

Denbighshire County Council (Parking Services) Annual Report – 2011

(01 April 2011 – 31 March 2012)



MEMBER OF THE
BRITISH PARKING ASSOCIATION



Table of Contents

Foreword	2
Introduction	3
Denbighshire Parking Services	4
Wales Penalty Processing Partnership	4
Information Available	5
Parking Facilities	5
Residents Parking	8
Pay by Phone Parking	8
Blue Badges	9
Penalty Charge Notices	10
Handling of Challenges and Representations	11
Making an Appeal	14
Statistics and Financial Accounts	15
Changes in the year 01 April 2011 – 31 March 2012	17
Response Times	17
Conclusion	18
Appendix 1 to Parking Services Annual Report – Contraventions	20
Appendix 2 to Parking Services Annual Report – Challenge Form	22
Appendix 3 to Parking Services Annual Report - Glossary	23
Appendix 4 to Parking Services Annual Report - Useful websites	25

Foreword

Denbighshire County Council commenced Decriminalised Parking Enforcement 01 July 2004 and then moved to Civil Parking Enforcement, under the Traffic Management Act 2004, on 01 April 2008.

The enforcement of parking is one of the more contentious issues which the council has to deal with.

Welsh Government Operational and Statutory Guidance for the Traffic Management Act 2004, (which encourages greater transparency and accountability in parking operations), advises that all enforcement authorities should produce and publish an annual report of their enforcement activities within six months of the end of each financial year.

This report covers the period 01 April 2011 to 31 March 2012 and it aims to explain to members of the public and other stakeholders how parking is managed throughout the County and to present information on some of the services that we provide. It is felt that reporting helps people to understand and accept the imposition and enforcement of parking regulations. The report aims to demonstrate that the Council operates parking enforcement activities in a fair and consistent manner in accordance with the relevant legislation.

Whilst parking restrictions are rarely popular with motorists, without them there would be significantly higher levels of congestion and even gridlock.

Traffic management and parking management are the way that the council makes sure that the available parking area can be shared in a fair and transparent way.

The vast majority of motorists park legally and sensibly and it is understood that some drivers who receive a PCN may not have intended to park in contravention of a restriction; however, motorists do have a responsibility to take note of restrictions and to comply with them.

Introduction

The Council carries out Civil Parking Enforcement (CPE) of on street parking restrictions covered by Traffic Regulation Orders (TROs) throughout Denbighshire and also enforces in its own off-street car parks (covered by Off Street Parking Place Orders (OSPPOs)).

The Traffic Management Act 2004 (TMA04) requires Highway Authorities to:

- manage the Highway to secure the movement of traffic on the Network
- facilitate the movement of traffic
- carry out actions which will lead to more efficient use of the network
- carry out actions to avoid/eliminate/reduce road congestion or other disruption to traffic movement

A key objective of CPE is to keep traffic moving through:

- The enforcement of loading restrictions and bus stops
- The enforcement of designated parking spaces (e.g. disabled bays, loading bays, residents parking bays)
- The compliance with Traffic Regulation Orders

Denbighshire County Council wishes to promote an attractive, clean and healthy environment and the Regional Transport Plan gives recognition that Traffic Management plays an important part in ensuring safe, effective and rational use of the highway. The policies and practices allow for:

- Maintaining the flow of traffic
- Managing the use of the kerbside for parking or the prohibition of parking
- Managing competing demands of users by defining bays for loading, bus and taxi use
- Making adequate provision for the needs of disabled people
- Managing demand
- Improving safety of users by discouraging indiscriminate parking

Denbighshire Parking Services

Denbighshire County Council directly employs a Parking Operations Manager, a Processing Manager, a back office Processing Team and a team of Civil Enforcement Officers (CEOs); all with specific emphasis on Parking Enforcement.

It should be noted that Denbighshire County Council Parking Services Staff or the CEOs are **not** paid any form of incentive or bonus for the work undertaken.

The CEOs are the public face of civil parking enforcement and the way they perform their functions is crucial to the success, and public perception, of the parking enforcement operation.

The CEO is there to ensure that parking controls are observed and enforced in a fair, accurate and consistent manner. It should be noted that CEOs do not have the discretion to choose whether a PCN should be issued.

Once a PCN has been issued a CEO is unable to cancel or withdraw it. This is to protect them from allegations of inconsistency, favouritism, or suspicion of bribery. If a motorist wishes to dispute a PCN they must follow the challenge process which is detailed on the rear of the PCN.

Wales Penalty Processing Partnership

The Wales Penalty Processing Partnership (WPPP) was established (in line with Welsh Government guidelines which encourage greater collaboration between local authorities) to bring consistency across all partners in the approach to enforcement & the subsequent processing of the penalty and to support best practice relating to parking.

The partnership currently comprises:

- Denbighshire County Council
- Gwynedd Council
- Isle of Anglesey County Council
- Wrexham County Borough Council
- Pembrokeshire County Council
- Powys County Council
- Ceredigion County Council

(Vale of Glamorgan Council & Bridgend Council will join the partnership April 2013)

WPPP was established to obtain the benefits of:

- Economies of Scale for PCN processing
- Reduced overheads from centralisation of staff and office space
- Improved purchasing power from the joint procurement of software and support for the processing of notices
- Consistent application of practices relating to parking enforcement across Wales; North, Mid and West
- Improved implementation of systems and transfer of knowledge relating to the enforcement functions
- Improved productivity and staff performance

In addition to the initial benefits, an officer working group with representatives from each Partner Authority has been established and meets regularly to discuss operational consistency, share best practice and strive for continual efficiency savings – though not at the expense of a professional and quality service provided to the public.

Information Available

The Denbighshire web pages www.denbighshire.gov.uk has links to parking information within the authority.

Additionally, the web site www.wppp.org.uk contains further information and Denbighshire's parking and enforcement activity is described in the Civil Parking Enforcement Procedures document, which can be viewed from there.

Parking Facilities

Denbighshire County Council (Highways & Infrastructure Department) is responsible for providing most of the car parks in Denbighshire. In total over 4000 pay & display parking spaces are provided in off-street car parks throughout the authority.

Car parks are split into short stay and long stay use. Those nearest the shopping streets are provided for short stay parking with the charges reflecting this. Motorists wishing to stay for longer periods are encouraged to use long stay car parks where the charges for over 3 hours are lower.

The majority of car parks provided by the County Council are “Pay & Display” and each machine displays such things as the parking charges, operational hours and contact details (for defects and queries). The machines accept 5p, 10p, 20p, 50p, £1 and £2 coins but it should be noted that the machines **do not** give change (also see “pay by phone parking” later in this report).

Please note that Blue Badge holders are required to pay and display in Denbighshire car parks.

Charges for car parking (on and off-street) take account of:

- The need to encourage retail trade
- The need to manage traffic, including on-street parking and traffic flows
- The need to manage demand effectively
- The nature of a parking location and its users, i.e. urban shopper/business, residential, rural town shopper, beach/visitor
- The need to encourage the use of more sustainable forms of transport, including public transport

Charges are not set purely in order to derive income and have regard to the overall revenue budget provision (expenditure and income) for car parks.

Charges for parking influences the choice of motorists to seek a free space elsewhere before accepting the need to pay to park and which parking place they will use where there is a choice.

The desire to park on street leads to traffic touring streets seeking spaces. Illegal parking on yellow lines occurs locally when enforcement levels are low. Charging for on street parking and better enforcement influences the choice of parking location.

Car parking charges are set to encourage shoppers (who have a need to carry goods), who are likely to require short-stay spaces. Where car parking is subject to high demand and/or limited capacity, then parking periods and tariffs are set to optimise turnover. Longer stay users will generally be required to park further from town centres where short stay demand is high.

Pay & Display car parking is also available on the Promenade in Rhyl and the charges payable are displayed on each Pay & Display ticket machine. (Vehicles displaying a valid Blue Badge or an appropriate permit issued by the Council are exempt from the charges in these particular bays).

Car Park Permits are available; for regular car park users; these can save money and avoid having to carry change to buy pay and display tickets.

Additionally “Limited Waiting Bays” are provided on-street throughout the authority in order to provide short-term parking. The limited waiting bays are shown by bay markings and signs that indicate the maximum amount of time that you may park in the bay. These limited waiting restrictions increase the availability of space for customers/visitors to shops and businesses in the area and allows for the loading and unloading of heavy goods and other purposes.

Please also take note of the 'No Return' information displayed on the sign - this means that you are not permitted to return to the limited waiting bay within the time specified.

Charges apply in car parks on all days including Sundays and Bank Holidays.

The County Council has continually undertaken major work in reviewing traffic regulations order requirements across the county and introducing new measures as required. A programme of strategic reviews of all the main towns and villages is ongoing, following the same process for each:

- Preparation of proposals
- Consultation
- Cabinet report (where necessary)
- Implementation

Residents Parking

Near town centres, in employment areas and in tourist destinations it is not always possible for residents to find parking spaces close to their homes.

To overcome these problems Resident Parking Schemes have been introduced on a number of streets/locations across the County.

All schemes on the public highway are operated under the same regulations:

- One permit to a property to a specific vehicle
- Permits are valid for a period of up to 12 months
- Permits cost £25 (certain concessions are available)
- Visitor permits are available at a cost of £5 per book of ten permits

Pay by Phone Parking

Denbighshire County Council introduced pay by phone parking in 2009 and this system is currently in use in 8 car parks throughout Denbighshire.

Motorists have a choice to either use the existing coin operated payment methods or pay for their parking on their mobile phone simply and quickly.

To use the system, the motorist calls 01824 730390 and, having registered once, they call, quote the parking zone reference and confirm their length of stay. A motorist can even extend the parking time by phone without having to return to the car.

Location	Code
Market Street, Llangollen	4580
Market Street, Ruthin	4581
Factory Ward, Denbigh	4582
Kings Avenue, Prestatyn	4583
Sky Tower	4584
Morley Road, Rhyl	4585
Railway Station, Rhyl	4586
West Kinmel Street, Rhyl	4587

The Civil Enforcement Officers receive the details of the parking in real-time, to hand held terminals, enabling them to check on vehicles within their parking zones in an instant.

Blue Badges

The Blue Badge Scheme is a national arrangement of parking for people with severe walking difficulties who travel as drivers or passengers. The scheme allows the badge holder to park close to their destination.

It should be noted that these national concessions apply to on street parking only; badge holders are advised to check car park signage to establish what concessions may apply. Concessions for the disabled person wishing to park on street are set nationally exempting those displaying a valid blue badge from the time limits in limited waiting places and allowing a stop of up to 3 hours on double or single yellow lines providing it does not cause obstruction or danger to other road users and there is not a loading ban in operation (indicated by “kerb markings”). It does not allow parking in spaces set aside for other users e.g. residents, taxi, bus stop, goods vehicle or loading bays.

Civil Enforcement Officers have the power to inspect Blue Badges and Denbighshire County fully intends (in collaboration with North Wales Police) to ensure these powers are used to full effect to clamp down on fraudulent use. The checks are made to ensure that the blue badge holder is present and that the badge is being used for the correct purposes.

- Badges must not be lent to friends or relatives and may be withdrawn if the holder misuses it.
- It is a criminal offence for non-disabled people to use a blue badge and offenders can be fined up to £1,000.
- It is also a criminal offence to drive a vehicle displaying a blue badge unless the badge holder is in the vehicle, except in the very specific circumstances described in the booklet.
- If you are a badge holder, it can only be used for your benefit. If a trip is for someone else and you are a passenger and staying in the vehicle, you cannot use the badge simply to let them benefit from free parking.

Blue Badge Holders may park without time limit in limited waiting bays, excluding those bays designated solely for disabled badge holders (where the parking bay is restricted to disabled badge holders only, then they are restricted to the time limit and no return periods displayed on the signs). Care should be taken to ensure that no obstruction or danger is caused to other road users

Drivers of vehicles displaying a blue badge are required to pay the same tariff in the car parks as other drivers but may park without charge at on-street Pay & Display parking within Denbighshire (currently Rhyl Promenade).

Penalty Charge Notices

If you have received a Penalty Charge Notice in Denbighshire and wish to pay (using a credit or debit card), you may telephone the 24-hour automated payment line on 0845-6032677 or, alternatively during office hours (Mon-Thurs 8.45am-5.00pm, Fri 8.45am-4.30pm) on 0845 6056556/01745 839250.

Payment may also be made by post (using the payment slip on the PCN) and making cheques or postal orders payable to: WPPP and sent to:

WPPP, PO Box 273, Rhyl LL18 9EJ.

If the original PCN is held then payment may be made (using the barcode on the PCN) at any Allpay outlet (Post Office/e-pay/payzone)

Payment may also be via the internet at: www.wppp.org.uk following the on-line instructions.

Penalty Charge Notice rates are currently set at two levels; a higher level penalty charge is £70.00 and the lower level penalty charge is £50.00 and these charges apply to contraventions taking place in both on street and off street parking places. The charge levels are discounted by 50% for early payment within 14 days of the date of the PCN issue.

A PCN is issued to a vehicle parked in contravention of any restriction. This is done by inputting relevant information into a hand held computer and attaching the printed Penalty Charge Notice to the vehicle or by handing it to the driver or whoever appears to be in charge of it. Photographic evidence is taken to support the issue of the PCN. Additional relevant information is also recorded in a pocket notebook. All this information may be needed when considering challenges or appeals.

Where a parking contravention occurs, it is the 'owner' of the vehicle involved who is legally obliged to pay the penalty charge. The 'owner' means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c.22) is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered (at the DVLA). It is therefore essential that any changes of vehicle ownership are immediately notified to the DVLA.

When allowing other persons to use their vehicles, vehicle owners should bear in mind that it is still the vehicle's owner and not the vehicle's driver, who will be liable to pay any penalty charges incurred in respect of parking contraventions.

The only exception to this is where the vehicle was hired from a firm under a hiring agreement (or taxi company) and the person hiring it had signed a statement of liability in respect of any penalty charge notice served in respect of the vehicle during the period of the agreement.

Handling of Challenges and Representations

If you have received a Penalty Charge Notice and feel it should not have been issued, you have the right to challenge it. You may use the form at appendix 3 to this report, write your own letter (to WPPP, PO Box 273, Rhyl LL18 9EJ) or e-mail (pcn-query@wppp.org.uk)

Please ensure that you include the PCN number **and** also your name and address **in all challenges and correspondence**, so that a reply can be provided.

A PCN may be disputed at three stages:

- **Informal Challenge**, prior to the issue of a Notice to Owner (NTO)
- **Formal Representation** after the issue of an NTO
- **Appeal** to the Traffic Penalty Tribunal after receiving a Notice of Rejection of Representations

PCNs will normally only be cancelled in response to a challenge or appeal submitted in writing. The reasons for cancelling a PCN fall into 3 broad categories:

- issued incorrectly in the first place
- evidence has come to light that circumstances existed when the PCN was issued which were beyond the drivers control and which forced the driver to park where they did
- where the Council is satisfied, based on satisfactory evidence being provided that there were mitigating circumstances sufficient to justify cancelling the PCN, even though it was issued correctly

A summary of the grounds of appeal follow (and are listed on the NTO):

- Alleged contravention did not occur
- Not the owner of the vehicle in question at the time of the alleged contravention
- Vehicle had been taken and parked without your consent
- A vehicle-hire firm and the hirer accepts liability for any PCN issued during the hiring period
- Penalty charge exceeded the amount payable in the circumstances
- A procedural impropriety by the Council
- The Traffic Regulation Order was invalid
- The Penalty Charge has already been paid

In addition the Council will consider any other compelling reasons submitted in support of an appeal. Documentary evidence to support such reasons will always be required.

Where a formal representation has been rejected by the Council the appellant has the right to appeal within 28 days of the date of the Notice of Rejection to an adjudicator of the Traffic Penalty Tribunal.

You can make a formal representation when you receive the Notice to Owner (NTO). The NTO is sent if the ticket has not been paid within 28 days from the date it was issued.

However, you can write and challenge a Penalty Charge Notice before you receive a Notice to Owner.

- If you write **within** the 14 day discount period, this will be taken into account when you receive a reply. If it is not agreed that the ticket should be cancelled, a further 14-day discount period will be offered.
- If you write **after** the 14 day discount period has expired, you will be liable for the full Penalty Charge.

If you have challenged a PCN before receiving an NTO, and the PCN has not been cancelled, you can still make further representations when you receive the NTO. "Representation" is the term used for a formal challenge to a PCN and the Notice to Owner form lists the grounds on which you can make a representation.

If you want to continue to dispute the PCN, it is important that you complete your representations form when you receive it, and return it. If you do not do this, you may lose your chance to refer the case to the Independent Adjudicator (Traffic Penalty Tribunal). We will respond to your representation by either cancelling the PCN or by sending you a letter advising that the PCN has not been cancelled (a "Rejection of Representation").

Where a penalty charge has not been paid and a Charge Certificate issued the penalty will be increased by 50% (to £105.00 or £75.00) respectively.

The Charge Certificate tells the vehicle owner that the penalty charge has been increased by the statutory amount and that, if not paid within 14 days, the Council may apply to the Traffic Enforcement Centre (TEC) at Northampton County Court to register the debt and recover the charges as if it were payable under a county court order.

Once registered, TEC will send the Council an authority to issue an order for the recovery of the amount outstanding (the unpaid penalty charge, any costs awarded against the motorist by an adjudicator, plus the registration fee (presently £7.00)). The Council will then send an order informing the motorist that, within a further 21 days from receipt of the order, the amount outstanding must be paid or send to the TEC a Witness Statement to refute the need to pay the penalty charge (the order will state the grounds on which a Witness Statement can be made).

If the motorist fails to either pay the outstanding amount or to submit a Witness Statement, the Council can ask the TEC for authority to prepare a Warrant of Execution. This authorises a bailiff to seize and sell goods belonging to the motorist to the value of the outstanding amount, plus the cost of executing the Warrant.

The Council would always prefer to see matters settled at as early a stage as possible (either through payment of the penalty charge, or by way of a successful challenge or appeal against it), rather than having to resort to the use of these powers.

Making an Appeal

With the Notice of Rejection of Representations the council will send you a Traffic Penalty Tribunal "Appeal" form. You may either pay the charge at this stage or you must use this form to make your appeal within 28 days. If it is later than 28 days you must explain (to the Tribunal Service) why.

The Traffic Penalty Tribunal (TPT) is an independent body whose impartial, independent Adjudicators consider appeals by motorists and vehicle owners whose vehicles have been issued with a Penalty Charge Notice (PCN) by a Council that enforces contraventions under the TMA 2004.

If an appeal is received by TPT it will be considered by an independent adjudicator. Each case is considered on its own individual merits. Once the Adjudicator makes a decision it is legally binding on both the Council and the Appellant.

The Adjudicator may deal with appeals by considering written evidence; by telephone hearings involving both parties and by personal hearings held at a convenient location for both parties.

If the adjudicator's decision is that the appeal should be accepted then the Penalty Charge Notice will be cancelled by the Council. However, if the appeal is dismissed then the Penalty Charge Notice must be paid.

Further information may be obtained on the Traffic Penalty Tribunal or PATROL (Parking And Traffic Regulations Outside London) websites about any aspect of the appeal process. Go to www.trafficpenaltytribunal.gov.uk or www.patrol-uk.info for further details.

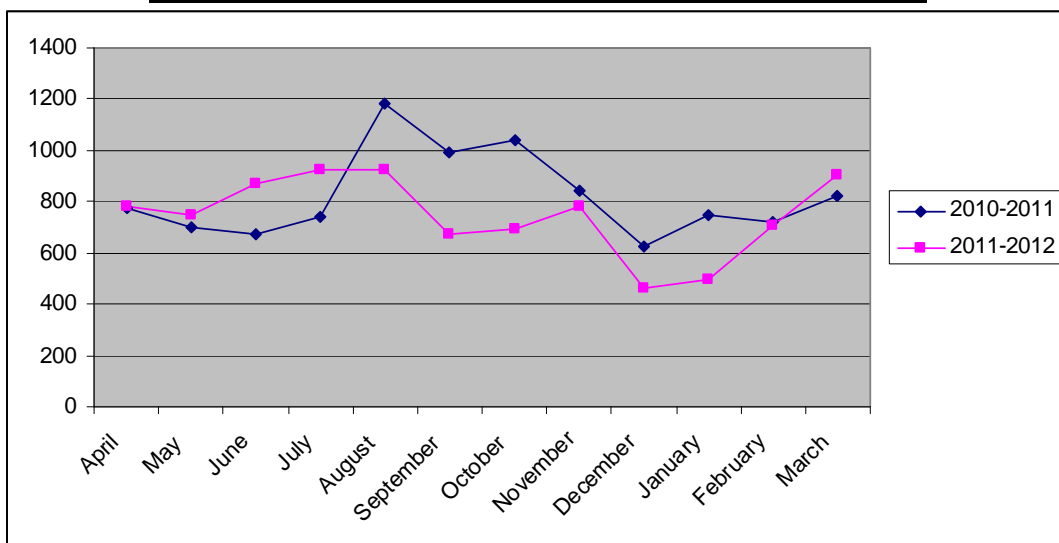
Statistics and Financial Accounts (01 April 2011 – 31 March 2012)

(It should be noted that statistical information is taken from a live system which is updated daily. The figures in this report are correct as at 30 September 2012).

The enforcement system has, by law, to be self-financing so money raised from the parking enforcement operation as a whole is put to this purpose – i.e. it pays for the Civil Enforcement Officers, the costs of processing the penalties and so on.

PENALTY CHARGE NOTICES ISSUED BY MONTH

	2010-2011	2011-2012	% + or -
April	775	779	1%
May	698	748	7%
June	672	872	30%
July	739	921	25%
August	1185	926	-22%
September	990	676	-32%
October	1043	691	-34%
November	846	782	-8%
December	627	465	-26%
January	746	495	-34%
February	721	705	-2%
March	823	902	10%
Total	9865	8962	-9%



PCNs (issued 01 Apr 2011 - 31 Mar 2012)		
Number of valid PCNs issued (Higher level - £70.00)	6006	
Number of valid PCNs issued (Lower level - £50.00)	2657	
Number of valid PCNs issued (Total)	8663	
% of higher level PCNs issued	69%	
% of lower level PCNs issued	31%	
Number of PCNs paid and case closed	7187	
% of PCNs paid (PCN Recovery Rate)	83%	
PCNs paid at discount rate	6272	
% of PCNs paid at discount rate	72%	
No of PCNs cancelled (informal challenge or formal representation successful)	757	
% of PCNs cancelled after informal challenge or formal representation	9%	
No of PCNs written off (e.g. driver untraceable)	332	
% of PCNs written off	4%	
No of appeals to adjudicator	On-Street	Off-Street
	20 Appeals	3 Appeals
% of appeals to adjudicators from all PCN issued	0.26%	
No of appeals allowed	2	0
% of appeals allowed	10%	0%
No of appeals refused	12	1
% of appeals refused	60%	33%
No of appeals not contested	6	2
% of appeals non-contested	30%	67%

Breakdown of income by source				
On-street car park fees	£95,477	Employees		£276,334
On-street penalty charges	£251,615	Premises		£343,313
Off-street car park fees	£904,170	Other		£135,742
Off-street penalty charges	£38,136			
Parking Permits	£121,538			
Other Income	£83,746			
Income (A)	£1,494,682	Expenditure (B)		£755,389
Total surplus (or deficit) on the parking account (A – B)				£739,293
Total Car Park Fees Income	£999,647			
Total Penalty Charge Notice Income	£289,751			

Changes in the year 01 April 2011 – 31 March 2012

Denbighshire County Council brought in various Traffic Regulation Orders (introducing new or amending existing restrictions):

High Street & Thomas Avenue	Dyserth	23 May 2011
Vale Street	Denbigh	05 July 2011
Rail & Bus Station	Rhyl	11 July 2011
Hylas Lane	Rhuddlan	12 September 2011
King's Avenue	Prestatyn	26 September 2011 (18 month order)
Dinbren Road & Wharf Hill	Llangollen	07 November 2011
Meliden Road & Princes Avenue	Prestatyn	19 December 2011
High Street	Prestatyn	23 January 2012 (18 month order)
Greenfield Place	Rhyl	12 March 2012
Railway Station	Prestatyn	16 April 2012

Response Times

The Welsh Government states that authorities should deal with motorists promptly and professionally and, as such, Operational Guidance contains a number of specific objectives:

Activity	Suggested target from date of service/receipt	Statutory Limit	DCC usual response times
Response to challenge or pre-NTO correspondence	14 days	None given ('In a timely manner')	Same Day (unless further evidence/investigation is required)
Response to representation against PCN	21 days	Must reply within 56 days	Same Day (unless further evidence/investigation is required)
Response to referral by the adjudicator for reconsideration of mitigation		35 days	5 working days
Despatch of Notice to Owner	56 days	6 months from the 'relevant date' – normally from the date on which the PCN is served	32 days

Conclusion

It is only the motorist who contravenes parking restrictions who is liable to receive a PCN; hopefully the information given will help some motorists avoid such situations and give others a clearer understanding of the procedures involved.

This report will have given an insight into

- The Councils Parking Policies
- Parking Restriction and why they are needed
- The need for those restrictions to be enforced
- The method of enforcement
- The appeals and debt recovery process.

Following these simple rules will help you to park in a way that doesn't cause inconvenience to other members of the public:

- It is the drivers' responsibility to check the lines on the road and, where applicable, the signs by the side of the road
- Always make sure you have parked fully within the bay markings (on the highway and in car parks)
- Always make sure you read the signage - look out for signs, suspension notices and the like and park sensibly and in accordance with the rules
- Make sure that none of your vehicle wheels are resting on any yellow line(s) or other parking restriction (e.g. taxi rank, bus stop)
- Do not assume that parking behind yellow lines means that you are not parking in contravention of a traffic regulation order
- Always make sure you purchase the appropriate pay and display ticket (we expect you to buy enough time to cover your stay allowing for the possibility of being delayed)
- Always make sure you clearly display your pay and display ticket
- Do not stay longer than is permitted by the signs or by the ticket you have purchased

- Do not block entrances to private properties – dropped kerbs
- Do not double-park
- Do not park on footways or pavements
- Do not park next to dropped kerbs (where the footway has been lowered (or carriageway raised) to assist pedestrians and access to properties)
- Do not park in any way that will make it unsafe for pedestrians
- Do not park on pedestrian crossings or the white zig-zag markings near to the crossing
- Do not park on 'School Keep Clear' markings or the yellow zig-zag markings near to schools

Appendix 1 to Parking Services Annual Report – Contraventions

Higher Level Penalty Charge Parking Contraventions

Code	Charge	Legal Description	Information
01	£70.00	Parked in a restricted street during prescribed hours	Parked on yellow lines (single/double) or in a pedestrian zone
02	£70.00	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	Parked where there yellow lines and yellow markings on the kerb
12	£70.00	Parked in a residents' or shared use parking place without clearly displaying either a permit or voucher issued for that place	Parked in a residents' zone
20	£70.00	Parked in a loading gap marked by a yellow line	A yellow line between two parking places
21	£70.00	Parked in a suspended bay/space or part of bay/space	Where/when a parking place has been suspended – signage will be in place
23	£70.00	Parked in a parking place or area not designated for that class of vehicle	Only certain vehicles may park in some places – as detailed on a sign adjacent to the parking place
25	£70.00	Parked in a loading place during restricted hours without loading	Loading places are for the purpose of loading and unloading only
26	£70.00	Vehicle parked more than 50 cm from the edge of the carriageway and not within a designated parking place	'Double parking' applies even if there are no other vehicles, can also apply if a vehicle is parked at an angle/end on and one set of wheels is more than 50cm from the edge of the carriageway
27	£70.00	Parked adjacent to a dropped footway	Partially or fully parked blocking a dropped kerb be it be for vehicles or pedestrians
40	£70.00	Parked in a designated disabled person's parking place without clearly displaying a valid disabled person's badge	Bays specifically for disabled badge holders only
45	£70.00	Parked on a taxi rank	Bays used specifically for taxis. Other vehicles may not park, even to pick up
46	£70.00	Stopped where prohibited (on a clearway)	A clearway is a restriction without markings only signs
47	£70.00	Stopped on a restricted bus stop/stand	Non permitted buses/other vehicles are only allowed to drop off or pick up passengers they must not wait.
48	£70.00	Stopped in a restricted area outside a school	A zig-zag yellow marking outside or adjacent to an entrance to a school
49	£70.00	Parked wholly or partly on a cycle track or lane	
55	£70.00	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	
61	£70.00	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	No part of a large commercial vehicle must be on the footway etc
62	£70.00	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)	No part of a vehicle should be on the footway (unless signs/markings state otherwise)
81	£70.00	Parked in a restricted area in a car park	Not parked within a marked bay
85	£70.00	Parked in a permit bay without clearly displaying a valid permit	Parked in a permit bay within a car park without displaying a permit valid for that location/vehicle
87	£70.00	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge	Bays specifically for disabled badge holders only within a car park
91	£70.00	Parked in a car park or area not designated for that class of vehicle	For example: Parking in an area designated for coaches/buses only
99	£70.00	Stopped on a pedestrian crossing and/or crossing area marked by zig-zags	Pedestrian Crossing marked with white zig-zag markings

Lower Level Penalty Charge Parking Contraventions

Code	Charge	Description	Information
05	£50.00	Parked after the expiry of paid for time	Vehicles should not be parked after the pay and display ticket/voucher has expired
06	£50.00	Parked without clearly displaying a valid pay & display ticket or voucher	Pay and display tickets/voucher must be clearly displayed
07	£50.00	Parked with payment made to extend the stay beyond initial time	Extra time cannot be purchased to extend the pay and display ticket already purchased or vouchers already displayed
09	£50.00	Parked displaying multiple pay & display tickets where prohibited	More than 1 pay and display ticket on display
19	£50.00	Parked in a residents' or shared use parking place displaying an invalid permit or invalid voucher	Permit out of date or not valid for that zone
22	£50.00	Re-parked in the same parking place within 2hours# of leaving # or other specified time	No return to the same parking place within a specified period (see signs)
24	£50.00	Not parked correctly within the markings of the bay or space	All the wheels must be within the parking space
30	£50.00	Parked for longer than permitted	'Limited Waiting Bays' – length of stay is denoted by the signs
82	£50.00	Parked after the expiry of paid for time	In a car park a vehicle must be moved before the pay and display ticket expires
83	£50.00	Parked in a car park without clearly displaying a valid pay & display ticket	Pay and display ticket must be clearly displayed
86	£50.00	Parked beyond the bay markings	All wheels must be within the bay markings

Appendix 3 to Parking Services Annual Report - Glossary

Adjudicator

An independent lawyer - unconnected with any PCN-issuing council - who has practised for at least five years

Their appointment is sanctioned by the Lord Chancellor

Appeal

The act of referring a dispute concerning a Penalty Charge Notice to an independent Adjudicator at the Traffic Penalty Tribunal

A motorist may only appeal after the council that issued the PCN has rejected formal representations

Civil Enforcement Officer

A uniformed officer employed by Denbighshire County Council to issue PCNs for parking contraventions under the civil enforcement scheme

Civil Parking Enforcement (CPE)

Control of parking contraventions by a council that is empowered under the Traffic Management Act 2004

Challenge

An informal appeal to a council by a motorist against the issue of a parking or bus-lane PCN

A challenge against a Notice to Owner (see below) is known as a Formal Representation

DVLA

The Driver and Vehicle Licensing Agency, based in Swansea

Formal Representations

The formal arguments made by a motorist who challenges a penalty charge after they have received a Notice to Owner (see below) following the issue of a PCN

Notice to Owner (NTO)

A statutory notice to be served by the council on the person believed by them to be the owner of a vehicle that has been issued with a Penalty Charge Notice, in respect of a parking contravention, that remains unpaid after 28 days

On-Street Parking

Kerbside parking facilities

Off-Street Parking

Parking facilities provided by off-street car parks

Penalty Charge Notice (PCN)

A notice issued by a council to a motorist appearing to be in charge of a vehicle that the council believes was contravening the council's Traffic Regulation Order (TRO – by-law regulation).

A Penalty Charge Notice must contain certain information, including a description of the contravention alleged to have occurred

Traffic Management Act 2004 (TMA 2004)

Act of Parliament which repealed the Road Traffic Act 1991 and replaced it with new laws and Regulations giving civil-enforcement authority councils some additional powers to control parking.

The associated Regulations came into force on 31 March 2008

Traffic Penalty Tribunal

The Traffic Penalty Tribunal decides appeals against parking penalties issued by Civil Enforcement Authorities in England (outside London) and Wales.

The Traffic Penalty Tribunal is the final stage of appeal for motorists or vehicle owners against a penalty issued by a council in England (outside London) and Wales

Traffic Regulation Order (TRO)

An official order made by a council under the Road Traffic Regulation Act 1984 and which details the nature and extent of parking controls within the council's area. It is a contravention of these controls as detailed in a TRO that may give rise to the issuing of a Penalty Charge Notice

Appendix 4 to Parking Services Annual Report - Useful websites

Denbighshire County Council – www.denbighshire.gov.uk

Wales Penalty Processing Partnership – www.wppp.org.uk

Traffic Penalty Tribunal - www.trafficpenaltytribunal.gov.uk

PATROL (Parking & Traffic Regulations Outside London) - www.patrol-uk.info

Welsh Government – www.wales.gov.uk