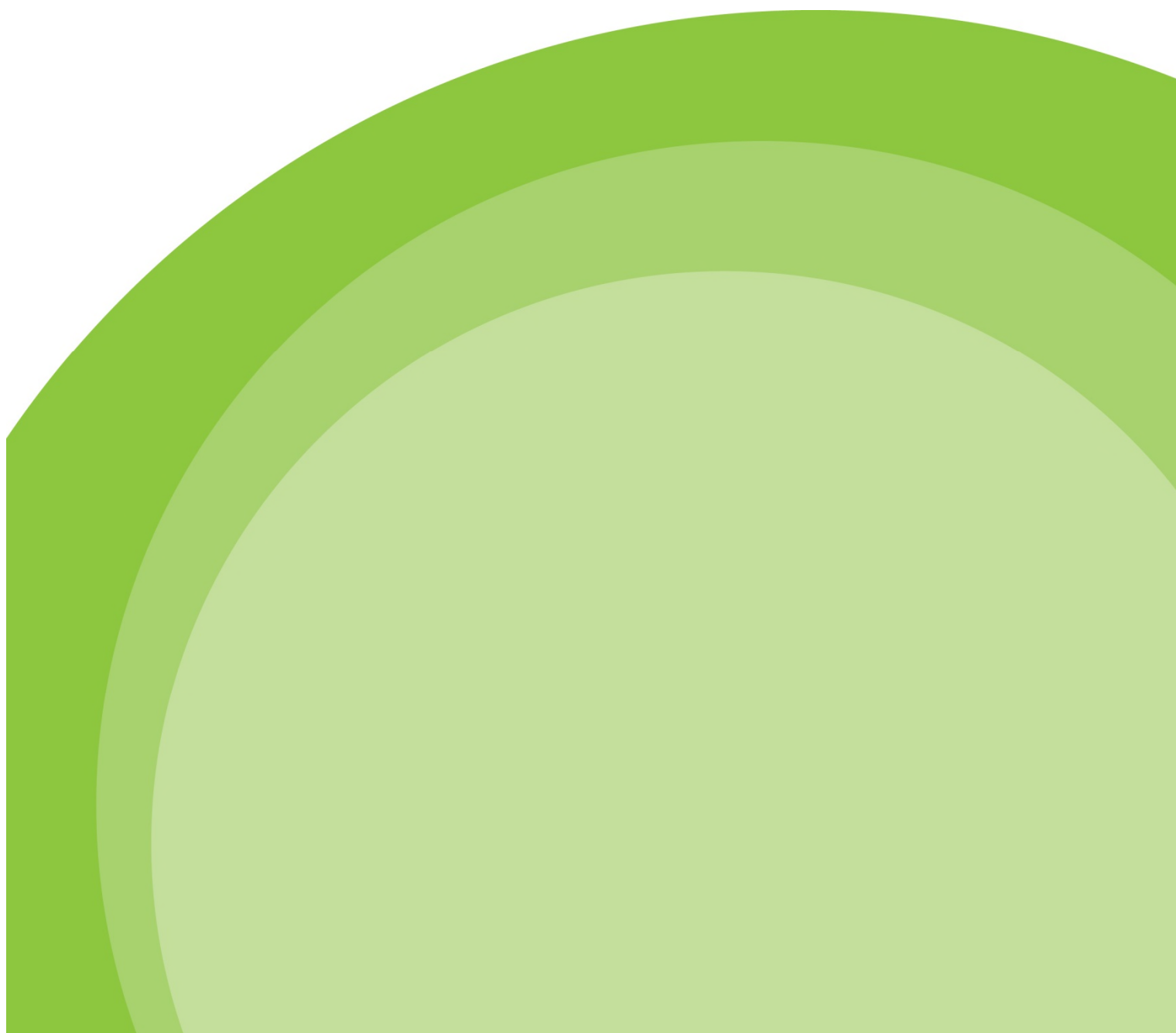


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# 2015/16 Annual Parking Report for Central Bedfordshire Council

Published October 2016



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## Introduction

Welcome to Central Bedfordshire Council's Annual Parking Report. The aim of this report is to look at the work undertaken by the Parking Enforcement Team during 2015 / 2016. This year's report will be made available at [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk) and at publicly accessible Council offices and libraries.

We hope that this report will highlight that the Parking Enforcement Team is not solely about issuing Parking Tickets (or Penalty Charge Notice as they are officially known), but is about having a positive influence on road safety and traffic flow, and ensuring the fair use of the available parking spaces.

Whilst parking (and in particular parking enforcement) can be an emotive and contentious issue, the key objective of the Parking Enforcement Team is to maintain the balance of needs of all road users, including pedestrians. This results in the parking needs of some being restricted for the benefit of others e.g. the provision of dedicated Disabled Bays.

Central Bedfordshire Council is committed to providing a Parking Service that operates in a fair, consistent and transparent manner. It is also committed to providing a service that is for the overall benefit of the residents, visitors and businesses of Central Bedfordshire, ensuring that the area is one that is safe and accessible for all road users.

# 1. Civil Parking Enforcement in Central Bedfordshire

## Aims and Objectives

Unfortunately, the demand for parking in Central Bedfordshire exceeds the supply of available On-street parking places. This is particularly exacerbated by the layout of the historic road network, geographical constraints and the higher than average level of car ownership due to the rural nature of Central Bedfordshire. The Authority's challenge is to manage the needs of all users and in some cases this does result in the needs of some being restricted for the benefit of others.

The Traffic Management Act 2004 places a duty on Central Bedfordshire Council to manage the road network and to ensure the expeditious movement of all traffic. Civil Parking Enforcement is one tool used by the Authority to fulfil this duty. In addition, Civil Parking Enforcement is a tool that aims to support local, regional and national transport plans and achieve the following outcomes:

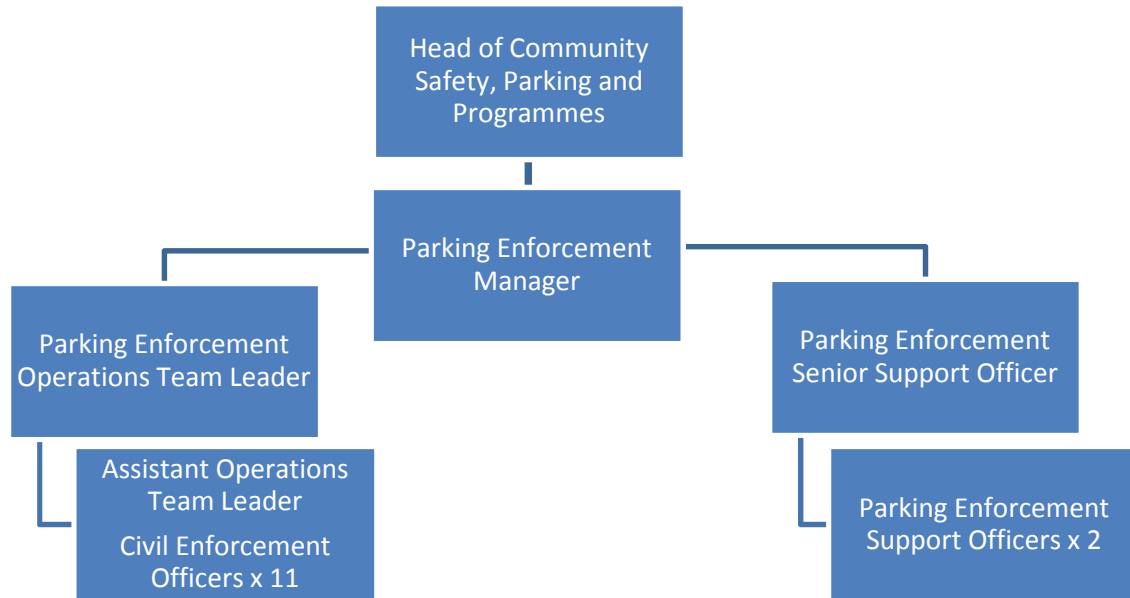
1. Improve road safety,
2. Reduce congestion,
3. Improve access to public transport,
4. Improve access to services for all road users, including pedestrians, and
5. Support the local economy by ensuring a turnover of the free time limited parking spaces available.

The overall aim of the Authority is to provide a Parking Service that operates in a fair, consistent and transparent manner, for the overall benefit of the residents, visitors and businesses of Central Bedfordshire.

No one will appreciate being issued with a Penalty Charge Notice; however the Authority will continue to work towards improving the general community support for the Parking Enforcement Team and its activities. The team is an important public facing service and is a significant contributor to the overall view of residents, businesses and visitors of the Authority.

## 2. The Parking Enforcement Team

The Parking Enforcement Team is made up of 17 Full Time Officers and the team is responsible for On-street and Off-street parking enforcement and Notice Processing across the whole of Central Bedfordshire.



The team is structured to be flexible and mobile, and is operational 6 days a week.

Civil Enforcement Officers (CEOs) are deployed across Central Bedfordshire with patrols concentrated in those locations where parking related issues (road safety, congestion or accessibility to shops and services) are most prevalent.

In addition, the team also responds to specific concerns / requests received for parking enforcement, from members of the public, Local Councillors, Town and Parish Councils and other agencies such as the Police, Fire and Ambulance services.

All CEOs have been trained to the standards set out in Department for Transport guidance, including completing a City and Guilds or WAMITAB qualification in Civil Parking Enforcement or equivalent and a range of generic training (such as Personal Safety). All CEOs carry identification, wear recognisable uniform, and are issued with the appropriate equipment to carry out their duties, in accordance with statutory guidelines.

The main aims of the CEOs are to promote the free flow of traffic and encourage compliance with parking restrictions. This compliance plays an active role in maintaining road safety for drivers as well as pedestrians. Whilst part of their role the CEOs will issue Penalty Charge Notices (PCNs) to vehicles parked in contravention of parking restrictions On and Off street, the majority of their time is actually spent observing and advising members of the public. This advice includes local information in addition to parking related matters.

CEOs follow the procedure for issuing PCNs as set out in Department for Transport Operating Guidance for Local Authorities as well as being compliant with the Traffic Management Act 2004.



### 3. Off-Street parking facilities

In addition to the On-street parking capacity in Central Bedfordshire the Authority operates 14 pay and display car parks, including a Multi Storey Car Park in Leighton Buzzard. 4 permit holder only car parks and a further 4 free public car parks. Whilst the Authority does not have a statutory duty to provide Off-street parking, car parks play a significant role in the management of traffic within towns and villages, contributing to reductions in congestion and the expeditious movement of all traffic.

The Authority provides a combination of long and short stay Off-street parking spaces to balance the needs of commuters and all day visitors, and those only making a short trip to a town or village. Parking charges are variable and designed to reflect both the nature of the car park and its location. Variable charging is a tool that enables the Authority to encourage use of particular car parks, especially by commuters and all day visitors. Daily and weekly tickets are available in addition to annual and 6 month business permits for specified long stay car parks.



For more information on parking charges and permits in Council car parks please visit: [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk)



## 4. Education

Central Bedfordshire Council's Parking Enforcement Team is one that is supported by enforcement and not led by enforcement. Contrary to popular belief, a significant proportion of Central Bedfordshire's Civil Enforcement Officers' time is spent engaging with motorists and advising them where not to park, and consequently, how to avoid being issued with a Penalty Charge Notice.

It is hoped that this education work will help to make drivers more aware of the parking restrictions that are in place in Central Bedfordshire, the reasons why these restrictions are in place and how they can avoid being issued with a Penalty Charge Notice.





## 5. Penalty Charge Notices

### Types of Penalty Charge Notices

Penalty Charge Notices are issued where a Civil Enforcement Officer has reason to believe that a parking contravention has occurred.



There are two bands that Penalty Charge Notices fall into - higher (£70) and lower (£50). There are two bands because it is acknowledged that some contraventions are more serious than others. Generally a contravention will be classed as a higher band if you should not have been parked there in the first instance e.g. parked in a dedicated disabled bay without displaying a valid blue badge or parked on yellow lines when they are in force. Lower rate contraventions are generally those where you are initially permitted to have parked there but have then not complied with the parking restriction e.g. parked longer than you were allowed in a limited waiting bay or car park.

If the recipient of a Penalty Charge Notice pays within 14 days, then they can take advantage of a 50% discount which reduces the Penalty Charge to £35 for higher band and £25 for lower band contraventions.

Some Penalty Charge Notices are issued instantly e.g. where a vehicle is parked where waiting and loading is not allowed, whilst others have an observation period before a Penalty Charge Notice is issued e.g. vehicles parked in a car park without displaying a valid pay and display ticket or permit. During 2015/16 Penalty Charge Notices issued were either affixed to a vehicle or handed to the person who appeared to be in charge of the vehicle.

The following pages provide information in relation to the number of Penalty Charge Notices issued during 2015/16, where they were issued and why they were issued.



## **Penalty Charge Notices issued by contravention type**

The top three contraventions in 2015/16 in Central Bedfordshire were:

1. Parked in a restricted street during prescribed hours.
2. Parked in a car park without clearly displaying a valid pay and display ticket or voucher or parking clock.
3. Parked for longer than permitted.

## 6. Payment of Penalty Charge Notices

There are two bands that Penalty Charge Notices fall into - higher (£70) and lower (£50). If the recipient of a Penalty Charge Notice pays within 14 days, then they can take advantage of a 50% discount which reduces the Penalty Charge to £35 for higher band and £25 for lower band contraventions. Penalty Charge Notice may be paid by telephone, online or by post.

If the recipient or registered keeper fails to pay or appeal within 28 days of the service of the Notice to Owner of the registered keeper, a Charge Certificate is issued. A Charge Certificate increases the penalty by 50% to £105 for higher band and £75 for lower band contraventions. Further failure to pay will result in the Authority seeking to register the debt with the Traffic Enforcement Centre (TEC) and an additional £7 being applied to the outstanding penalty amount.

	Number of PCNs	On Street	Higher	Lower	Off Street	Higher	Lower	Not Cancelled	Cancelled
Apr 2015	<b>728</b>	384	281	103	344	95	249	575	153
May 2015	<b>777</b>	428	294	134	349	99	250	646	131
Jun 2015	<b>780</b>	445	309	136	335	90	245	645	135
Jul 2015	<b>810</b>	380	276	104	430	99	331	647	163
Aug 2015	<b>698</b>	337	255	82	361	89	272	573	125
Sep 2015	<b>607</b>	272	203	69	335	62	273	497	110
Oct 2015	<b>749</b>	386	242	144	363	94	269	614	135

	Number of PCNs	On Street	Higher	Lower	Off Street	Higher	Lower	Not Cancelled	Cancelled
Nov 2015	736	414	240	174	322	66	256	611	125
Dec 2015	672	414	361	53	258	73	185	592	80
Jan 2016	765	488	420	68	277	54	223	669	96
Feb 2016	790	485	415	70	305	80	225	664	126
Mar 2016	716	452	365	87	264	45	219	622	94
Total	8828	4885	3661	1224	3943	946	2997	7355	1473

Of the total Penalty Charge Notices cancelled 80 were as a result of Civil Enforcement Officer error. There are a range of reasons for cancellation of the remaining Penalty Charge Notices which include Council decision, vehicle breaking down, mitigating circumstances, provision of evidence to support cancellation, foreign vehicle driver, ticket machine fault, valid permits not displayed and evidence provided. The percentage of Penalty Charge Notices cancelled will be used as a benchmark for future performance by the Authority.

These statistics relate to Penalty Charge Notices issued in 2015/2016. Payments recorded on the Authority's Parking Account for 2015/2016 include only those payments received up to the 31/03/2016. Any payments for Penalty Charge Notices issued in 2015/2016 but paid after the 31/03/2016 will appear in the Authority's 2016/2017 Parking Account.

Below is a breakdown of PCN's issued in wards.

Locations – PCN's issued	Amphill	Arlesey	Aspley Guise	Aspley heath	Barton	Biggleswade	Blunham	Brogborough	Caddington	Clifton
April 2015	8	6	3	1	0	39	0	0	0	1
May 2015	22	5	3	0	1	39	0	5	0	0
June 2015	9	1	1	0	0	50	0	0	1	0
July 2015	15	3	0	0	0	28	0	1	0	0
August 2015	11	1	0	0	1	20	0	2	2	0
September 2015	15	5	0	0	0	15	0	1	0	0
October 2015	22	3	1	0	1	46	0	0	0	0

November 2015	13	3	2	1	1	37	0	1	6	1
December 2015	15	3	1	0	0	35	0	0	0	0
January 2016	21	10	3	1	1	20	0	0	1	1
February 2016	11	9	3	0	0	30	0	0	0	0
March 2016	16	5	2	0	0	37	0	2	5	0
Total	178	54	19	3	5	396	0	12	15	3

Locations – PCN's issued	Clophill	Cranfield	Dunstable	Eaton Bray	Flitwick	Greenfield	Harlington	Heath and Reach	Henlow
April 2015	0	2	309	0	68	0	0	2	1
May 2015	0	0	327	0	89	0	1	1	0
June 2015	4	0	336	0	77	0	1	1	0
July 2015	1	1	371	0	93	0	0	2	1
August 2015	0	2	308	0	65	0	0	0	0
September 2015	0	0	240	0	78	0	0	1	0
October 2015	1	11	238	0	69	0	1	2	0
November 2015	0	4	290	0	81	0	3	0	4
December 2015	2	0	258	0	66	0	0	0	0

January 2016	1	1	278	0	95	0	0	1	0
February 2016	0	0	306	0	106	0	3	1	1
March 2016	0	0	273	0	81	0	0	1	1
Total	9	21	3,534	0	968	0	9	12	8



Locations – PCN's issued	Hockliffe	Houghton Crest	Houghton Regis	Husborne Crawley	Kensworth	Langford	Leighton Buzzard	Lidlington	Linslade
April 2015	0	0	15	0	0	7	179	0	65
May 2015	0	0	41	0	0	0	164	0	55
June 2015	0	0	9	0	0	0	169	0	88
July 2015	0	0	19	0	0	5	188	0	62
August 2015	0	0	19	0	0	2	163	0	86
September 2015	0	0	9	0	0	1	157	0	75
October 2015	0	0	23	0	0	0	215	0	73
November 2015	0	0	26	0	0	7	168	0	59

December 2015	0	0	24	0	0	2	197	0	48
January 2016	0	0	24	0	0	7	201	0	59
February 2016	0	0	10	0	0	1	185	0	85
March 2016	0	0	13	0	0	2	187	0	70
Total	0	0	232	0	0	34	2,173	0	825

Locations – PCN's issued	Marston Mortaine	Maulden	Old Warden	Potton	Ridgmont	Sandy	Shefford	Shillington	Silsoe
April 2015	1	0	0	1	0	6	12	0	0
May 2015	0	0	0	1	0	8	14	0	0
June 2015	0	0	0	10	0	14	3	0	0
July 2015	0	0	0	3	0	9	5	0	1
August 2015	0	0	0	5	0	5	2	0	0
September 2015	1	0	0	1	0	2	4	0	0
October 2015	0	0	0	12	0	13	10	0	0
November 2015	0	0	0	7	3	2	11	0	0

December 2015	0	1	0	6	0	6	6	0	0
January 2016	0	0	0	6	1	8	7	1	0
February 2016	0	0	0	9	0	10	9	0	0
March 2016	0	0	0	7	0	6	3	1	1
Total	2	1	0	68	4	89	86	2	2

Locations – PCN's issued	Slip End	Stanbridge	Stondon	Stotfold	Studham	Toddington	Totternhoe	Upper Caldecote	Westoning	Woburn
April 2015	0	0	0	0	0	0	0	0	0	2
May 2015	0	0	1	0	0	0	0	0	0	0
June 2015	0	0	0	0	0	5	0	0	1	0
July 2015	2	0	0	0	0	0	0	0	0	0
August 2015	0	0	0	0	0	2	0	0	0	2
September 2015	0	0	1	0	0	0	0	0	0	1
October 2015	1	0	0	0	0	5	0	0	1	1
November 2015	3	0	0	0	0	3	0	0	0	0

December 2015	0	0	0	2	0	0	0	0	0	0
January 2016	0	0	4	7	0	5	0	0	0	1
February 2016	0	0	1	3	0	6	0	0	0	1
March 2016	0	0	0	3	0	0	0	0	0	0
Total	6	0	7	15	0	26	0	0	2	8

## 6. Notice to Owner

**3428** Notice to Owners were issued by the Authority, for unpaid Penalty Charge Notices issued in 2015/16, 28 days after issue of the Penalty Charge Notice. As of 31/3/16 Penalty Charge Notices issued in 2015/16 were cancelled or written off. Examples of some of the reasons why these were cancelled are shown below:

1. **Informal Challenge,**
2. **Notification of mitigating circumstances falling outside the normal appeal process,**
3. **Civil Enforcement Officer Error identified during quality assurance checks.**
4. **Processing Errors.**

	Cancelled before NTO stage	Cancelled after NTO issued	Cancelled after Charge Certificate stage	Cancelled after Debt Registration	Cancelled after warrant issued.
Apr 2015	116	10	23	0	4
May 2015	109	9	10	0	3
June 2015	122	7	3	0	3
July 2015	153	6	4	0	0
Aug 2015	118	6	1	0	0
Sept 2015	108	2	0	0	0
Oct 2015	129	6	0	0	0
Nov 2015	114	10	1	0	0
Dec 2015	78	2	0	0	0
Jan 2016	91	4	1	0	0
Feb 2016	122	4	0	0	0
March 2016	91	3	0	0	0
	<b>1,351</b>	<b>69</b>	<b>43</b>	<b>0</b>	<b>10</b>

## 8. Appeals to the Adjudicator

If an appellant is unhappy with the response of the Council to their formal representations, they have the opportunity to appeal to the independent adjudication service - the Traffic Penalty Tribunal. This appeal must be made within 28 days of the rejection letter sent by the Council. Only where there are significant mitigating circumstances, will an appeal application that has been submitted late be considered by the Tribunal.

An appeal will be allowed by an Adjudicator if, after considering the evidence of the appellant and the Council, they determine that the contravention either did not occur or that the Penalty Charge Notice was not issued correctly.

During 2015/16, **6** of the Authority's Penalty Charge Notices were appealed to the Traffic Penalty Tribunal. To date **4** cases have been refused by an Adjudicator, withdrawn by the appellant or a Consent Order has been granted (appellant and Council agree for payment of the Penalty Charge at discounted rate before hearing). In addition, to date, **2** Central Bedfordshire appeals have been allowed by an Adjudicator.

The Authority aims to ensure that it only rejects appeals to Penalty Charge Notices, where it considers that the notice has been issued appropriately and there are no grounds for cancellation - ultimately, only valid Penalty Charge Notices can be upheld by an independent Adjudicator.

The Authority will continue to strive to ensure that the consideration of appeals is conducted appropriately, fairly and consistently. These figures will be used as a benchmark for the future performance of the Civil Parking Enforcement scheme operated in Central Bedfordshire.

## 9. What happens if a Penalty Charge Notice or result of an Appeal is ignored

In fairness to those that park legally and those that pay their Penalty Charge Notices, the Authority looks to recover unpaid Penalty Charge Notices.

If a Penalty Charge Notice is not paid the Authority will apply to the Traffic Enforcement Centre (TEC) for a warrant to enable the collection of the unpaid debt to the Authority. These warrants are then issued to bailiffs to recover the outstanding debt.

Further information about the TEC can be found at:

<http://www.justice.gov.uk/courts/northhampton-bulk-centre/traffic-enforcement-centre>



It is important that a Penalty Charge Notice, and any paperwork sent in relation to it, is not ignored, as it will not go away. What started out as a £25 (lower) or £35 (higher) penalty (if paid within 14 days) will increase to £82 (lower) or £112 (higher)



debt to the Authority. This debt can escalate quickly to in excess of £500 with recovery fees imposed by a bailiff, particularly if an individual also chooses to ignore the communications of the bailiff.

In 2015/2016 the Authority had **449** cases at bailiff stage where **274** of these cases relate to on street offences and **175** of these cases relate to off Street offences. Out of these **449** cases **165** cases have been paid whilst **284** still remain open and outstanding.

## 10. Financial information

The income and expenditure of local authorities in connection with their On-street charging and their On-street and Off-street enforcement activities are governed by Section 55 (as amended) of the Road Traffic Regulation Act 1984. Central Bedfordshire Council financial report covers income and expenditure in relation to On-street and Off-street parking income and income from enforcement activities.

The Civil Parking Enforcement budget is mainly comprised of income from Penalty Charge Notices, car park income and income from resident, employee and business permits (both on street and off street parking) and dispensations, less any expenditure on enforcement, administration, parking enforcement infrastructure and debt recovery.

On-Street and Off-Street Parking Income by Source	2015/16 Budget	2015/16 Actuals
Car Park Income		-£1,049,174
Penalty Charge Notices		-£250,749
Permits		-£55,122
On Street		-£15,384
<b>Total</b>	<b>-£1,312,289</b>	<b>-£1,370,430</b>

Civil Parking Enforcement Expenditure	2015/16 Budget	2015/16 Actuals
Employee Costs		£435,063
Buildings Costs		£88,222
Vehicle Costs		£11,522
Contracts and Repairs		£304,793
Refunds		-£3,206
Supplies and Services (Other)		£11,988
<b>Total</b>	<b>£1,034,567</b>	<b>£848,382</b>

Parking Account Summary	2015/16 Budget	2015/16 Actuals
Income	-£1,312,289	-£1,370,430
Expenditure*	£1,034,567	£848,382
<b>Balance</b>	<b>-£277,722</b>	<b>-£522,048</b>

\*NB Expenditure costs do not include corporate overheads

The 2015/16 expenditure budget variance of £186,185 was the result of staff vacancies, superannuation and an in year refund of car park site rates following rateable re-evaluations.

The 2015/16 income budget variance of -£58,141 will have been impacted by the increase in car parking fees and charges introduced in February 2016 in addition to increased car park usage and reduced compliance leading to Penalty Charge Notices being issued.

Department of Transport Operational Guidance to Local Authorities for Parking Policy and Enforcement clearly sets out that Local Authorities should never use parking charges just to raise revenue or as a local tax. However, where the demand for parking is high, the delivery of transport objectives with realistic demand management prices for parking may result in surplus income. In such cases local authorities must ensure that any on-street revenue not used for enforcement is used for legitimate purposes only and that its main use is to improve, by whatever means, transport provision in the area so that road users benefit.

## 11. Where to find further information and how to contact us

You are likely to encounter Civil Enforcement Officers out and about while they are doing their work across Central Bedfordshire. As part of their duties they will be happy to advise and respond to any queries or comments you may have.

However, any matters relating to paying or appealing a ticket should be dealt with as advised on the rear of the Penalty Charge Notice and any subsequent correspondence sent to you.

For more information about Civil Parking Enforcement in Central Bedfordshire visit:  
[www.centralbedfordshire.gov.uk/parking](http://www.centralbedfordshire.gov.uk/parking)

Any general queries or comments regarding Civil Parking Enforcement in Central Bedfordshire can be made via:

Email: [parking@centralbedfordshire.gov.uk](mailto:parking@centralbedfordshire.gov.uk)

Post: **Central Bedfordshire Council**, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ

Telephone: 0300 300 6014

## 12. Appendices

### Appendix A

#### On Street

Code	Type	Alleged Contravention
1	Higher	Parked in a restricted street during prescribed hours
2	Higher	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force.
4	Lower	Parked in a meter bay when penalty time is indicated
5	Lower	Parked after the expiry of paid for time
6	Lower	Parked without clearly displaying a valid pay and display ticket or voucher
7	Lower	Parked with payment made to extend the stay beyond initial time
8	Lower	Parked at an out-of-order meter during controlled hours
9	Lower	Parked displaying multiple pay & display tickets where prohibited
10	Lower	Parked without clearly displaying two valid pay and display tickets when required
11	Lower	Parked without payment of the parking charge
12	Higher	Parked in a residents' or shared use place/zone without clearly displaying either a permit or voucher or pay and display ticket issued for that place
14	Higher	Parked in an electric vehicles' charging place during restricted hours without charging
16	Higher	Parked in a permit space without displaying a valid permit
18	Higher	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited
19	Lower	Parked in a residents' or shared use parking place/zone displaying an invalid permit, an invalid voucher or invalid pay and display ticket
20	Higher	Parked in a loading gap marked by a yellow line
21	Higher	Parked in a suspended bay/space or part of bay/space
22	Lower	Re-parked in the same parking place/zone within one hour (or other specified time) of leaving
23	Higher	Parked in a parking place or area not designated for that class of vehicle
24	Lower	Not parked correctly within the markings of the bay or space

25	Higher	Parked in a loading place during restricted hours without loading
26	Higher	Vehicle parked more than 50cm (or other specified distance) from the edge of the carriageway and not within a designated parking place
27	Higher	Parked adjacent to a dropped footway
30	Lower	Parked for longer than permitted
34	Higher	Being in a bus lane
35	Lower	Parked in a disc parking place without clearly displaying a valid disc
36	Lower	Parked in a disc parking place for longer than permitted
40	Higher	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge.
41	Higher	Parked in a parking place designated for diplomatic vehicles
42	Higher	Parked in a parking place designated for police vehicles
45	Higher	Parked on a taxi rank
46	Higher	Stopped where prohibited (on a red route or clearway)
47	Higher	Stopped on a restricted bus stop/stand
48	Higher	Stopped in a restricted area outside a school
49	Higher	Parked wholly or partly on a cycle track or lane
55	Higher	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban
56	Higher	Parked in contravention of a commercial vehicle waiting restriction
57	Higher	Parked in contravention of a coach ban
61	Higher	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways
62	Higher	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)
63	Lower	Parked with engine running where prohibited
99	Higher	Stopped on a pedestrian crossing and/or crossing area marked by zigzags

## Off Street

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

## Appendix B

### Overview

If an individual receives a Penalty Charge Notice and they feel it should not have been issued, they may submit an appeal. The appeals process is designed to be accessible to all and does not require legal counsel.

All appeals must be submitted in writing to Imperial Civil Enforcement Solutions (ICES) at <https://parking.centralbedfordshire.gov.uk/live-3sc-user/> or by writing to Central Bedfordshire Council, PO Box 597, Northampton, NN4 7XN who administer the processing of correspondence in relation to Penalty Charge Notices. Details of how to appeal can be found on the back of the Penalty Charge Notice.

There are three stages of appeal that are open to the recipient of a Penalty Charge Notice:

#### **1. Informal Challenge -**

These must be made within 28 days of the service of the Penalty Charge Notice.

#### **2. Formal Representation -**

If the Penalty Charge is not paid within 28 days a Notice to Owner is sent out to the Registered Keeper of the vehicle. The Notice to Owner sets out the grounds under which a Formal Representation can be made. If the recipient wishes to make a Formal Representation they must complete the Notice to Owner and return it within 28 days of receipt of the Notice to Owner documentation.

#### **3. Appeal to the Traffic Penalty Tribunal -**

If a Formal Representation is rejected by the Council, included with the notice of rejection of the representation, will be details on how, if the appellant is unhappy with the decision of the Council, they can appeal to the Independent Adjudication service - the Traffic Penalty Tribunal. In order for the Traffic Penalty Tribunal to consider an appeal, it must be made directly to them within 28 days of the service of the rejection of the Formal Representation by the Council.

Each appeal received to a Penalty Charge Notice is considered on its own merits. The Authority will consider carefully the details provided by the appellant but if it considers that Penalty Charge Notice was issued correctly, and there are no other grounds for cancellation an appeal will be rejected. Sometimes the Authority will ask for further evidence to be supplied by an appellant e.g. when it is claimed a vehicle has broken down, and following receipt of the further evidence it will reconsider the appeal.

Where it is determined that a Penalty Charge Notice has been issued incorrectly then the Authority will cancel the Penalty Charge Notice. In addition, cancellation may also result where there are significant mitigating circumstances which are supported by evidence e.g. unexpected medical emergency or unexpected vehicle breakdown (this does not include running out of petrol).

## 13. Glossary

Charge Certificate	The notice served 28 days after the service of the Notice to Owner if the Penalty Charge Notice remains unpaid. This notice increase the Penalty Charge by 50%.
Civil Enforcement Officer (CEO)	The name given to the Officers that enforce parking restrictions for the Authority.
Civil Parking Enforcement (CPE)	The name given to the type of enforcement of parking restrictions by a Local Authority under the Traffic Management Act.
Contravention	Where a motorist does not comply with a parking regulation (formally referred to as an offence under the previous Police enforcement regime).
Dispensation	A dispensation is where permission to park in contravention of a parking restriction given. A dispensation may be requested by applying for a parking waiver in line with the Council's parking
Exemption	A provision contained within a Traffic Regulation Order to allow a specific type of vehicle to park in contravention for a specific reason e.g. emergency service vehicles whilst attending an emergency.
Formal Representation	An appeal made within 28 days of the service of the Notice to Owner to the Registered Keeper.
Highway	A road over which the public has a right of way. A highway may be maintainable at public expense or maybe maintained privately. Parking Regulations can apply on both privately maintained highways and highways maintainable at public expense. The extent of the highway includes the road surface and any pavement, verge or island up to the building line of a property.
Informal Challenge	An appeal made within 28 days of the service of the Penalty Charge Notice
Notice to Owner (NTO)	The statutory notice issued to the Registered Keeper of the vehicle if a Penalty Charge Notice is not paid within 28 days of the date of service. The recipient may either pay in full or make a Formal Representation within 28 days of the service of the Notice to Owner.
Off-Street	This relates to facilities and enforcement at Council managed Car Parks.
On-Street	This relates to facilities and enforcement on the Highway.
Parking Regulations / Parking Restrictions	The rules that motorists must follow. These can be a result of Traffic Regulation Orders or national legislation.
Penalty Charge Notice (PCN)	The notice issued to a vehicle believed to be parked in contravention of a parking regulation.



Registered Keeper	The person who is deemed responsible for the payment of a Penalty Charge Notice irrespective of whether they were driving at the time of the contravention. These details are obtained from the Driver and Vehicle Licensing Agency (DVLA).
Traffic Management Act 2004 (TMA 2004)	The legislation under which the Authority operates its Civil Parking Enforcement Scheme.
Traffic Penalty Tribunal (TPT)	The independent body that considers appeals in relation to Penalty Charge Notices where the appellant is unhappy with the Authority's response to their Formal Representation. This is the final stage of appeal for the motorist and their decision is binding on both the Authority and the motorist.
Traffic Regulation Order (TRO)	The legal basis for the majority of parking regulations. Traffic Regulation Orders may only be introduced following public consultation.
Waiver	An official notice issued by the Authority to a specific vehicle that has applied for a dispensation to park in contravention of a parking restrictions at a specified location, on a specified date, for a reason that meets the Authority's criteria for issuing a Waiver.



# Central Bedfordshire

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