. Once a case is closed it will not be re-opened, unless there are exceptional circumstances that would justify such action, or if the City Council has made an error.

In the event that a case is re-opened then the discount offered for prompt payment would not apply. Consequently any monies paid would be refunded and the vehicle keeper would once again become liable for payment of the penalty charge at full rate, in the event that any subsequent representations made by the appellant were then rejected, after full consideration (or indeed if no representation were then received).

Case Summary:

The Case Summary is the bundle of written evidence (together with any photographs, plans, statements etc) that is presented to the TPT by the City Council, in support of a Penalty Charge Notice which is being challenged by an appellant. A copy of the Case Summary is also posted, by the City Council, to the appellant. The Adjudicator will consider both the appellants evidence and the Case Summary when seeking to determine the outcome of an appeal.

Challenge (informal):

The keeper of a vehicle which is the subject of a Penalty Charge Notice, may make an informal written challenge prior to the issue of a Notice to Owner, stating any mitigating circumstances as well as challenging the validity of the Penalty Charge Notice. If such a challenge is received not later than the period of 14 days beginning with the date on which the Penalty Charge Notice was served, the City Council may, in certain circumstances if the representation is rejected, exercise its discretion and reset the discount period. Should the challenge be rejected the City Council will provide reasons as to why.

Making an informal challenge does not affect the right of the vehicle keeper to make a subsequent formal representation (after receipt of the Notice to Owner) against the issue of a Penalty Charge Notice.

Charge Certificate:

Charge Certificates are issued in circumstances where no payment has been received to the issuing of a Penalty Charge Notice and the subsequent Notice to Owner, or where an appeal has been rejected and no payment received before the end of the period of 28 days, beginning with the date of the notice. A Charge Certificate increases the standard Penalty Charge (£50/£70) by 50%. If a motorist subsequently fails to pay the Charge Certificate (£75/£105), before the end of the period of 14 days, beginning with the date on which the certificate was served, it can be registered as a debt which is recoverable by Enforcement Agents under a County Court Order. The process of registering the debt does attract a charge in itself (£7) which is subsequently added, to raise the overall total debt to £82/£112.

A Charge Certificate can be served on the motorist where a penalty charge has not been paid and:

- a) 35 days have passed since a Notice To Owner was posted and no representation to the authority against the Notice to Owner has been received;
- b) 35 days have passed since a notice of rejection was posted and no appeal against that notice has been received; or
- c) 35 days have passed since a notice of the Adjudicator's original decision (or decision on appeal) finding in favour of the authority was posted.

No further correspondence will be entered into at this stage. Appellants' must either pay the increased Penalty Charge, or wait for the **Order for Recovery** and **Witness Statement** to be sent to them.

Costs (to appeal):

There is no cost to the appellant for pursuing an appeal via TPT, although a Parking Adjudicator has powers to award costs against either party. Costs are not normally awarded by the Adjudicator but may be if in the opinion of the Parking Adjudicator either party has behaved in a frivolous, vexatious or wholly unreasonable fashion.

Councillor's Intervention in Challenge/Representation Process:

Given the quasi judicial role of the statutory appeals process, elected members and unauthorised officers should not play a part in deciding the outcome of individual challenges or representations.

Date of Service:

In relation to correspondence that is posted (first class) by Parking Services to an appellant/vehicle keeper etc, the **date of service**, *ie* the date when a letter is deemed to have been delivered to the recipient, shall (unless the contrary is proved) be taken to have been effected on the second working day after the day of posting. In terms of working day, this means any day except a Saturday or Sunday, New Year's Day, Good Friday, Christmas Day, or any other day which is a bank holiday in England and Wales.

Debt Registration:

This is the process of recording a parking debt with the Traffic Enforcement Centre at the County Court, no fewer than fourteen days after the service of a Charge Certificate and where the penalty charge due has not been paid. The registration of debt is an automated process and there is no right of personal representation during this process.

The Council must send a notice of debt registration to the individual identified as not having paid the Charge Certificate. If there is no subsequent payment within 21 days the Council may obtain a Distress Warrant from the County Court and may institute an Enforcement Agent to recover the debt.

Discount Period:

If a Penalty Charge Notice (PCN) is paid not later than the last day of the period of 14 days beginning with the date on which the PCN was issued, then a discount of 50% will apply to the penalty charge. A discount period may be extended following a Notice of Rejection, but this is at the discretion of Parking Services (see **Notice of Rejection**).

In cases where a Regulation 10 PCN is issued on the basis of evidence from an approved device (a mobile enforcement camera), the discount period will be extended such that if a (Regulation 10) PCN is paid not later than the last day of the period of 21 days, beginning with the date on which the PCN was served, then a discount of 50% will apply to the penalty charge.

Discretion:

The administration of parking controls must always be proportionate and fairly administered.

The basis of the control is laid down in the relevant Traffic Regulation Orders which have been drafted to make the rules as clear and precise as possible. Thus, it should be clear in any situation whether a breach has occurred or not, and the extent to which there is liability for the penalty. In addition, the City Council owes a duty to the residents and businesses of the City to enforce the rules which have been lawfully accepted in the public interest and adopted after appropriate consultation. Thus, the starting point is that any Penalty Charge Notice will be enforced.

Nevertheless, in order for enforcement to be fair to the appellant and to use the powers proportionately, the Council may nevertheless decide that a Penalty Charge Notice should be cancelled because of the particular circumstances of the case, and exercise its discretion accordingly.

It is important to appreciate that the Civil Enforcement Officer has no discretion once the PCN is issued, and those receiving a PCN should not seek to persuade the CEO to rescind it. Prior to that the CEO can take into account any evidence supplied by the motorist in deciding whether to issue the PCN, such as production of a valid parking ticket which was not displayed properly, but the CEO is not obliged to seek out individuals, or otherwise corroborate any statement, as requested in a notice placed in the vehicle. The content of such notices will be recorded by the CEO and will be taken into account at the later stage.

Discretion does exist at three main stages in the process once a PCN is issued.

First, where *informal representations* are made by letter to the Council (see below). At this stage the Council has wide discretion.

Secondly, where *formal representations* are made to the Council within 28 days of the Notice to Owner being served (see below). As explained below, at this stage there are certain matters where, if proved, the Council must cancel the notice, such as when the vehicle was not owned at the relevant time by the recipient of the Notice to Owner. In addition, the Council must also consider whether the particular circumstances give rise to compelling reasons why it should cancel the penalty charge. These 'compelling reasons' are not defined so the Council must exercise this discretion in the light of all the facts.

Thirdly, after an *appeal* if the matter is referred back to the Council by the Adjudicator where the appeal has not been allowed, because the specified grounds are not satisfied, but the Adjudicator nevertheless considers that there are compelling reasons why in the particular circumstances the notice to owner should be cancelled.

The starting point for the Council in exercising this discretion is that the rules should be upheld. Nevertheless, the Council will take into account, and respond to, the evidence and representation in each case so that mitigating factors may be taken into account.

Because each case is considered on its own merits and the Council will not fetter its discretion, it does not adopt fixed rules, such as automatically cancelling the first PCN issued to an individual because the parking ticket was not displayed properly. It is thus impossible to provide firm rules as to how the Council will respond in any particular case. However, in order to assist potential appellants, the following indicates the general approach of the Council in the most common situations.

Pay & Display

It is important to appreciate that this involves two elements, with related purposes. The first element is that the appropriate payment must be made, in order to ensure the underlying purpose of the adopted scheme. The second is that the proof of payment must be properly displayed (ie, a valid parking ticket, or confirmation of use Phone & Pay) in order to facilitate proper management and enforcement of the system of control.

Payment

- Claims that the machine was out of order
These may be accepted provided other elements are satisfied. First, if there is no other machine in the line of sight of the motorist, which is working and from which a ticket should be purchased as advised on the ticket machines. Secondly, if there is corroborating evidence in the form of the records from the machine, if the claim is that the machine took the money but did not issue the ticket. Thirdly, if there is corroborating evidence in the form of the records of the CEO, who checks each machine in the locality at the time of the PCN being issued.
- Ticket purchased from machine which operates either for another zone or in relation to off-street parking when parked on-street, or vice versa.
This ground will not be accepted if the cost of the otherwise valid ticket purchased is less than that applicable to where the vehicle is parked, without any other mitigating circumstances. Otherwise, this would allow deliberate underpayment by the motorist. However, if the sum paid for an otherwise valid ticket is greater, then discretion may well be exercised to cancel the notice since this does not undermine the purpose of the control.
- Claim that getting change for machine
There is no general rule that this in itself constitutes a valid excuse. Indeed, it will usually require special justification, because before issuing the PCN the CEO must not only allow a 5 minute observation period in which it would be possible for the motorist to obtain change, but the CEO must also check whether there is anyone purchasing a ticket at a machine within eyesight or appears to be on the way back to the vehicle. Thus, someone who deliberately parks without payment and leaves the vehicle for more than 5 or 10 minutes cannot avoid the PCN simply by claiming that they were getting change for the machine.
- Credit card payment not working

For convenience, some payment machines accept payment by debit/credit card. If this is not working it will not normally be a valid reason for cancelling the PCN since these machines also accept cash and (in many locations) payment via use of Phone and Pay.

- Claims that the wrong registration was used for Phone and Pay
In circumstances in which the user has paid for parking using the Phone and Pay system and has mistakenly paid for the wrong vehicle, this would not normally be an acceptable reason for cancellation of a PCN. In using the Phone & Pay system, the user will be presented with details of the transaction (which include the vehicle registration details) prior to requesting approval to then process the transaction for payment. Failure to correct any mistake at that stage (such as a wrong registration) is avoidable and therefore the Council is unlikely to cancel a PCN in these circumstances. However if the error was a single digit mistake then discretion will be exercised favourably to cancel the PCN for the first occasion that a PCN is issued for this reason, but given that the error is then identified action to remedy the mistake should be taken to avoid PCNs being issued in future which may not be cancelled.

Display

- No explanation given for failure to display
An appellant may claim that a valid ticket was purchased but it was simply not displayed, and in support provide a ticket which was valid at that time and purchased from a nearby machine. While the Council can understand that it may appear to such appellants that the primary purpose of the scheme has been met by their having paid for a valid ticket, the Council takes the view that it must be displayed since otherwise the cost of enforcement to the public purse increases significantly. The Council is also aware that many motorists take a calculated risk and do not pay, but once they have received the PCN they obtain a valid ticket from a nearby motorist who has paid. Without a further explanation for why it was not displayed the Council will not normally cancel a PCN for a failure to display.
- Ticket has no adhesive so it fell off the dashboard
The Council used to operate a system with parking tickets with an adhesive back for attaching to the windscreen. As a result of complaints and feedback by the public that the adhesive was ineffective in sunny conditions etc and could fall off, the Council has responded to the requests and has moved to tickets which have no adhesive fixing, and require display on the dashboard. Given this change, it is made clear to motorists that they must ensure that the ticket is displayed properly. Where no ticket is properly displayed, the CEO will seek to see if a ticket is present on the floor of the vehicle or has slipped down the windscreen, but given that this will be a partial view at best it will not usually be possible to ascertain whether the ticket is valid. This will, however, be noted by the CEO. Without further mitigating circumstances it is unlikely that the Council will cancel the PCN for this reason.

- Ticket knocked off by cot
The Council has accepted a variety of explanations and cancelled the PCN. For example, the Council has accepted that, in the process of removing a baby cot, the ticket was knocked off the dashboard because of the particular design of the vehicle. Again, the CEO will seek to see if a ticket is present on the floor of the vehicle or has slipped down the windscreen, but given that this will be a partial view at best it will not usually be possible to ascertain whether the ticket is valid. This will, however, be noted by the CEO and may be considered to be supporting evidence for the appellant.
- Ticket knocked off by dog
Another example is that a dog which was left in the car, and not confined to one section of the vehicle, must have knocked the ticket off the dashboard. The presence of such a dog will be noted by the CEO, and such a claim is unlikely to be accepted in the absence of the dog being seen by the CEO. The CEO will also seek to see if a ticket is present on the floor of the vehicle or has slipped down the windscreen, but given that this will be a partial view at best it will not usually be possible to ascertain whether the ticket is valid. This will, however, be noted by the CEO and may be considered to be supporting evidence for the appellant.
- Left window open
The claim that a window was left open to keep the vehicle cool for the return of the motorist will not normally be accepted as a reason to cancel the notice, in the absence of this being noted by the CEO. The CEO will also seek to see if a ticket is present on the floor of the vehicle or has slipped down the windscreen, but given that this will be a partial view at best it will not usually be possible to ascertain whether the ticket is valid. This will, however, be noted by the CEO and the presence or absence of such a ticket will be considered in the decision.
- Rushing for an appointment
It will not normally be accepted as a valid reason to cancel the notice that the appellant did not leave sufficient time to return to the vehicle to display the ticket. While this may be accepted in a genuine emergency, the view is taken that for routine medical appointments etc, lateness is not a sufficient reason to cancel a PCN.
- New car
The ticket must be displayed on the dashboard and it is sometimes claimed that the appellant was not familiar with the dashboard and so it slipped down from where it had been placed. The Council takes the view that it is for the motorist to ensure that the ticket is placed in a secure and visible position and so this will not normally be accepted as a reason for cancelling the PCN. The CEO will seek to see if a ticket is present on the floor of the vehicle or has slipped down the windscreen, but given that this will be a partial view at best it will not usually be possible to ascertain whether the ticket is valid. This will, however, be noted by the CEO and the presence or absence of such a ticket will be considered in the decision.

- Fell when closed door

The ticket must be displayed on the dashboard and it is sometimes claimed that the ticket must have been knocked off from where it had been placed when the motorist closed the door. The Council takes the view that it is for the motorist to ensure that the ticket is placed in a secure and visible position, and to check that it is in such a position after (s)he has secured the vehicle, so this will not normally be accepted as a reason for cancelling the PCN. The CEO will seek to see if a ticket is present on the floor of the vehicle or has slipped down the windscreen, but given that this will be a partial view at best it will not usually be possible to ascertain whether the ticket is valid. This will, however, be noted by the CEO and the presence or absence of such a ticket will be considered in the decision.

Blue Badge

As with Pay & Display, it is important to appreciate that this involves two elements, with related purposes. The first element is that there must be a valid blue badge being used properly, in order to ensure the underlying purpose of the adopted scheme. The second is that the badge must be properly displayed in order to facilitate proper management and enforcement of the system of control.

Valid use

- Use by someone other than holder

In relation to a valid blue badge being used properly, there are clear rules, such as it being improper for someone else to use the blue badge to go to collect shopping, prescriptions etc for the holder of the badge who remains at home, even if it is another family member. Without further mitigating circumstances, the Council is unlikely to cancel a PCN for use by another person in these circumstances.

- Badge being invalid/out of date

It is essential to the operation of the blue badge system that the badge is properly issued and valid. Use of invalid badges will not normally be condoned by the Council. However, it will accept some mitigating circumstances such as when the appellant was given wrong advice by the Council's one-stop shop to continue using an old badge.

Display

- Failure to display at all

An appellant may claim that a valid blue badge had been issued but it was simply not displayed, and in support provide a copy of a valid blue badge. While the Council can understand that it may appear to such appellants that the primary purpose of the scheme has been met by their having a valid badge, the Council takes the view that it must be displayed since otherwise the cost of enforcement to the public purse increases significantly. Without a further explanation for why it was not displayed the Council will not normally cancel a PCN.

- **Badge wrong way up**
An appellant may claim that a valid blue badge had been issued but it was simply displayed incorrectly, and in support provide a copy of a valid blue badge. While the Council can understand that it may appear to such appellants that the primary purpose of the scheme has been met by their having a valid badge, the Council takes the view that it must be displayed correctly since otherwise the cost of enforcement to the public purse increases significantly. The Council is also aware of the widespread misuse of the blue badge system and it seeks to enforce this stringently to protect those for whom the scheme was created. Without a further explanation for why it was not displayed properly the Council will not normally cancel a PCN. However, with the introduction of a new style Blue Badge (as from 1/1/12) the expiry date is displayed on each side of the badge and so whilst a badge could technically be displayed the 'wrong way up' its validity can still be checked regardless and so a PCN would not normally be issued, provided that a valid expiry date can be seen.
- **Forgetfulness/old age**
A common ground of appeal is that the badge was not displayed because the holder is of old age and/or has become forgetful. The Council takes the view that if a person retains the faculties sufficient to still have a driving licence and be driving, then (s)he can be expected to be able to display a badge properly. This in itself will not usually be accepted as a reason to cancel the notice, but if there is additional evidence such as medical evidence, eg to show why medication may have affected memory, then the Council may cancel the PCN.

Loading/unloading

The basic position is that specified loading/unloading bays are provided but also that in other locations it is permitted to load/unload at certain times. In regard to both of these there must be active loading/unloading, which is taken to mean some activity in relation to this within a reasonable period of observation by the CEO. Where loading/unloading takes place on a single or double yellow line, the CEO will observe for at least 5 minutes before serving a PCN. This observation period will be extended to 10 minutes where loading/unloading takes place within a designated loading bay. In relation to this a number of issues arise.

- **No activity witnessed during the observation period but still loading/unloading**
The Council appreciates that in some instances only one person will be with the vehicle and so in order to load/unload it is necessary to lock and leave the vehicle. The Council also appreciates that while in the vast majority of instances the observation period is sufficient to deal with this, in some instances the delivery location may be some way from the parking location and, for example, involve the use of a lift. If the Council receives written proof of the time and place of the delivery, and of the reason for the observation period not being sufficient, then it may exercise discretion to cancel the PCN.

- Moving in/out of residential premises
A common issue is that in relation to moving home the loading/unloading cannot always be continuous. Again, with written evidence as to the address and date of moving, the Council may exercise discretion to cancel the PCN.
- Remaining in loading bay after loading/unloading completed
In many loading bays loading/unloading is permitted for up to 1 hour. However, in some instances the loading/unloading takes for only a few minutes and then the vehicle is left parked there for the remainder of the hour. The Council takes the view that such use of the bay is not permitted since it ties up the resource which should be available to others needing to load/unload. In the absence of other mitigating circumstances, the Council will not cancel a PCN in these circumstances simply because some loading/unloading took place within the 1 hour period.
- Picking up/setting down passengers
A common source of appeal is that in the process of picking up/dropping off passengers the driver was engaged in conversation with the parents or another person. The Council takes the view that if this is normal social contact then the appellant should seek to park elsewhere to facilitate such contact. Only if there are other exceptional mitigating circumstances, will the Council cancel the PCN. Similarly, the picking up/dropping off of elderly or infirm passengers can normally be done within a 5 minute period, and/or some evidence of this will usually be seen by the CEO. The Council would require further exceptional mitigating circumstances before cancelling a PCN for this reason.

Residents' Parking

It is important to appreciate the background to these controls. The Council introduced residents' parking schemes in order to facilitate parking by residents. It is not intended to increase revenue or pay its costs, and no charge is made for a residents' permit. Residents may obtain one permit dedicated to a particular vehicle and another for use by visitors etc.

As with Pay & Display or blue badges, it is important to appreciate that this involves two elements, with related purposes. The first element is that the resident must obtain a permit, in order to ensure the underlying purpose of the adopted scheme. The second is that the permit must be properly displayed in order to facilitate proper management and enforcement of the system of control.

The Council comes under significant pressure from residents who perceive the enforcement system to be too weak. The Council therefore has to strike a balance between making the system effective and respecting the ability of a resident to park. This gives rise to common issues.

- Delay in applying for/renewing a permit
The Council appreciates that some residents think that because they are entitled to a permit it does not matter if they do not have a permit or display it. The Council takes the view that it must be obtained and displayed since otherwise the cost of enforcement to the public purse

increases significantly. It also considers that the process for obtaining a permit is simple and this can be done quickly.

Without further mitigating circumstances as to why it was not obtained or displayed, the Council will not normally cancel a PCN. It is appreciated that because no charge is made, no reminder is sent out for renewal. Provided it is applied for or renewed promptly, the Council will consider cancelling a PCN if there are other mitigating circumstances. However, this must be done promptly.

Display

- Lost/stolen permit; and
- Vehicle changed or replacement vehicle while other repaired

The Council has provided a system for these eventualities and, again, while some residents think that because they are entitled to a permit it does not matter if they do not have permit or display it, the Council takes the view that it must be obtained and displayed since otherwise the cost of enforcement to the public purse increases significantly. The process is simple and can be done quickly. Without further mitigating circumstances as to why the replacement was not obtained or displayed promptly, the Council will not normally cancel a PCN.

- Attending funeral/wedding etc

A common reason given is that the person visiting was attending a function of a family member or friend who is a resident, such as a funeral or wedding reception, and so parked in a residents' bay, without a permit. The Council takes the view that sufficient non-resident bays have been provided in these localities for this situation, albeit not necessarily next to the residence in question, and so this will in the absence of other factors not normally be accepted as a reason for cancelling the PCN.

Enquiries:

Enquiries specifically relating to the issuing of a Penalty Charge Notice may be made by telephone to Liverpool City Council 0151 233 3011. All written enquiries should be addressed to Liverpool City Council Parking Services, PO Box 981, Municipal Buildings, Dale Street, Liverpool L69 1JB. Further information on Parking is available via the internet (www.liverpool.gov.uk).

Formal Representations (see Representations)

Informal Representations

When a letter is received in relation to a Penalty Charge Notice, prior to issuing of a Notice to Owner, this is deemed an informal representation. Informal representations may also be made online, via www.liverpool.gov.uk, follow links from **Parking, Travel & Roads**. The City Council will give proper consideration to such representations and respond in a timely manner (usually within 3 months). Should a response be made to an informal representation, rejecting it, then the 14 day discount period may be re-set.

Keeper's Liability/Name:

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 state that the responsibility for any Penalty Charge Notice lies with the registered keeper of the vehicle, as per records held at the Driver and Vehicle Licensing Agency (DVLA). If at the time of the contravention the keeper was not the driver of the vehicle, then it is their responsibility to pay the Penalty Charge Notice and seek recompense from the driver.

Should a keeper's name be spelt wrongly on an Notice to Owner, this does not invalidate it or discharge the liability of the person receiving it. Names and addresses are obtained via the DVLA, which in turn are supplied by the keeper themselves, so it is incumbent upon the keeper to ensure that such details are correct. If a misspelling is radically different from the correct version then consideration may be given to cancelling the Penalty Charge Notice.

Late Representations:

The City Council may choose to consider representations made after the end of the 28 day period, beginning with the date on which the Notice to Owner was served.

Litigation Friend:

This is a person who conducts legal proceedings on behalf of a person who lacks capacity, within the meaning of the Mental Capacity Act 2005.

Making an Appeal:

You have a right to appeal to the independent Parking Adjudicator only if:

- A parking ticket, (Penalty Charge Notice), has been issued to your vehicle by a Civil Enforcement Officer

-

AND

- You have received a "Notice to Owner" form from the City Council, claiming you are liable for payment of a Penalty Charge Notice.

AND

- You have challenged the Notice to Owner and you received a letter (Notice of Rejection) from the City Council, stating that your representation had been rejected.
- If your vehicle was clamped or removed by the City Council, you may only appeal if you have first made formal representations against the council's actions and have received their "Notice of Rejection".

Notice of Acceptance:

A Notice of Acceptance is a letter issued by the Council to a motorist following their formal representation against a Notice to Owner, indicating that this representation has been accepted and the Penalty Charge Notice cancelled.

Notice of Appeal (NoA):

This is the form which must be issued by the Council to a motorist who has received a Notice of Rejection, which opens up the motorist's right to appeal to an independent Parking Adjudicator.

Notice of Debt Registration:

If a Charge Certificate has not been paid within 14 days of being served, the debt can be registered with the County Court and a notice of debt registration is sent to the vehicle owner, along with a witness statement form (TE9). If no payment is received within 21 days, or witness statement filed, Enforcement Agents (bailiffs) can be instructed to recover the debt on behalf of the City Council.

Notice of Rejection (NoR):

A Notice of Rejection is a letter issued by the City Council to the vehicle keeper following their formal representation against a Notice to Owner, indicating that this representation has been rejected. An appeal can be made, to Traffic Penalty Tribunal, against the decision not to uphold the representation and this must be within 28 days of the date of the NoR. The 14 day discount period may be re-set but this is at the discretion of Parking Services.

Notice to Owner:

If an appeal or payment is not received within 28 days of the Penalty Charge being issued, Liverpool City Council will serve a Notice to Owner document to the person who appears to be the registered keeper of the vehicle involved in the alleged contravention. The Notice to Owner states that payment must be made at the full charge of £50/£70, or alternatively make a formal representation against the Penalty Charge. The keeper of the vehicle can choose to make the payment, or if certain conditions are met (see **Representations**), make a formal representation within 28 days of delivery of the Notice to Owner.

Even if an objection has already been dismissed by the City Council (via an informal challenge) a formal representation can still be made after receiving the Notice to Owner.

If there has been no representation or payment made during the 28 days, a Charge Certificate is issued at which stage the payment required increases from £50/£70 to £75/£105 (within 14 days) and the right to appeal has been lost.

If the Council rejects a representation, an appeal can be made to the independent Parking Adjudicator (TPT) within 28 days of the Council issuing a 'Notice of Rejection'.

The Parking Adjudicator is a form of tribunal that provides the motorist with an opportunity to appeal to an independent body against a Penalty Charge Notice. The Adjudicator will consider the appeal and make a decision that is binding.

More information is available on the Parking Appeals website (www.trafficpenaltytribunal.gov.uk), or by telephone on 01625 44 55 55.

Under the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 there are no grounds for making representations, or an appeal

to the Adjudicator, where the recipient of the 'Notice to Owner' acknowledges that a parking contravention occurred but argues that there were extenuating circumstances. However, the City Council will carefully give full consideration to any extenuating circumstances given by a motorist at the formal representation stage of the procedure.

Observation Times:

The observation time is the period, prior to issue of a Penalty Charge Notice, during which a Civil Enforcement Officer will visually determine whether a specific contravention has occurred or not. Observation times vary between different types of contravention. The details of the vehicle would be entered into the Civil Enforcement Officers HHC, when first observed, and the computer will subsequently prevent issue of a Penalty Charge Notice until the relevant observation period for the contravention has elapsed.

The observation time will be printed on the face of the Penalty Charge Notice and will be recorded in the hand held computer.

Order for Recovery (TE3):

This is a statutory notice (form TE3) issued to the vehicle keeper, 14 days after non-payment of a Charge Certificate, that an unpaid penalty charge has been registered as a debt at the Traffic Enforcement Centre at the County Court. If this remains unpaid after the date specified (within 21 days of the date shown on the postmark), or no **Witness Statement** has been filed, then a warrant of execution can be prepared authorising debt recovery by a certified Enforcement Agent (bailiff).

Out of Time Extension (TE7):

An application to file a statement out of time/extension of time can be made using form TE7. This process allows an applicant to file a witness statement outside the given time, or to request for more time to file a witness statement on the permitted grounds. See **Witness Statement** for further details. The form, along with a completed TE9, must be sent to the Traffic Enforcement Centre (address as per the form)

Payment of Penalty Charge Notices:

The charge for a Penalty Charge Notice is set at £70 (Higher contravention) / £50 (Lower contravention – see Appendix), although this may be reviewed from time to time. If a Penalty Charge Notice is paid before the end of the period of 14 days beginning with the date of the notice then a discount of 50% applies and payment of £35/£25 will be accepted.

Online - Payments can be made using a credit/debit card 24 hours a day, 7 days a week via a secure internet site. www.liverpool.gov.uk follow links from **Parking, Travel & Roads**.

By Telephone - Credit and Debit card payments can be made 24 hours a day, 7 days a week, by calling Parking Services on 0845 0758 583.



By Post - Cheques or postal orders should be made payable to LIVERPOOL CITY COUNCIL. The Penalty Charge Notice number should be quoted on the reverse of any payments. Payment should be sent to:

Liverpool City Council
PO Box 981
Municipal Building
Dale Street
Liverpool
L69 1JB

In Person - Payment can be made in person (8:00am-6:00pm Monday to Friday and 9:00am-1:00pm on Saturdays) at:

Cash Office
Desks 1-3
Municipal Building
Dale Street
Liverpool
L2 2DH

Personal Hearing:

A motorist requesting a personal hearing should attend at the time and day set out in the notification letter. Appellants are given possible places and times for a personal hearing with the Notice of Appeal that they receive from the City Council.

Hearings are open to the public but often there will only be the appellant and the Parking Adjudicator in the room. The City Council may be represented at the appeal although the Civil Enforcement Officer will not normally attend.

The Parking Adjudicator will have the City Council's evidence (Case Summary), and everything the appellant has sent in. Appellants may bring a witness to the hearing.

The Parking Adjudicator will consider any relevant evidence, including witness statements, documents, receipts, invoices, maps, plans, photographs or even videos. The City Council has the right to comment on appellant's evidence.

At the end of the hearing the appellant will usually be informed of the decision there and then, although occasionally the Parking Adjudicator may have to adjourn the case to another day. Written confirmation of the Adjudicator's decision will always be sent to both parties within a few days of the decision being made.

The Parking Adjudicator's decision is final and binding in law. There is no appeal from the Parking Adjudicator's decision unless the appellant or the local authority think that the Parking Adjudicator has made an error in applying the law. In that case, the decision can be challenged in the High Court.

There is also a procedure whereby a case may be considered for review by the Parking Adjudicator. This only applies in very limited circumstances. Simply disagreeing with the Parking Adjudicator's decision is not a reason for it to be reviewed. It can be reviewed only if the decision was wrongly made as the result of an administrative error; the Adjudicator was wrong to reject the notice of appeal; a party who failed to appear or be

represented at a hearing had good and sufficient reason for this failure to appear; new evidence has become available since the hearing or decision, the existence of which could not reasonably have been known of or foreseen; or the interest of justice require such a review. Applications for review must be made in writing within fourteen days after the date on which the decision was sent to the parties.

Costs are not normally awarded. Appellants do not generally run the risk of having to pay the City Council's costs if they lose their appeal. Equally, the Council will not usually have to pay the appellant's costs. The Adjudicator is only allowed to award costs where a party has in general behaved frivolously, vexatiously, or wholly unreasonably. If an application for costs is made the Parking Adjudicator must invite the other party, for example the City Council, to make representations before any decision on costs is made. All applications for costs must be made in writing setting out the reasons why the case comes within one of the specified circumstances.

Registered Keeper:

A registered keeper is the person identified, by DVLA records, as being the individual whose name appears on the V5 (logbook) for the vehicle for which registration details has been provided. This person may not necessarily be the owner of the vehicle.

Regulation 10 PCN:

A Regulation 10 PCN is a Penalty Charge Notice that has been served by post rather than, in the case of a Regulation 9 PCN (a 'normal PCN'), by affixing to a vehicle or serving to the driver. (See also **Service by Post and Vehicle Drive Away**)

Representations (formal challenge):

Formal representations can only be made, (in writing, or online - www.liverpool.gov.uk, follow links from **Parking, Travel & Roads**) once a Notice to Owner has been sent to the registered keeper. Regulations made under the Traffic Management Act 2004 detail the grounds on which the recipient of a Penalty Charge Notice may make representations. These are the same grounds on which a Parking Adjudicator may consider an appeal against the Council's rejection of these initial representations.

The grounds for representation (and appeal) against a Penalty Charge Notice are one or more specified grounds apply and/or that there are compelling reasons why, in the particular circumstances of the case, the penalty charge should be cancelled. The specified grounds are that

- That the alleged contravention did not occur
- That the recipient was never the owner/keeper of the vehicle in question, or they had ceased to be the owner before the date on which the alleged contravention occurred, or they became its owner after the date on which the alleged contravention occurred
- That the vehicle had been under the control of a person without the consent of the owner
- That the recipient is a vehicle-hire firm; the vehicle was hired under a hiring agreement; and the person hiring it had signed a statement of liability acknowledging liability in respect of any penalty charge notice served in respect of any parking contravention involving the vehicle

- That the penalty charge exceeded the amount applicable
- That there has been a procedural impropriety by the enforcement authority, in the sense of a failure by the enforcement authority to observe any requirement imposed by the Traffic Management Act 2004 or the relevant Regulations in relation to the imposition or recovery of a penalty charge or other sum
- That the relevant traffic regulation order is invalid and still able to be challenged
- Where a penalty charge notice was served by post because the civil enforcement officer was prevented by some person from fixing it to the vehicle concerned or handing it to the owner or person in charge of the vehicle, that in fact the civil enforcement officer was not so prevented.
- That the notice to owner should not have been served because the penalty charge had already been paid at the correct amount.

Regulations stipulate that any representations made outside the period of 28 days beginning with the date on which the Penalty Charge Notice is served, may be disregarded. The City Council does make allowance to accept representations that fall just outside of these time constraints and may extend the deadline even further in exceptional cases.

Service By Post:

A Regulation 10 PCN may be served by post either:

- When a contravention has been detected on the basis of evidence provided by an approved device (enforcement camera);
- If a CEO has been threatened in some way and so prevented from affixing the PCN to a vehicle, or from handing it to the driver; and
- In circumstances in which a CEO had started to issue a PCN but the vehicle was driven away before it could be served (see **Vehicle Driveaways**).

Statement of Liability:

Part of the agreement signed by the hirer of a vehicle accepting that the hirer accepts liability, as if he were the owner, in respect of Penalty Charge Notices issued to the vehicle during the hire period. A hire agreement must contain the particulars required by the Road Traffic (Owner Liability) Regulations 2000 to enable the hire company to transfer liability in this fashion.

Traffic Penalty Tribunal:

The Traffic Penalty Tribunal (TPT) is an independent tribunal where impartial lawyers (Parking Adjudicators) consider appeals by motorists and vehicle owners whose vehicles have been issued with Penalty Charge Notices (or have been clamped or removed) by councils in England and Wales enforcing parking under the Traffic Management Act 2004. TPT has a website for further information (www.trafficpenaltytribunal.gov.uk).

Vehicle Driveaways:

If a Civil Enforcement Officer (CEO) has input data into a handheld device to record details and observations etc, in relation to a vehicle parked in contravention, and the vehicle was subsequently driven away, preventing the PCN from being served, a Regulation 10 PCN may be served by post. In such circumstances the Regulation 9 PCN

is cancelled and the CEO will make a witness statement in support of the Regulation 10 PCN.

Warrant of Execution (TE12):

Authority issued by the County Court for a certified Enforcement Agent (bailiff) to seize and sell goods belonging to the motorist to the value of the outstanding amount plus the cost of executing the warrant. When seeking to recover a debt, an Enforcement Agent must be in possession of an appropriate Warrant.

The City Council can request that the warrant is prepared by the Traffic Enforcement Centre (within the County Court at Northampton) if all the following criteria are met:

- a) 21 days have elapsed since the date the Charge Certificate was posted
- b) Full payment has not been received
- c) No witness statement has been filed
- d) No time extension for making a witness statement has been approved.
- e) The motorist lives in England or Wales. (Registrations with the Court can be transferred so that enforcement can be carried out against motorists living in Scotland. However, registrations against motorists living in the Isle of Man, the Channel Islands and foreign countries cannot be enforced.

Witness Statement (TE9):

A Witness Statement (form TE9) is a sworn declaration to the effect that a part of the 'process' of enforcement has not been adhered to. Proceedings for contempt of court may be brought against a person who makes, or causes to be made, a false statement in an application verified by a statement of truth without an honest belief in its truth. There are four grounds on which a witness statement may be made.

1. I did not receive the Notice to Owner (notification of the penalty charge). If a successful witness statement is made on this ground, the Council is obliged to set the penalty charge back and to reissue a Notice to Owner.

2. I made representations about the penalty charge to the local authority concerned within 28 days of the service of the Notice to Owner, but did not receive the rejection notice. In such circumstances an individual could not have exercised their right to appeal. If a successful witness statement is made on this ground, the Council is obliged to treat the case as a formal appeal and to forward all documentation to the Traffic Penalty Tribunal. Liability for the penalty charge will be decided by the independent Parking Adjudicator.

3. I appealed to the Parking/Traffic Adjudicator against the local authority's decision to reject my representation, within 28 days of service of the rejection notice, but have had no response to my appeal.

4. The penalty charge has been paid in full.

If you made a formal appeal to the independent Parking Adjudicator but did not receive notification of the outcome, you might have missed the opportunity to pay the full penalty charge.

If a successful witness statement is made on this ground, the case should once again be regarded as a formal appeal. Should they not have done so already, the City Council must forward all documentation to the Traffic Penalty Tribunal. Liability for the penalty charge will be decided by the independent Parking Adjudicator.

A witness statement could be rejected by the court and the City Council has the right to challenge the truthfulness of the ground on which the statement has been filed.

Appendix A

Standard PCN Codes v6.7.3

On-Street

Code	General suffix(es)	Description	Diff. level	Notes
01	aoyz	Parked in a restricted street during prescribed hours	Higher	Suffixes y & z for disabled badge holders only
02	ao	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher	
04	cs	Parked in a meter bay when penalty time is indicated	Lower	
05	cpsuv1	Parked after the expiry of paid for time	Lower	
06	cipv1	Parked without clearly displaying a valid pay & display ticket or voucher	Lower	
07	cmprsv	Parked with payment made to extend the stay beyond initial time	Lower	'meter feeding'
08	c	Parked at an out-of-order meter during controlled hours	Lower	Electronic meters only
09	ps	Parked displaying multiple pay & display tickets where prohibited	Lower	
10	p	Parked without clearly displaying two valid pay and display tickets when required	Lower	"two" may be varied to another number or "multiple".
11	gu	Parked without payment of the parking charge	Lower	
12	rstuw4	Parked in a residents' or shared use parking place or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge	Higher	
13		---- RESERVED FOR TfL USE (LOW EMISSION ZONE) ----	n/a	
14		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	
16	bdehqstwx456	Parked in a permit space or zone without clearly displaying a valid permit	Higher	Suffix "s" only for use where bay is completely non-resident
17		---- RESERVED FOR ROAD USER CHARGING USE ----	n/a	
18	bcdefhmprsv	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	
19	irsuwxyz4	Parked in a residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower	
20		Parked in a part of a parking place marked by a yellow line where waiting is prohibited	Higher	
21	bcdefghlmnpqrsuv1256	Parked wholly or partly in a suspended bay or space	Higher	
22	cflmnopsv	Re-parked in the same parking place or zone within one hour after leaving	Lower	"one hour" may be varied to another time period or "the prescribed time period"
23	bcdefghklprsv123	Parked in a parking place or area not designated for that class of vehicle	Higher	Suffix required to fully describe contravention
24	bcdefhlmnpqrsuv1256	Not parked correctly within the markings of the bay or space	Lower	
25	n2	Parked in a loading place or bay during restricted hours without loading	Higher	On-street loading bay or place
26	n	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	"50 cm" may be varied to another distance in Scotland.
27	no	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher	
28	no	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher	

30	fimnopsu1	Parked for longer than permitted	Lower	
34	j0	Being in a bus lane	n/a	
35		Parked in a disc parking place without clearly displaying a valid disc	Lower	
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	
41		Stopped in a parking place designated for diplomatic vehicles	Higher	
42		Parked in a parking place designated for police vehicles	Higher	
43		Stopped on a cycle docking station parking place	Higher	
45	nw	Stopped on a taxi rank	Higher	"stopped" may be varied to "waiting"
46	n	Stopped where prohibited (on a red route or clearway)	Higher	
47	jn	Stopped on a restricted bus stop or stand	Higher	
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher	CCTV can be used on a restricted area outside a school only
49		Parked wholly or partly on a cycle track or lane	Higher	
55		A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	
56		Parked in contravention of a commercial vehicle waiting restriction	Higher	Non- overnight waiting restriction
57		Parked in contravention of a bus ban	Higher	Non- overnight waiting restriction
61	124cgn	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	Code-specific suffixes apply.
62	124cgn	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	Code-specific suffixes apply.
63		Parked with engine running where prohibited	Lower	
99	no	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	Pedestrian Crossings

Off-Street

70		Parked in a loading place or bay during restricted hours without loading	Higher	Off-street loading areas
71		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks
73	u	Parked without payment of the parking charge	Lower	Off-street car parks
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks
77		- - - RESERVED FOR DVLA USE - - -	n/a	
80	u	Parked for longer than permitted	Lower	Off-street car parks
81	o	Parked in a restricted area in a car park	Higher	Off-street car parks
82	puv	Parked after the expiry of paid for time	Lower	Off-street car parks
83		Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks
84	u	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks
85	btrwyz45	Parked without clearly displaying a valid permit where required	Higher	Off-street car parks
86	prs	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks
89		Vehicle parked exceeds maximum weight or height or length permitted	Higher	Off-street car parks

90	psuv	Re-parked in the same car park within one hour after leaving	Lower	Off-street car parks. "one hour" may be varied to another time period or "the prescribed time period"
91	cg	Parked in a car park or area not designated for that class of vehicle	Higher	Off-street car parks
92	o	Parked causing an obstruction	Higher	Off-street car parks
93		Parked in car park when closed	Lower	Off-street car parks
94	p	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower	Off-street car parks. "two" may be varied to another number or "multiple"
95		Parked in a parking place for a purpose other than that designated	Lower	Off-street car parks
96		Parked with engine running where prohibited	Lower	Off-street car parks

Suffixes

General suffixes:-

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

Taxi Ranks (code 45) only

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

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

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

Moving traffic contraventions only:-

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

Supplement to the Notes

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