



# **Hampshire Parking & Traffic Enforcement Policy & Operational Guidance**

## **Civil Parking & Traffic Enforcement Guidance policies for the enforcement and cancellation of Penalty Charge Notices**

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Version 1.3

### **Parking Services**

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Policies set out in this document are providing guidance only.  
Each case will be considered on its own merits, taking into account all of the evidence  
and the exceptionality of the circumstances.

# 1. Introduction

- 1.1 Hampshire County Council as the Highway Authority is responsible for parking related functions on the local highway network. This includes the development, design and implementation of new parking controls together with their enforcement.
- 1.2 The County Council operates on-street parking matters in the districts of Basingstoke, East Hampshire, Eastleigh, Fareham, Gosport, Hart, Havant, New Forest, Rushmoor, Test Valley and Winchester.
- 1.3 The East Anton Bus Gate in Andover is under Hampshire County Council's responsibility, and bus gate enforcement is undertaken in accordance with this policy.
- 1.4 The District Councils and the National Parks are responsible for most public off-street car parks, with the exception of Durngate car park located in Winchester which is managed by Hampshire County Council. The County Council is committed to working with partner organisations to ensure that the on-street and public car park services complement one another.
- 1.5 This Guidance:
  - a. Outlines how on-street parking restrictions are enforced by Civil Enforcement Officers (CEO's) in the districts of Hampshire under HCC control and the process involved for the issue of a Penalty Charge Notice (PCN) and defines each restriction.
  - b. Outlines the process involved for staff to handle each appeal against a penalty charge.
  - c. Clarifies the enforcement and decision-making process, whilst ensuring consistency and transparency in parking operations.
- 1.6 Careful regard has been paid to the Statutory Guidance "The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions" (as stipulated by section 87 of the Traffic Management Act 2004)" in the formation of this document.

## 2. Hampshire's Objectives

- 2.1 The Parking Enforcement Policy and Operation Guidance should be read in context with the Hampshire Local Transport Plan (LTP) 2011-31 <http://documents.hants.gov.uk/transport/HampshireLTPPartALongTermStrategy2011-2031RevisedApril2013.pdf>
- 2.2 The Local Transport Plan sets out the wider transport strategy for the County. Successful management of on-street parking can have a major impact on the transport network including:
- a. Improved road safety
  - b. Reduced congestion
  - c. Improved air quality
  - d. Enabling residents to park near properties
  - e. Balancing on an off-street parking supply and demand
  - f. Helping businesses with collections and deliveries
  - g. Maintaining access to and encouraging use of public transport
- 2.3 This will ensure HCC can manage the highway network to safeguard the expeditious movement of traffic, (including pedestrians and cyclists), as required under the Traffic Management Act 2004 Network Management Duty 4.

### **Traffic Management**

- 2.4 The County Council shall consider on-street parking restrictions where an ongoing parking problem has been identified, where a restriction is likely to resolve the situation and if no other measures are available for resolving the matter.

### **Financial Objectives**

- 2.5 The County Council's aim is to operate the on-street parking service on a full cost recovery basis, but should the authority make a surplus on its on-street parking account, it will be used in accordance with the legislative restrictions in Section 55 (as amended) of the Road Traffic Regulation Act 1984.
- 2.6 The primary purpose of penalty charges is to encourage compliance with parking restrictions. In pursuit of this, Hampshire will adopt a charge level consistent with a high level of public acceptability and compliance. All charge levels will be published.

### 3. Reporting

3.1 The transparency given by regular and consistent reporting is important to the acceptance of Civil Parking Enforcement and the wider parking service. Monitoring also provides the authority with management information for performance evaluation and helps to identify where improvements are needed. It also provides a framework for performance comparisons between councils.

3.2 Hampshire County Council will produce an Annual Parking Report which will contain information related to operations and finance.

3.3 The reports will be produced for publication within the public domain and submission to the Government, the report should include, but is not limited to:

#### **Overview:**

Basic information including

- Brief description of car parks,
- On street controls,
- Methods of payments,
- Permit arrangements and
- Numbers of spaces by type (Pay and Display, residents, business, disabled etc.)

Related issues (Blue Badge information, environmental issues), and Enforcement Overview.

Changes that have taken place in the year, including new Controlled Parking Zones (CPZ's), tariffs, facilities, consultations, innovations and policy changes.

#### **Financial:**

- Total income and expenditure on the on-street and off-street parking accounts.
- Breakdown of income by source (i.e., parking charges, permit income and penalty charges).
- Total surplus or deficit on the on-street parking account.
- Action taken with respect to a surplus or deficit on the on-street account and
- Details of how any financial surplus has been or is to be spent, including the benefits that can be expected as a result of such expenditure.

#### **Statistical:**

- Number of higher level PCN's issued.
- Number of lower level PCN's issued.
- Number of PCN's paid (include a percentage of total).
- Number of PCN's paid within 14 days (discount rate) (include a percentage of total).
- Number of PCN's against which a challenge or representation has been made (include a percentage of total).
- Number of PCN's cancelled (i.e., where a challenge or representation is successful) (include a percentage of total).
- Number of PCN's written off for other reasons (include a percentage of total).
- Number of vehicles relocated.
- Number of appeals to adjudicators.
- Number of appeals refused and
- Number of appeals non-contested.

## 4. Training and Professionalism

4.1 All staff working with the Parking Service are integral to its success.

4.2 As the front-line staff Civil Enforcement Officers (CEO's) will complete the City and Guilds Level 2 Award for Civil Enforcement Officers (Parking) QCF (No. 1889-01) Course, or the equivalent BPA-WAMITAB qualification within 12 months of being employed. Any staff employed on the Parking Services Contract prior to completing the relevant qualifications must have, as a minimum, core on-street training in parking legislation/codes of practice, contravention codes, conflict resolution and Hampshire County Council's policies regarding equality and diversity, customer service and parking policies and have at least two weeks of shadowing a more experienced CEO to ensure beat familiarisation.

4.3 Staff involved in PCN processing must possess a City and Guilds Level 3 award for Notice Processing QCF (No. 1916) or the later BPA-WAMITAB or an equivalent qualification. Staff employed in PCN processing should have completed and attained these formal qualifications within 12 months of being employed.

4.4 As an organisation Hampshire County Council and its partners will:

Treat you as an individual and with respect.

Listen to what you say.

Be polite, fair, helpful and easy to talk to.

Keep what you say to us confidential in line with the Data Protection Act.

Continually improve our service to you.

Consider your views before we make any changes and be honest about what we can't do.

#### 4.5 In return, we would ask you to:

Be polite and considerate to our staff and

Give us relevant information when we ask you for it, including any suggestions for improvement.

#### 4.6 Our Standards

Our aim is to answer queries or complaints at first point of contact or, failing that, to transfer or direct you to someone best placed to assist you and keep you informed along the way.

#### 4.7 Letters, faxes and email

Our aim is to provide an answer within 10 working days. For more complex enquires, our aim is to give you an update within 10 working days and an answer within 20 working days.

#### 4.8 Phone

Our aim is to answer the phone within 20 seconds.

## 5. Blue Badge Enforcement

5.1 Under the Disabled Persons Parking Badges Act 2013, CEOs have a power to inspect and retain a blue badge when the CEO has reasonable grounds to believe it is:

- Counterfeit.
- Has already been cancelled because it was reported lost or stolen.
- Should have been returned to the Council (for example it has expired, or the holder has passed away) or
- Was being misused (for example, by a family member where the holder wasn't involved in the journey).

5.2 All handheld devices should be able to have access to the National Blue Badge Digital Service (BBDS) accessible via a mobile device which will provide CEOs with on-scene access to the basic details of the badge holder; status, photo, name, date of birth, gender, address, telephone number, email address, National Insurance Number, badge validity dates and notification if the badge holder is deceased. The Service Provider will be expected to sign a declaration on behalf of the CEO's accepting responsibility for this information.

5.3 In all cases of badge retention, a simple incident form should be completed within 24 hours. The badge should be returned to the Badge Issuing Authority (Hampshire County Council) who will investigate the incident and likely return the badge to the holder, dependent on the seriousness of the incident. It is expected that CEOs will take appropriate steps to establish reasonable grounds for retaining the badge.

## **6. Dropped Kerb Enforcement**

6.1 Where the kerb is dropped to the carriageway level for vehicle access, enforcement can be undertaken if reported by the affected resident and they are partially or wholly obstructed from leaving their premises.

6.2 Enforcement action for dropped kerbs cannot be taken if a vehicle is only prevented from entering a premises.

6.3 Enforcement described above can be taken regardless of whether there is an 'H-Marking' in place across the dropped kerb.

## **7. Exemptions, Dispensations and Waivers**

7.1 Certain categories of vehicle user may be exempt from some parking restrictions so long as they do not park indiscriminately or cause obstruction.

7.2 Vehicles exempt from restrictions would include emergency vehicles whilst responding to an incident and highway maintenance or public utility vehicles undertaking unplanned emergency repairs.

7.3 All dispensations and waivers will be virtual and dealt with in the same way as the virtual permitting system. Proof of need for the permit will need to be given, e.g., Carer's schedule, quote for works to be undertaken.

7.4 Dispensations and waivers will be given for:

- Carers Permits (yearly)
- Tradespersons Permits (weekly)
- Removal Vehicles (daily)

- Funeral Vehicles (daily)

## 8. Contravention Codes and Observation Times

8.1 There is a single, nationwide list of contraventions and associated codes although not all contravention codes apply in all council areas. CEO's will undertake a period of observation as set by the County Council to identify genuine attempts to park, load or unload, before a PCN is issued.

8.2 These observation times are set by Hampshire County Council in the following table:

Code	Observation Period (mins)	Short Description	Long Description
01	5*	Restricted Parking	Parked in a restricted street during prescribed hours
02	0	Waiting Loading/Unload	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
04	10	Meter bay	Parked in a meter bay when the penalty time is indicated
05	10	Expiry Pay & Display Bay	Parked after the expiry of paid for time
06	5	Failing to Display	Parked without clearly displaying a valid pay & display ticket or voucher
07	5	Parked with extension to stay	Parked with payment made to extend the stay beyond initial time
08	5	Parked at out of order meter	Parked at an out-of-order meter during controlled hours
09	5	Parked with multiple tickets	Parked displaying multiple pay & display tickets where prohibited
11	5	Parked Without Payment	Parked without payment of the parking charge
12	5	No Residents Permit	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
14	0	Electric Charging Place	Parked in an electric vehicle charging place during restricted hours without charging
16	5	Permit area no display	Parked in a permit space or zone without clearly displaying a valid permit
18	0	Sale/Offer of Goods	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited.
19	10	Invalid permit ticket	Parked in a residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay & display ticket, or after the expiry of paid for time



20	10	Part of a parking place	Parked in part of a parking place marked by a yellow line where waiting is prohibited
21	0	Parked in suspended bay or space	Parked wholly or partly in a suspended bay or space
22	0	Returning within the prescribed time period	Re-parked in the same parking place or zone within the prescribed time period of leaving
23	5	Non-Designated Parking	Parked in a parking place or area not designated for that class of vehicle
24	0	Incorrect Parking	Not parked correctly within the markings of the bay or space
25	10	On Street Loading Bays	Parked in a loading place or bay during restricted hours without loading
26	0	Parked over 50 cm	Parked in a special enforcement area more than 50 centimeters from the edge of the carriageway and not within a designated parking place
27	0	Dropped footway	Parking in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway
28	0	Parked on raised carriageway	Parked in a special enforcement area on part of the carriageway raised to meet the level of the footway, cycle track or verge
30	10	Exceeding Time	Parked for longer than permitted
34	0	Being in a bus lane	Being in a Bus Lane
40	0	Parked in Disabled Bay	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner
42	0	Police Parking Space	Parked in a parking place designated for police vehicles
45	0	Taxi Rank	Stopped on a taxi rank
46	0	Parked in a clearway where stopping is prohibited	Stopped where prohibited (on a red route or clearway)
47	0	Stopped in Bus Stop	Stopped on a restricted bus stop or stand
48	0	School Parking	Stopped in a restricted area outside a school, a hospital or a fire, police, or ambulance station when prohibited
49	0	Parked on a cycle track	Parked wholly or partly on a cycle track or lane
55	0	Commercial vehicle waiting ban	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban
56	0	Commercial vehicle waiting restriction	Parked in contravention of a commercial vehicle waiting restriction
57	0	Contravention of a bus ban	Parked in contravention of a bus ban
61	0	HGV Parked on Footway	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways
62	0	Parked with one or more wheels on or over a footpath	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway

63	5	Parked with engine running where prohibited	Parked with engine running where prohibited
70	5	Parked in a loading area without loading	Parked in a loading area during restricted hours without reasonable excuse
71	0	Parked in an EV charging bay without charging	Parked in an electric vehicles' charging place during restricted hours without charging
73	10	Parked without paying	Parked without payment of the parking charge
74	0	Using a vehicle for offering sale of goods	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited
78	0	Parked in a suspended bay	Parked wholly or partly in a suspended bay or space
80	10	Parked for longer than permitted	Parked for longer than permitted
81	0	Parked in a restricted area	Parked in a restricted area in an off-street car park or housing estate
82	10	Parked after expiry of paid time	Parked after the expiry of paid for time
83	10	Parked without a P&D ticket	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock
84	0	Parked with extended payment	Parked with payment made to extend the stay beyond initial time
85	10	Parked without a valid permit	Parked without a valid virtual permit or clearly displaying a valid physical permit where required
86	0	Not parked correctly within the bay markings	Not parked correctly within the markings of a bay or space
87	0	Disabled bay	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner
89	0	Vehicle exceeds maximum weight or height	Vehicle parked exceeds maximum weight or height or length permitted
90	0	Re-parked in the same car park	Re-parked in the same car park within one hour after leaving
91	0	Area not designated for the class of vehicle	Parked in a car park or area not designated for that class of vehicle
92	0	Causing an obstruction	Parked causing an obstruction
93	0	Car park closed	Parked in car park when closed
94	10	Parked without displaying two tickets where required	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required

95	5	Parked for a purpose other than designated	Parked in a parking place for a purpose other than that designated
96	5	Parked with the engine running	Parked with engine running where prohibited
99	0	Zigzags	Stopped on a pedestrian crossing or crossing area marked by zigzags
* This time may be reduced in hotspots and circumstances where the Civil Enforcement Officer (CEO) has evidence, other than a period of observation, which supports the action of issuing the PCN without observing the vehicle for the minimum periods indicated.			

## 9. Guidance on General Grounds for Appeal/Mitigating Circumstances

- 9.1 This section includes guidance regarding the general grounds for appeal which may be submitted against a PCN for any contravention. The guidance will outline how appeals will be considered and the various factors that will be taken into consideration.
- 9.2 The criterion outlined is for guidance only as each case must be considered on its own merits, taking all circumstances into account.
- 9.3 There is no legal obligation to take account of these mitigating circumstances but in order to act fairly and proportionately the following mitigating circumstance may be taken into consideration.

### Emergencies

Appeal Scenario	Action	Notes
Medical Emergency	Cancel	Where documentary evidence is supplied that a genuine medical emergency caused the vehicle or gave the driver no other reasonable option but to park where it received a PCN.
	Uphold	Where no documentary evidence to support the claim that a medical emergency had occurred or where there was a reasonable alternative available to the driver.  <i>Or</i>  Where other evidence contradicts the appellants claim.

Emergency Vehicles	Cancel	Where documentary evidence is supplied that the vehicle is an emergency services vehicle (where unmarked) responding to or dealing with an emergency. This may be done by way of a letter or email from the service.
	Uphold	Where no documentary evidence to support the claim that the vehicle is an emergency services vehicle responding to an emergency.
Utility Emergency (Gas, Water, Electrical)	Cancel	<p>Where documentary evidence is supplied that the vehicle was essential for the immediate repair of a gas or water leak, or electrical emergency, and that there was no reasonable alternative for the driver.</p> <p>An emergency is deemed as such where it is an unforeseen event, that poses a risk to life or property and <b>must not be a pre-booked appointment</b>, and as soon as the fault is rectified the vehicle should be moved to a legal alternative, even if additional work is still required at the call out.</p> <p>Drivers parked near to pay and display, or other legal parking must make use of these options first.</p>
	Uphold	Where there is no documentary evidence, alternative parking was available, the call is not deemed to be an emergency, or the vehicle remained in place for longer than required to rectify the emergency.
Other emergencies	Cancel	<p>Where documentary evidence is supplied that an unforeseen event or circumstance arose and meant the driver of the vehicle had no reasonable option but to park where it received a PCN. The vehicle must be moved as soon as the emergency is over.</p> <p>An emergency is deemed as such where it is an unforeseen event that poses a serious risk to life, health or property.</p> <p>Drivers parked near to pay and display, or other legal parking must make use of these options first.</p>

	Uphold	Where there is no documentary evidence provided, alternative parking was available, the event is not deemed to be an emergency, or the vehicle remained in place for longer than required to rectify the emergency.
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### General Mitigating Circumstances

Appeal Scenario	Action	Notes
The vehicle was stopped to allow the driver or passenger to use the toilet.	Cancel	Where documentary evidence is supplied of a relevant medical condition which supports the appellants claim.  <i>Or</i>  The passenger was a young child.
Vehicle breakdowns	Cancel	Where documentary evidence is supplied that the vehicle broke down and could not be moved from the place where it received a PCN. There was no reasonable alternative available to the driver, and the vehicle was moved within 12 hours of the vehicle breaking down (unless there is a reasonable explanation as to why it could not be).
	Uphold	Where no documentary evidence is supplied.  There was a reasonable alternative available for the driver.  This includes breakdowns in a pay and display area where the driver is able to purchase a ticket from the machine to cover their parking or where the vehicle remained in the place it broke down for longer than 12 hours without a reasonable explanation.

There was nowhere else to park	Uphold	It is the responsibility of the driver to park legally and correctly at all times. If no other parking is available drivers must make alternative arrangements.
The vehicle was parked on private property	Cancel	Where the vehicle is proved to be parked on private property and that no Traffic Regulation Order is in place to prohibit such parking.
	Uphold	Where the vehicle is proved to be on the highway. Where the vehicle is parked on private property, however a Traffic Regulation Order is in place to prohibit such parking.
The vehicle was only parked for a short period of time and did not cause any obstruction.	Uphold	It is the responsibility of the driver to park legally and correctly at all times. It is irrelevant what the perceived impact of the contravention is at the time the vehicle was parked.
The driver was a doctor, nurse or other care worker on a call out to a patient.	Cancel	Where documentary evidence is supplied that the driver was visiting a patient which required immediate medical assistance and the vehicle was essential to providing that assistance. See also medical emergencies.
	Uphold	Where there is no documentary evidence that the patient required immediate assistance.  This includes where the doctor, nurse or care worker is attending a pre-booked appointment.  Where the vehicle was not essential to providing the care for the patient and was only used to convey the doctor, nurse or care worker to the destination and that a reasonable alternative was available to the driver.
The driver stopped to go to the pharmacy.	Cancel	Only in the most exceptional of circumstances and the use of a 'legal' parking place would have caused an unacceptable delay - medical evidence required.
	Uphold	When not considered to be an emergency.

The driver stopped to deposit or collect monies at a bank.	Cancel	Where the activity is considered as loading and the restriction contravened allows for loading to take place.
	Uphold	Where the activity is not considered as loading, or the restriction does not allow loading.
The driver stopped to answer a mobile phone	Uphold	It is the driver's responsibility to ensure they park legally and correctly at all times.
The driver states that they were unaware of the enforcement on Bank/Public holidays.	Uphold	As long as signs are correct.
The driver does not feel the PCN was fair, or / and offers a compelling reason why the PCN should be cancelled.	Cancel	The council reserves the right in accordance with operational guidance provided by the statutory body to cancel a PCN where it is felt there are sufficient grounds to do so.  In such circumstances the public interest, the community impact, impact on the driver and the perception of Civil Parking Enforcement will be taken into account.
	Uphold	After consideration, the grounds are not considered to be compelling to warrant the cancellation of the PCN.
The driver has significant mental health problems which has caused the vehicle to be parked where it was.	Cancel	Where documentary evidence is provided to support such a claim.  Where a previously diagnosed significant mental health issue, such as Alzheimer's or Dementia, caused the driver to be forgetful or complacent leading to the vehicle contravening the restrictions.
	Uphold	Where there is no documentary evidence.  Where the driver has not got significant mental health issues, or have not been previously diagnosed, or the condition did not directly cause the vehicle to contravene the restrictions. For example, stress or depression would not normally be considered to lead to the driver parking incorrectly.

The driver has been recently bereaved.	Cancel	Where the bereavement is very recent and caused or contributed to the vehicle parking in the location that it did. On the first occasion only.
	Uphold	Where the bereavement is not considered very recent.  Where parking the vehicle in such manner was not caused by the bereavement.
The driver left the vehicle parked without a valid ticket displayed to obtain change.	Cancel	If the motorist had not left the on-street pay and display area, while obtaining change and a ticket was purchased.
	Uphold	If the parking attendant's notes indicate that the motorist returned to their vehicle, having completed their purpose for parking, while the PCN was being issued, i.e., carrying shopping, or had left vehicle in an on-street pay and display area, while obtaining change.
Meter feeding or no return	Uphold	When parked in a "no return" parking place, motorists may not pay extra money into a meter or pay and display machine to extend the time they have already purchased.
Where the motorist states they were in Police custody when the PCN was issued.	Cancel	If proof (from the Police) has been provided that the police had instructed the motorist to leave the vehicle. If the time of arrest (proof required from the Police) provides confirmation that motorist was legally parked and was unable to move vehicle before the restriction started.
	Uphold	If no proof provided.  If vehicle could have been legally parked before the arrest.
The driver was not at the location on the day.	Cancel	If the VRM or make of the vehicle on the PCN are not the same as seen in the images recorded against the case.  <i>OR</i>



		<p>The above details seen in the case images are all correct, but the DVLA returns details that do not match these vehicle details.</p> <p><i>OR</i></p> <p>The motorist is claiming their vehicle is cloned and can supply evidence to support this.</p>
The driver was not the registered keeper of the vehicle at the time.	Cancel	<p>If the motorist can supply evidence to support their claim.</p> <p>Re-issue Notice to Owner to new registered keeper.</p>
The registered keeper was not the driver.	Uphold	The registered keeper/owner of the vehicle is responsible for a PCN even if they were not driving at the time of contravention.
Already paid the PCN.	Cancel	<p>If a payment has been logged against the case and the payment clears the remaining balance on the case.</p> <p><i>OR</i></p> <p>A payment has not been logged against the case, but the motorist can provide evidence to support their claim that they had already paid for the PCN.</p>
	Uphold	<p>Only a partial payment has been made</p> <p><i>OR</i></p> <p>A payment has been made at the discounted rate after the expiry of the discount period.</p>
Where the motorist claims that they had a valid permit at the time of the contravention.	Cancel	<p>If the motorist can provide evidence to support their claim and the motorist is within leniency.</p> <p><i>OR</i></p> <p>The motorist had a valid permit, and the permit was not one which must be required to be displayed.</p>
	Uphold	If the vehicle was parked in an area where the permit cannot be used.

		OR The motorist's permit is invalid.
Where the motorist claims that they were in contravention because they could not obtain a permit.	Cancel	If the motorist's application for a permit was delayed by the council and the motorist submitted the permit application before the PCN was issued.  OR The motorist claims to have moved home recently and the motorist made an application for a permit before the PCN was issued.
	Uphold	If the PCN would still have been issued if the motorist had a valid permit.
Motorist wishes to be granted more time to pay the PCN or would like a payment instalment.	Uphold	Penalty charge notices must be paid in full within the timeframe.  In some circumstances the discounted amount may be re-instated as a Council goodwill.

### Road Markings, signs, or the Issue of the PCN

Appeal Scenario	Action	Notes
A passenger was being collected or dropped off.	Uphold	The driver must be with the vehicle or reasonably near to it when stopped to allow passengers into the vehicle.
Other vehicles were also parked in this area and did not receive a PCN.	Uphold	The rules are applied to everyone; however, a CEO can only deal with one vehicle at a time and therefore when multiple vehicles are parked illegally some may receive a PCN whilst others may not.
The driver did not understand the signs or road markings	Uphold	All drivers are expected to understand what each road sign or marking means. Further details on this can be found in the Highway code.
	Cancel	If restriction or tariff boards are incorrect or missing.
The vehicle was displaying a note stating where the driver was, so the CEO should have	Uphold	CEOs will ignore any notes left by drivers when issuing a PCN. The driver is required to park legally and correctly at all times.

checked with the driver and asked them to move their vehicle.		The CEO will not come to look for a driver due to the number of vehicles that they encounter on their patrols.
The PCN was issued incorrectly; the CEO was not wearing their uniform or did not follow the correct procedure. The PCN was issued incorrectly; the CEO was not wearing their uniform or did not follow the correct procedure.	Cancel	Where a claim that the correct procedure in the issue of the PCN was not followed is proved, and the not following of that procedure would be a procedural impropriety.
	Uphold	Where a claim that the correct procedure in the issue of the PCN was not followed is not proved, or it would not be a procedural impropriety.
Where the motorist claims that the PCN was not attached to the vehicle or posted to them	Uphold	If the CEO's notes/documentation/ photos confirm that the PCN was served correctly  OR  The PCN was served by post; and the PCN was sent and served by first class post within the required time frame
The signs or road markings were worn/missing/incorrect and could not be understood by the driver.	Cancel	Photographs taken by the CEO at the time will be checked, and a further site visit of the location will be carried out if necessary.  Where the road markings or signage is considered to not inform or confuse the motorist of the restriction.
	Uphold	Photographs taken by the CEO at the time will be checked, and a further site visit of the location will be carried out if necessary.  The road markings or signs are not required to be in perfect condition at all times, and there is no expectation the council will re paint them at regular intervals, or on every occasion that there are road works. The road markings and signage should be of sufficient quality for the driver to understand that a restriction applies and what that restriction is.  Where the road markings or signage is considered to be clearly understandable to a motorist and to conform the legal requirements.

Where the signs or roads markings were covered by leaves, snow, foliage or flooding.	Cancel	Where it can be established that the conditions presented at the time of parking did not inform the driver of the restrictions.
	Uphold	Where it can be established that the conditions presented at the time of parking did inform the driver of the restrictions.  The CEO notes and photographs will be examined.  Where a reasonable alternative indication to the restriction is present for the driver.

### Vehicles carrying out a specific task

Appeal Scenario	Action	Notes
The vehicle is a taxi or bus.	Uphold	There is no general exemption for a bus, private hire or Hackney carriage taxi.
The vehicle is exempt as it is a utility or refuse/cleaning vehicle.	Cancel	Where documentary evidence or confirmation from service is provided in writing.  The vehicle is actively engaged in the works being conducted and within a reasonable proximity, normally with line of sight, to where the vehicle was parked. The works must also be being undertaken on the highway itself and not within any property.
	Uphold	Where there is no documentary evidence, or the vehicle was not actively engaged in the works.  Where the vehicle was not parked in reasonable proximity to where the works was being carried out.  The works was being carried out within a property or dwelling.

<p>The driver was working on or in a property and needed access to the vehicle for the works.</p>	<p>Uphold</p>	<p>A dispensation in advance may be granted for working at a property where the vehicle is required. Where no dispensation is approved in advance the vehicle must comply with the parking restrictions.</p>
<p>The vehicle was being used in the construction/ demolition of a building.</p>	<p>Cancel</p>	<p>Where the vehicle is actively engaged in the construction or demolition of a building at the time the PCN is issued, and the TRO allows for that type of works.</p>
	<p>Uphold</p>	<p>Where the vehicle is not actively engaged in the building works at the time the PCN is issued.</p>
<p>The vehicle was part of a wedding or funeral cortege.</p>	<p>Cancel</p>	<p>Only where the vehicle is directly part of the cortege for the ceremony. All other vehicles and attendees of the ceremony must park legally.</p>
<p>The vehicle was being used for cash in transit, or to drop or collect large sums of money from a property.</p>	<p>Cancel</p>	<p>Where documentary evidence is supplied that the vehicle is a high security vehicle (bullion), actively engaged in the collection or dropping off of cash amounts to a commercial premises.</p> <p>The vehicle is parked adjacent to, or as close as possible to the premises where the collection/delivery is taking place.</p>
	<p>Uphold</p>	<p>Where there is no documentary evidence provided, alternative parking was available, or the driver was deemed not to be engaged in the collection/delivery when the PCN was issued.</p> <p>Also, where the vehicle is not a high security (bullion) vehicle. Vehicles used for delivering or collecting large amounts cash that are not high security vehicles should use alternative parking, regardless of the cash amounts that were being collected/delivered.</p> <p>Large volumes of coins may be considered as loading due to their weight (see loading in section 9).</p>

## Durngate Car Park / On-Street Chargeable Parking

Appeal Scenario	Action	Notes
No valid payment or visible pay and display ticket	Cancel	<p>Where documentary evidence provided showing valid P&amp;D ticket, first offence only.</p> <p><i>OR</i></p> <p>Ringo evidence incorrect VRM entered, first offence only.</p> <p><i>OR</i></p> <p>CEO documentary evidence that motorist was at machine purchasing P&amp;D.</p> <p><i>OR</i></p> <p>Valid Blue Badge produced, first offence only.</p> <p><i>OR</i></p> <p>Evidence of attempted to pay for cashless session, failed, motorist fault, first offence only</p>
	Uphold	<p>No evidence provided.</p> <p><i>OR</i></p> <p>Exceeded time of payment.</p>
Machine out of order	Uphold	<p>Where there is no evidence of machines being out of order or IPS downtime.</p> <p><i>OR</i></p> <p>There was another working machine in the car park that the motorist could have reasonably used.</p>

Went to get change	Uphold	Cashless parking is available at machines and via an app. Motorist should enter the car park with having appropriate methods of payment.
No means of payment	Uphold	Motorist should not enter the car park without having appropriate methods of payment.
Unaware payment was required	Uphold	2 weeks of warning notices issued, appropriate signage in place, HCC attempted means of communication via social media and website.
Parked in an electric vehicle charging bay	Cancel	Documentary evidence provided that the vehicle was charging.  <i>OR</i>  Evidence of attempted to pay for charging session, failed, motorist fault, first offence only.
	Uphold	CEO documentary evidence vehicle was not charging.  <i>OR</i>  Class of vehicle not designated for charging bay.

## 10. PCN Issue and appeal guidelines for specific contravention codes/Statutory Appeals

10.1 This section includes guidance on general grounds for appeal against a specified contravention and how it may be established whether a statutory ground for appeal has been satisfied.

10.2 Listed in this section are appeals that may be submitted against a PCN for a specific contravention (This is where an appeal scenario may be valid against one contravention but not all) and corresponding guidance on how that appeal may be assessed and to the acceptance or rejection of that appeal scenario.

10.3 In all cases, notes and photographs will be taken by the CEO and the appeals team will review these to check for any conflicts of information. The criteria are for guidance only as each case must be considered on its own merits, taking into account all circumstances.

10.4 A list of on-street contraventions and the observation times required can be found under section 7.2 of this document.

**Code 1: Parked in a restricted street during prescribed hours**

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



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

**Code 2:** Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force.

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

**Code 4, 5 & 82:** Parked after the expiry of paid for time.

Appeal Scenario	Action	Notes
The driver was delayed due to an unforeseen event or incident.	Cancel	The event or incident was unforeseen.
	Uphold	The event or incident was not considered unforeseen.

The driver was unavoidably delayed due to being with an elderly person or child who caused them to return to the vehicle slower than expected.	Cancel	First Occasion Only.
	Uphold	Drivers should factor in the required time for their visit when they park. Who they are travelling with should form part of this 'factoring in' process.
An appointment or meeting over ran, or there was a longer than expected queue.	Uphold	Drivers should factor in any foreseeable delays when purchasing their parking time.
The driver paid for a ticket but purchased the incorrect amount of time for what they required.	Uphold	It is the driver's responsibility to ensure that they pay the correct amount when purchasing their pay and display ticket.
The machine was faulty and gave the driver the incorrect amount of time or did not record the coins entered into the machine.	Cancel	The machine logs will be checked, along with the shorts and overs recorded by the machine for that day. Where the machine is over, or a fault recorded.
	Uphold	The machine logs will be checked, along with the shorts and overs recorded by the machine for that day. Where the machine is not over, or a fault is not recorded.

**Code 6 & 73, 83, 94: Failing to Display.**

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The machine was out of order or faulty.	Cancel	The machine log is checked for faults and there are faults recorded at the time the vehicle was parked.  There was no other machine available.  Other members of the public were not able to purchase a ticket.
	Uphold	The machine log is checked for faults and there are none recorded for the period when the vehicle was parked.

		<p>Another machine is available.</p> <p>Other members of the public were able to purchase a ticket.</p>
<p>The driver can produce a valid pay and display ticket for the location and time of the contravention or claims to have made payment by another means.</p>	<p>Cancel</p>	<p>Where a ticket subsequently produced was visible at the time of the contravention and the CEO noted details from it which confirms it is the same ticket as the one provided. For example, the serial number from reverse of the ticket recorded where the ticket was facedown. On the first occasion only.</p> <p>Where a driver makes payment through the appropriate pay by phone provider before the time that the PCN is issued and the record confirms this.</p> <p>Where a driver pays on a pay by phone service but records VRM incorrectly. On the first occasion only.</p>
	<p>Uphold</p>	<p>Where no ticket is displayed, and the notes or photographs taken by the officer support this. There is no way to verify if the ticket subsequently provided was purchased by that driver for that vehicle.</p> <p>Where there is no record of a payment by phone, or the driver paid after the PCN was issued.</p> <p>Where the driver has had a PCN cancelled previously for the same circumstances.</p>
<p>The driver had gone for change to pay for their parking.</p>	<p>Uphold</p>	<p>Drivers are expected to have the means to pay with them when parking in the street.</p> <p>There are alternative methods of payment available such as by phone and card readers, so if a driver has no change; payment by credit / debit card is also available.</p>

<p>The driver did not know it was a pay and display street, or that charges applied at the time they parked.</p>	<p>Uphold</p>	<p>All relevant streets are clearly signed that they are pay and display with machines placed at prominent locations within. It is for the driver to check if payment is required by observing the signs.</p>
<p>Errors using Pay By Phone or Ringo (payment by phone). Wrong location, wrong or incorrect VRM.</p>	<p>Cancel</p>	<p>On first occasion only.</p> <p>Where it can be satisfied that a genuine error occurred using the system, and that other vehicle (s) did not use the parking session.</p>
<p>The driver was unaware of a price change on the street since their last visit.</p>	<p>Uphold</p>	<p>All price changes are advertised by way of statutory notices within the streets.</p> <p>It is the responsibility of the driver to check the correct tariff when purchasing a pay and display ticket.</p>
<p>The driver has purchased a ticket from the wrong ticket machine or street; or displayed a credit card receipt, voucher or some other document which is a not a valid pay and display ticket.</p>	<p>Uphold</p>	<p>It is the responsibility of the driver to check the signs and correct tariff when purchasing a pay and display ticket. As it cannot be concluded that the voucher or receipt was purchased for that parking session.</p>
<p>The driver or passenger has a Blue Badge, and it was not displayed correctly at the time but has subsequently been provided.</p>	<p>Cancel</p>	<p>Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN. The valid badge, or a copy, has been provided.</p>
	<p>Uphold</p>	<p>Where there is no evidence of a badge being on display at the time the vehicle parked.</p> <p>It is a requirement that the badge must be displayed correctly when parked.</p>
<p>The driver or passenger had an expired Blue Badge displayed at the time.</p>	<p>Cancel</p>	<p>If the PCN was issued within 2 weeks of the expiry of the badge.</p>
	<p>Uphold</p>	<p>Where the badge was expired for longer than 2 weeks when the PCN was issued.</p> <p>Even though a valid badge may have been provided or applied for subsequently.</p>

The resident's permit had expired.	Uphold	It is the driver's responsibility to ensure that they apply for a new permit prior to the expiration of the old one.
A resident claims they have a permit for a different zone.	Uphold	Permits are only valid for use in the zones that they are issued in.

**Code 7 & 84:** Parked with an extension to stay.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The driver was unaware of the maximum stay permitted	Uphold	It is the responsibility of the driver to check the signs and maximum stay permitted when purchasing parking time.
The driver wanted to park for longer than the maximum stay permitted.	Uphold	If a longer stay is required, the driver should park in a car park where longer parking time is permitted.
An appointment or meeting over ran, so the driver purchased additional parking time.	Uphold	Drivers should factor in any foreseeable delays when deciding where to park
The driver was unable to move their vehicle due to an unforeseen event or incident.	Cancel	If the event or incident was unforeseen.
The driver had purchased a ticket from the wrong ticket machine or street so purchased another ticket for the correct street.	Cancel	As long as the vehicle was not parked for longer than the maximum stay permitted.

The driver or passenger has a Blue Badge which has subsequently been provided.	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked.  It is a requirement that the badge must be displayed correctly when parked.
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**Code 8,9, 11, 21 & 78:** Parked at an out of order meter/with multiple tickets/without payment/In a suspended Bay or Meter.

Appeal Scenario	Action	Notes
The machine was out of order or faulty.	Cancel	The machine log is checked for faults and there are faults recorded at the time the vehicle was parked.  There was no other machine available.  Other members of the public were not able to purchase a ticket.
	Uphold	The machine log is checked for faults and there are none recorded for the period when the vehicle was parked.  Another machine is available.  Other members of the public were able to purchase a ticket.
The driver had gone for change to pay for their parking.	Uphold	Drivers are expected to have the means to pay with them when parking in the street.  There are alternative methods of payment available such as by phone and card readers, so if a driver has no change; payment by credit / debit card is also available.
The driver has purchased a ticket from the wrong ticket machine or street; or displayed a credit card receipt, voucher or some other document which is a not a valid pay and display ticket.	Uphold	It is the responsibility of the driver to check the signs and correct tariff when purchasing a pay and display ticket. As it cannot be concluded that the voucher or receipt was purchased for that parking session.

The driver has parked at an out of order meter.	Uphold	As long as the machine is marked as out of order.
Driver has purchased multiple tickets.	Uphold	If a longer stay is required, the driver should park in a car park where longer parking time is permitted.
Driver has parked in a suspended Bay.	Uphold	It is the responsibility of the driver to check the signs.  As long as the bay is clearly marked as suspended and the legal order/sign is in correctly installed.
	Cancel	If there is evidence the legal order and/or suspension sign is not on site.

**Code 12, 16, 19 & 85: No Permit**

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading / unloading.	Cancel	Where documentary evidence is provided that loading / unloading of goods was taking place at the time the PCN was issued.
	Uphold	Where no documentary evidence is provided.  The activity taking place did not constitute loading / unloading.
The residents permit had expired.	Uphold	It is the driver's responsibility to ensure that they apply for a new permit prior to the expiration, or upon the loss of the old one.
The driver or passenger has a Blue Badge, and it was not displayed at the time but has subsequently been provided.	Cancel	Blue Badge holders are eligible to park in resident permit bays
A resident claims they have a permit for a different zone.	Uphold	Permits are only valid for use in the zones that they are issued in.

### Code 14 & 71: Electric Charging Place

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was observed to be not charging.	Uphold	Where no documentary evidence is provided.  The activity taking place did not constitute charging.
The driver has a resident's permit.	Uphold	The vehicle must be charging to park in an Electric Charging Place.
The driver or passenger has a Blue Badge (or has a badge and it was not displayed at the time but has subsequently been provided).	Uphold	Blue Badge holders are not exempt from Electric Charging Place restrictions.

### Code 18 & 74: Sale/Offer of Goods

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The driver has a resident permit.	Uphold	No permit permits the sale/offer of goods when restricted.
The driver or passenger has a Blue Badge (or has a badge and it was not displayed at the time but has subsequently been provided).	Uphold	No BB permits the sale/offer of goods when restricted.

### Code 20, 24 & 86: Parked in part of a parking place

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The driver parked out of the bay due to another vehicle parked badly or it is too large to fit in the space.	Uphold	It is the responsibility of the driver to park correctly in a safe and responsible manner. Alternative parking should be sought.



**Code 22 & 90:** Returning within the prescribed time period

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

**Code 23 & 91, 95:** Parked in a parking place or area not designated for that class of vehicle.

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

**Code 25 & 70:** Parked in a loading place or bay during restricted hours without loading.

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

**Code 26:** Parked in a special enforcement area more than 50cm from the edge of the carriageway and not within a designated parking place.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading / unloading.	Uphold	Where no documentary evidence is provided.  The activity taking place did not constitute loading/unloading.
	Uphold	Blue Badge holders are not exempt from this restriction

**Code 27 & 28:** Dropped footway or raised carriageway.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading / unloading.	Cancel	Where documentary evidence is provided that loading/unloading of goods was taking place at the time the PCN was issued.
	Uphold	Where no documentary evidence is provided.

		The activity taking place did not constitute loading/unloading.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from this restriction

**Code 30 & 80, 82:** Exceeding time, parked for longer than permitted.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading / unloading	Cancel	Where documentary evidence is provided that loading / unloading of goods was taking place at the time the PCN was issued and that the loading / unloading would have taken longer than the permitted time.
	Uphold	Where no documentary evidence is provided. The activity taking place did not constitute loading / unloading. The items loaded / unloaded could have been loaded in the time period allowed within the restriction.
The driver was delayed due to an unforeseen event(s). See also emergencies in general appeals criteria.	Cancel	Where unforeseen circumstances prevented the driver from being able to return to the vehicle within the permitted time.  Documentary evidence may be requested.
	Uphold	The circumstances could have been foreseen. Such as, a meeting, appointment that overruns or queue in a shop, or where a child or elderly person travelling with the driver made the trip slower than expected.  Allowance should be made for such delays when parking your vehicle.

The residents permit had expired (where the parking place carries an exemption for resident permits holders).	Uphold	It is the driver's responsibility to ensure that they apply for a new permit prior to the expiration of the old one.
A resident permit for a different zone was displayed.	Uphold	Permits are only valid for use in the zones that they are issued in.
The driver or passenger has a Blue Badge, and it was not displayed correctly at the time but has subsequently been provided.	Cancel	Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN.  The valid badge, or a copy, has been provided.
	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked.  It is a requirement that the badge must be displayed correctly when parked.
The driver or passenger had an expired Blue Badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	Where the badge was expired for longer than 2 weeks when the PCN was issued.  Even though a valid badge may have been provided or applied for subsequently.

**Code 34: Being in a Bus Lane**

Appeal Scenario	Action	Notes
I was preventing an accident from happening	Cancel	if sufficient evidence is provided which corresponds with CCTV footage

I was directed by the police or CEO to use the bus gate	Cancel	If sufficient evidence is provided
I have a disabled persons Blue Badge	Uphold	Blue Badge holders are not exempt
I am a taxi driver/delivery driver	Uphold	Taxi drivers and delivery drivers are not exempt

**Code 40 & 87: Parked in a Disabled Bay**

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading / unloading	Uphold	Loading is not permitted within a disabled space.
The driver or passenger does not have a Blue Badge, but their mobility is impaired resulting in them needing to use the space.	Uphold	A vehicle must have a valid Blue Badge on display to make use of the space.
The driver or passenger had an expired Blue Badge displayed at the time.	Cancel	If the PCN was issued within 2 weeks of the expiry of the badge.
	Uphold	Where the badge was expired for longer than 2 weeks when the PCN was issued.  Even though a valid badge may have been provided or applied for subsequently.
A Blue Badge was displayed; however, the clock was not displayed or set incorrectly, or the badge details were not visible.	Uphold	As above, it is a requirement that the badge, with accompanying clock be displayed correctly

The driver or passenger has a Blue Badge, and it was not displayed correctly at the time but has subsequently been provided.	Cancel	Where there is evidence of the badge being on display, but the details were not readable by the officer at the time of issuing the PCN.  The valid badge, or a copy, has been provided.
	Uphold	Where there is no evidence of a badge being on display at the time the vehicle parked.  It is a requirement that the badge must be displayed correctly when parked.

**Code 42 & 45: Parked in a Police Parking Space/Taxi Rank**

Appeal Scenario	Action	Notes
The vehicle was loading/unloading	Uphold	Loading is not permitted within a Police parking space or taxi rank.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not permitted within a Police parking space or taxi rank.

**Code 46: Clearway**

Appeal Scenario	Action	Notes
The vehicle was loading/unloading	Uphold	Loading is not permitted.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from clearway restrictions.
A passenger was being collected or dropped off	Uphold	Stopping to pick up and drop off passengers is not allowed.

**Code 47: Stopped in a Bus Stop**

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading/unloading	Uphold	Loading is not permitted.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from Bus Stop restrictions.

**Code 48:** Restricted area outside a school, hospital, fire/police/ambulance station.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading/unloading	Uphold	Loading is not permitted.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from these restrictions.

**Code 49:** Parked wholly or partly on a mandatory cycle track.

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

**Code 55 & 56:** Commercial Vehicle waiting ban.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading/unloading	Uphold	Loading is not permitted.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from Bus Stop restrictions.

**Code 57:** Contravention of a bus ban.



<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading/unloading	Uphold	Loading is not permitted.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from Bus Stop restrictions.

**Code 61:** HGV Parked on Footway.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading/unloading	Uphold	Loading is not permitted.
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from Bus Stop restrictions.

**Code 62:** Parked with one or more wheels on or over a footpath

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The driver was unaware of the restriction	Cancel	First time offence only
	Uphold	Where there are obvious signs nearby notifying of restriction
The driver or passenger has a Blue Badge.	Uphold	Blue badge holders are not exempt from this restriction.
The vehicle was loading/unloading	Cancel	Only if emergency works have been carried out and there is documentary evidence provided
	Uphold	Where no documentary evidence provided

**Code 63 & 96:** Parked with the engine running where prohibited

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading/unloading with the engine running.	Uphold	The engine must not be running.

The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from this restriction.
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**Code 81:** Parked in a restricted area in an off-street car park or housing estate

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Uphold	No vehicles are except for this restriction
The driver or passenger has a Blue Badge, and it was not displayed correctly at the time but has subsequently been provided.	Uphold	No vehicles are except for this restriction

**Code 89:** Vehicle parked exceeds maximum weight or height or length permitted

Appeal Scenario	Action	Notes
The vehicle was loading / unloading	Cancel	Where documentary evidence is provided that loading / unloading of goods was taking place at the time the PCN was issued and that there were no other suitable places available to carry out loading/unloading at the time - first offence only
	Uphold	Where no documentary evidence is provided.  OR  The activity taking place did not constitute loading/unloading.
Had to stop somewhere safe as driving time expired	Cancel	Where suitable evidence provided, e.g., tachograph record - first offence only
	Uphold	Where no suitable evidence is provided

**Code 92:** Parked causing an obstruction

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading / unloading	Uphold	No vehicles are except for this restriction
The driver or passenger has a Blue Badge, and it was not displayed correctly at the time but has subsequently been provided.	Uphold	Blue Badge holders are not except for this restriction
In case of an emergency	Uphold	No vehicles are except for this restriction - it is the driver's responsibility to find a safe place to park at all times.

**Code 93:** Parked in a car park when closed

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading / unloading	Uphold	No vehicles are except for this restriction
The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not except for this restriction.
In case of an emergency	Uphold	The car park should not be entered at all when it is closed.
Driver had to stop somewhere safe as driving time expired	Uphold	The car park should not be entered at all when closed

**Code 99:** ZigZags, stopped on a pedestrian crossing or crossing area marked by zigzags.

<b>Appeal Scenario</b>	<b>Action</b>	<b>Notes</b>
The vehicle was loading/ unloading	Uphold	Loading is not permitted.

The driver or passenger has a Blue Badge.	Uphold	Blue Badge holders are not exempt from this restriction.
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