



Three Rivers District Council

Parking Service

**Annual Parking Enforcement
Report**

2011/2012

Contents

- 1. Introduction**
- 2. Background**
- 3. The Management of On and Off Street Parking**
- 4. The Purpose of Civil Parking Enforcement**
- 5. Civil Parking Enforcement in Three Rivers**
- 6. Enforcement Activity – On-street and Off Street Car Parks**
- 7. Enforcement Activity – Representations, Appeals and Beyond**
- 8. Financial Aspects of Civil Parking Enforcement**
- 9. Future Plans**
- 10. Appendices**

1. Introduction

In accordance with the Traffic Management Act 2004, local authorities that carry out civil parking enforcement are expected to be accountable and transparent and as such are required to publish an annual report within 6 months of the end of every financial year. They must also make statistical returns to the department of Transport on 1st October for the previous financial year, annually.

The Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Regulations suggests what local authorities' annual reports might contain. This report includes these items but goes further in terms of explaining the statistics in the context of Three Rivers District Council's overall policy objectives. Where possible, the Council's performance is benchmarked against previous years' figures, national standards, local performance indicators or by reference to figures issued by nearby local authorities with similar demographics.

2. Background

Three Rivers Council adopted Decriminalised Parking Enforcement (DPE) powers in July 2001. In respect of on-street parking enforcement, Three Rivers Council acts on behalf of Hertfordshire County Council (the highway authority) under the terms of a parking agency agreement between the two authorities. As the parking authority Three Rivers Council is responsible for the enforcement of its own off-street car parks.

Three Rivers Council works in partnership with Watford Council (who also work in partnership with Dacorum Council) and Watford Council hosts a parking enforcement contract, with an external parking enforcement contractor, Vinci Park Services UK. This contract provides parking enforcement officers, operation of parking shops, back office functions, pay and display maintenance, permit issue etc.

Watford and Dacorum will each produce their own annual reports. This report covers only the activity of Three Rivers District Council the period April 2011 - March 2012.

3. The Management of On and Off Street Parking

In many streets within the Three Rivers District demand for on-street parking exceeds that available and problems associated with the parking of motor vehicles continue to worsen as car ownership continues to increase.

If on street parking were not properly managed then levels of highway safety and amenity would decrease for all road users including motorists, cyclists and pedestrians, children, the disabled and the elderly, and journey times would increase for all vehicles including public transport and emergency vehicles. It is also probable that uncontrolled parking would lead to less

parking availability at prime locations like stations and shopping areas and certain residential areas, all of which might become monopolised by long term parked vehicles.

The Council is required to properly manage on-street parking to ensure that dangerous and/or obstructive parking is removed whilst at the same time seeking to maximise its availability for the benefit of all road users. To assist in the accomplishment of this the Council may make Traffic Regulation Orders under the Road Traffic Regulation Act, in consultation with the public in general and those directly affected in particular.

It is worth making a special mention here of new central government legislation which has enabled the Council to issue penalty charge notices (PCNs) to vehicles that park with one or more wheels on the footway or verge or any other area of a road which is not part of the carriageway.

- Footway parking is a major issue in some parts of the District and the Council continues to receive complaints. Recent direction from the Department for Transport (February 2011) has made it easier to penalise drivers who park illegally on footways and verges.
- Footway parking can put pedestrians at risk, including the young, elderly and disabled and can obstruct mobility vehicles and parents with pushchairs. Footways and verges are not designed, structurally, to accommodate parked vehicles and deteriorate quickly when subjected to vehicle wheel loads. Inspection covers and services and cables below footways are also subject to damage from parked vehicles.
- Also, footway parking has a very negative effect on the street scene, portraying a general character of disorder and untidiness.
- Although the Council has never condoned unauthorized footway and verge parking it has endeavoured to adopt a realistic approach to existing problems but until recently the major stumbling block has always been the lack of a simple enforcement process.
- The Council is now able to implement a footway and verge parking ban without the need to obtain written authorisation from the Department for Transport. The ban requires the making of a traffic regulation order which would define a length of street or list of streets or an area containing streets where any footway and/or verge parking could be penalised by the issue of a penalty charge notice.
- The regulations require signage and lengths of streets can be excluded, where necessary. That is to say where the council considers footway parking to be necessary and practical it can be permitted in marked parking places properly signed.

Following the making of a Traffic Regulation Order the Council may mark the road and provide signs to restrict or prohibit parking and to provide on-street, and off-street, parking as considered necessary. Whilst many of the restrictions and prohibitions related to vehicles stopping or waiting at the

kerbside have been put in place following the making of a Traffic Regulation Order and are clearly indicated by signs and road markings, others are not. For example Rule 243 of the Highway Code states “DO NOT stop or park within 10 metres of a junction” but many junctions in Three Rivers are unmarked. Currently, in the absence of yellow lines, these unmarked junctions can only be enforced by the Police.

Although the Police Service continues to carry out enforcement of illegal parking, where a need is identified, it does not have the resources to maintain effective on-going enforcement. That duty now rests with the Council.

To enable enforcement the Council has an on-going programme of making Traffic Regulation Orders and subsequently implementing yellow lines, parking places and parking zones as necessary to achieve, as far as is possible, safe and non-obstructed on and off-street parking for the benefit of all road users, local residents and businesses.

4. The Purpose of Civil Parking Enforcement

Local authorities have been able to enforce their own off-street car parks for many years; however until recently most on-street parking enforcement was undertaken by police officers or police traffic wardens.

In the mid-1990s central government gave local authorities the right to apply for powers to enforce on-street parking restrictions. The adoption of what was then called Decriminalised Parking Enforcement (DPE) but is now termed Civil Parking Enforcement, or CPE, spread rapidly across the United Kingdom in the following fifteen years. The Secretary of State has now taken reserve powers within the Traffic Management Act 2004 to compel any remaining local authorities to adopt CPE once a ‘critical mass’ has adopted these powers.

There were three main drivers for decriminalisation:

- Police forces had signalled to central government that that they could no longer regard parking enforcement as a priority function given other demands upon their limited resources. In many areas traffic wardens had effectively been withdrawn, causing growing parking anarchy on our streets.
- It was considered that many parking “offences” would be better dealt with under civil law procedures, which are typically more cost effective and less formal to operate, rather than allow them to clog up the criminal courts.
- Local authorities themselves argued that as representatives of their community they were best placed to design and run an enforcement regime that met the priorities of that community. In Three Rivers’ case, this was particularly relevant because residents living in the Rickmansworth town centre area were calling for controlled parking zones but the Police would not agree to enforce them – indeed, Hertfordshire Constabulary were one of the first to withdraw the traffic warden service.

The primary purpose of CPE, as identified in statutory guidance, is to support local authorities (county and district) in their delivery of their overall transport objectives in areas such as those detailed below.

- Managing the traffic network to ensure free movement of traffic, (including pedestrians and cyclists), as required under the TMA Network Management Duty.
- Improving road safety.
- Improving the local environment.
- Improving the quality and accessibility of public transport.
- Meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car.
- Managing and reconciling the competing demands for kerb space.

These and other objectives that a local authority may seek to meet through its CPE operations are achieved primarily through encouraging compliance with parking restrictions – and it is with this objective in mind that Three Rivers Council enforces parking both on and off-street throughout the district.

It is not always easy to prove that CPE has a positive effect. Driving along a free-flowing road or walking along a footway without being blocked by parked cars is rarely noted or associated with CPE. Likewise, finding space in a clean, safe, well lit car park is taken for granted. It is often noticed, however, when these essential benefits are not available.

Central government is also very clear in explaining what CPE is *not* about. In particular, government emphasises that CPE is not to be regarded as a revenue raising exercise. Whilst Government accepts that local authorities may seek to make their CPE operations as close as possible to self-financing as soon as possible, it advises that any shortfall must be met from within existing budgets rather than falling on the local or national taxpayer. (See Section 7 of this report).

5. Civil Parking Enforcement in Three Rivers

CPE in Three Rivers is currently undertaken by a team of 4 Civil Enforcement Officers spread around the district. The enforcement function is contracted out and the enforcement contractor is managed by Watford Council, operating according to a contract in accordance with policy objectives agreed by both Councils. Subsequent processing of Penalty Charge Notices, is undertaken by the Council. This is in accordance with the regulations; once issued, all processing of PCN's, including the investigation of challenges, representations and appeals, is dealt with by Council officers, working in accordance with statute, regulations, guidance and Council policy.

Although it has the powers, Three Rivers Council does not clamp or remove vehicles. Clamping is no longer favoured as an enforcement tool, as all too often it simply results in a “problem” vehicle being made to remain at an inappropriate location for longer than is necessary. The cost of setting up and running a removal operation, including a vehicle pound for the purpose of storing vehicles would be disproportionate to the benefit for such a small Council such as Three Rivers.

6. Enforcement Activity – On street and in Car Parks

The number of PCN's issued in Three Rivers since 2005/06 is detailed below:

Year	Total PCN's
2005/06	5672
2006/07	4911
2007/08	4776
2008/09	5088
2009/10	4664
2010/11	4295
2011/12	3636

This pattern is common to local authorities that take on CPE powers. An initially high level of PCNs declines quickly as motorists recognise that parking enforcement is in operation and compliance grows, however, the higher number of tickets issued during 2008/9 is explained by several more new restrictions being implemented and better patrol coverage. Again, in 2011/12, the number of PCN's issued fell, as before.

The primary purpose of CPE is to ensure compliance with parking controls and improve road safety; therefore enforcement of car parks, where road safety considerations are slight, is secondary to enforcement of yellow line restrictions on the highway, which have more evident safety connotations. That said, our towns rely on visitors to local shops, businesses and restaurants and enforcement of car parks is important, both to ensure turnover of vehicles and that car park users correctly pay and display or abide by the regulations and conditions, for instance, not exceeding the maximum stay period.

The proportion of on and off-street PCN's issued in previous years is given in the table below.

Year	On-Street PCN's	Off-Street PCN's
2007/08	62.86%	37.14%
2008/09	61.54%	38.46%
2009/10	64.09%	35.91%
2010/11	63.74%	36.26%
2011/12	60.50%	39.50%

The number of PCN's issued for the **main** on-street and off-street parking contraventions is detailed in **Appendix A** (see page 13).

With effect from 2008/09, the government introduced differential penalty charges, whereby some parking contraventions attract a higher level penalty charge according to their perceived seriousness. These are typically on-street contraventions. Details of parking contraventions enforced in Three Rivers during 2011/12 and their associated penalty charge are detailed in **Appendix B** (see page 14).

The number of higher level and lower level PCN's issued by Three Rivers Council since implementation of the Traffic Management Act 2004 in 2008/9 is given below.

Year	Higher Level PCN's (£70)	Lower Level PCN's (£50)
2008/09	3010	2078
2009/10	2774	1890
2010/11	2252	2043
2011/12	1740	1896

Three Rivers Council will continue to ensure that its enforcement activity is tailored to meet the enforcement and other policy objectives of the authority whilst recognising that flexibility is needed to respond to an environment that can change on an almost daily basis.

7. Enforcement activity – Representations, Appeals and Beyond

A 50% discount applies to a PCN paid within 14 days of the date of issue (with the date of issue counting as day 1). The number of PCNs issued in previous years and paid at the discounted rate is as follows:

Year – PCN's Issued	PCN's Paid at Discount
2007/08 – 4776	3117 (65.26%)
2008/09 – 5088	3387 (66.56%)
2009/10 – 4664	3198 (68.57%)
2010/11 – 4295	2921 (68.02%)
2011/12 - 3636	2387 (65.64%)

The above payments will either have been made immediately upon receipt of the PCN or following an informal challenge which the Council has declined. This illustrates the fact that the majority of motorists who receive a PCN accept their liability for the penalty charge and make prompt payment.

Following the 14 day period the penalty charge reverts to its full value and the charge increases in set steps thereafter. The number of PCN's issued in previous years that were paid at the full rate or higher is as follows:

Year – PCN's Issued	PCN's Paid at Full Charge or Higher
2007/08 - 4776	687 (14.38%)
2008/09 - 5088	621 (12.20%)
2009/10 - 4664	555 (11.90%)
2010/11 - 4295	507 (11.80%)
2011/12 – 3636	484 (13.31%)*

*A number of PCN's issued in 2011/12 remain the subject of active enforcement; therefore this figure will increase.

Any motorist who receives a PCN is entitled to challenge its issue. The Traffic Management Act 2004 sets out a number of statutory grounds on which a PCN may be challenged. **Appendix C** (see page 20).

In addition to the statutory grounds which, if established, *require* the Council to cancel liability for a penalty charge, a large number of motorists contact the council offering mitigating circumstances which they hope will lead to

cancellation of the penalty charge on discretionary grounds. Three Rivers Council has adopted a set of guidelines to guide its staff in enforcement decisions in a wide range of circumstances. In the spirit of openness and transparency these have been published in an abridged format on the Council's website at www.threerivers.gov.uk.

No set of guidelines can ever cover the entire range of situations in which motorists find themselves; however these guidelines are invaluable in establishing the spirit of the Council's enforcement practices.

Typically around 20% of PCN's issued are cancelled upon receipt of a challenge or representation and the principle reasons ascribed to cancellation of PCN's during 2008/09 are detailed in **Appendix D** (see page 20). Whilst it is difficult to offer evidence to support the claim, experience suggests that the Council's enforcement guidelines and the philosophy that underpins them are set at the more tolerant end of the spectrum.

A number of PCN's are also written off each year, typically because the motorist/owner cannot be traced – either because of an inadequate record at the DVLA or because the motorist/owner is untraceable. Typically around 6 to 20% of PCN's are written off for this reason, depending on local demographics.

The number and percentage of PCN's cancelled in previous years, either following a challenge or because the motorist is untraceable, is as follows:

Year	PCN's Cancelled	PCN's Written Off/ Untraceable)
2007/08	757 (15.85%)	338 (7.07%)
2008/09	822 (16.15%)	120 (2.35%)
2009/10	645 (13.83%)	170 (3.64%)
2010/11	661 (15.38%)	172 (4%)
2011/12	658 (18.09%)	131 (3.60%)*

*A number of PCN's issued in 2011/12 remain the subject of active enforcement; therefore this figure will increase.

Of the 3636 PCN's issued in 2011/12:

1. 870 were the subject of an "informal" challenge (normally made within 14 days of issue of the PCN).

Of the above, 469 PCN's were cancelled at this challenge stage.

2. 161 were the subject of a statutory representation upon receipt by the vehicle's owner of a Notice to Owner (a letter sent to a vehicle's owner no earlier than 28 days after the issue of a PCN).

Of the above, 86 were cancelled at this statutory representations stage.

Three Rivers Council benchmarks its performance on a regular basis with nearby local authorities whose demographics broadly match its own. The following table shows performance for 2011/12 against the above criteria.

Local Authority	PCN's Issued	Paid PCN's	Cancelled PCN's	Live and/or written off PCN's
Three Rivers	3,636	74.26%	17.63%	8.11%
Watford	19,806	69.14%	15.62%	15.24%
Dacorum	16,844	61.66%	30.16%	8.18%

Should the Council reject a statutory representation, the vehicle's owner is entitled to appeal that decision to the independent Parking Adjudicator.

Of the 3,636 PCN's issued in 2011/12:

1. 12 were the subject of an appeal to the Independent Parking Adjudicator – an appeal rate of 0.33%.
2. Of these 12 appeals, 6 (50%) were upheld by the Adjudicator (including those not contested by the Council) and 6 (50%) were rejected by the Adjudicator (won by the Council).

The Traffic Penalty Tribunal issues an annual report in which the performance of all local authorities in England and Wales is benchmarked. The following tables compare Three Rivers District Council's performance at appeal in 2010/11 and 2011/12:

Appeals 2011/12	No. of appeals	Rate of appeal per PCN	Not contested by council	Allowed by Adjudicator	Allowed by Adjudicator inc. not contested	Refused by Adjudicator (Council win)	Awaiting decision
Three Rivers	12	0.33%	33%	17%	50%	50%	0%
Watford	107	0.54%	13%	20%	33%	55%	0%
Dacorum	43	0.26%	9%	35%	44%	44%	0%
East Herts	64	0.24%	11%	34%	45%	52%	4%
North Herts	19	0.20%	50%	15%	65%	20%	0%
Cambridge	31	0.07%	32%	10%	42%	45%	10%
Stevenage	12	0.33%	33%	17%	50%	50%	0%
Welwyn/Hatfield	26	0.32%	12%	38%	50%	46%	4%

Appeals 2010/11	No. of appeals	Rate of appeal per PCN	Not contested by council	Allowed by Adjudicator	Allowed by Adjudicator inc. not contested	Refused by Adjudicator (Council win)	Awaiting decision
Three Rivers	21	0.49%	5%	29%	33%	57%	0%
Watford	82	0.40%	10%	40%	50%	43%	2%
Dacorum	25	0.18%	4%	28%	32%	52%	0%
East Herts	50	0.17%	22%	20%	42%	54%	4%
North Herts	20	0.20%	50%	25%	75%	25%	0%
Cambridge	38	0.09%	29%	13%	42%	47%	0%
Stevenage	22	0.26%	9%	41%	50%	50%	0%
Welwyn/Hatfield	26	0.27%	19%	31%	50%	50%	0%

As well as being an essential judicial “safety valve” for the CPE process, individual appeal decisions and of course the Adjudicators’ Annual Report contain findings, information and advice which can be very helpful to local authorities in their operation of their parking enforcement and back office regimes. Three Rivers Council and their partners have always used this information positively to improve their services and enforcement practices, where practicable.

Debt Registration and Bailiffs

If a motorist does not pay or successfully challenge a PCN (where an accurate address is held by the DVLA) the notice may be registered as a debt in the County Court. Only at this stage does a penalty charge become a debt.

In 2011/12 - 275 PCN's were registered as a debt in the County Court.

Failure to pay this debt within the timescale specified will result in the passing of the debt to bailiffs.

In 2011/12 - 244 cases were referred to the Council’s bailiffs and £4,824 has been recovered.

8. Financial Aspects of Civil Parking Enforcement

Under the terms of the Road Traffic Act 1991, which governed Decriminalised Parking Enforcement until April 2008, local authorities were required to make their parking enforcement regime self-financing as soon as possible. Local authorities were not, however, allowed to design and run their enforcement regime to make a surplus. Any surplus generated was ‘ring fenced’ to fund related functions such as passenger transport or car park improvements.

As more and more local authorities took on DPE powers, government increasingly recognised that for many, achieving break-even was simply not possible. Accordingly, the Traffic Management Act 2004 weakened this requirement. From 1 April 2008 local authorities have been able to apply for CPE powers without demonstrating that it will break even, but on the understanding that any deficit would be met from within existing funding. Government has made it quite clear that national or local taxpayers are not to bear any shortfall.

The annual cost of enforcement (contract cost) and annual income from PCN’s issued by Three Rivers District Council is shown below

Year	Contract Costs	Staffing, Supplies Other Costs	PCN Income	Deficit
2006/7	£151,050	£111,909	£167,092	£10,860
2007/8	£164,360	£116,075	£148,635	£4,532
2008/9	£177,200	£102,246	£141,951	£4,030
2009/10	£188,783	£123,674	£158,734	£29,694
2010/11	£207,573	£100,433	£132,234	£48,236
2011/12	£163,150	£46,330	£112,240	£97,240

It is a commonly held belief that parking enforcement is a purely revenue raising exercise; however it will be seen that (in common with many smaller local authorities) Three Rivers Council does not break even on its enforcement activities.

However, the above deficit is effectively improved from the income from on and off street pay and display parking, permit charges. The whole operation is expected to be entirely self funding at no expense to local taxpayers, however, the deficit is funded from existing Council budgets. The Council is working to eliminate the current deficit by regular reviews of the business case, charging levels and enforcement regimes. The Council's current policy is to retain short term free parking in main shopping centres, because this is known to contribute to the vitality and viability of our relatively small centres.

New yellow line parking restrictions and on and off street parking management schemes continue to be implemented and recent schemes have required the "making" of nine traffic regulation orders to facilitate the solutions of parking problems at 44 locations in the District. These schemes have included yellow line waiting restrictions to remove obstructive parking from junctions, measures to exclude the residents of newly constructed properties from parking in already overcrowded streets, and extensions of existing permit parking areas.

Taking advantage of the new legislation relating to footway parking, mentioned at section 3 above, the Council has made a new traffic regulation order (TRO) and introduced a "footway and verge parking ban" in an area of streets in Chorleywood. The operation of the proposal will be carefully monitored and if successful consideration will be given to its introduction in other, carefully selected, areas of the District. However the council will continue to adopt a realistic stance and any proposals will be developed in consultation with residents and local businesses.

9. Future Plans

The traffic management objectives of civil parking enforcement as identified by Government and listed at section 4 of this report will remain at the core of this Council's enforcement service and its practices.

Within a properly managed but limited budget the Council will maintain its on-going annual programmes for the introduction of new parking restrictions and parking management schemes where considered necessary. Problem areas will continue to be identified by the monitoring of requests by the highway authority and the local community.

The programme will include schemes to effectively manage on-street parking in areas of high parking demand and the continuation of its annual programme of refurbishment of public car parks, making them safer to use through new lighting, and making them more accessible for people with disabilities.

10. Appendices

Appendix A

The number of PCN's issued during 2011/12 for the **main** on-street and off-street parking contraventions is shown below;

On Street Contraventions & Codes	Number
01 - Parked in a restricted street (yellow lines)	653
12 – Parked in a permit/shared use bay without permit/voucher/ticket	442
30 – parked for longer than permitted	472
25 – Parked in a loading place without loading.	254
40 - Parked in a disabled bay/space without valid blue badge	148
02 – Parked where loading/unloading is not permitted	74
19 – Parked in a residents or shared use space with an invalid permit or voucher	98
47 – stopped on a bus stop or stand	15
48 – stopped in a restricted area outside a school	5

Off Street Contraventions	Number
80 – Parked for longer than the maximum period permitted	554
86 – Parked beyond bay markings	256
85 – Parked in a permit bay in a car park without displaying valid permit	253
83 - Parked in a car park without a valid ticket/voucher	237
87 – Parked in a disabled bay without displaying valid blue badge	142
82 – Parked after expiry of paid for time	23
81 – Parked in a restricted area in a car park	8

Appendix B

Parking Contraventions enforced in Three Rivers, together with their penalty charge are shown below, together with the observation or grace periods allowed before the penalty can be issued.

On-Street Codes

<u>Code</u>	<u>Contravention</u>	<u>Avoid a Penalty Charge Notice</u>
<u>01</u>	<u>Parked in a restricted street during prescribed hours</u> (PCN Higher - £70)	When parking on single yellow lines read the sign plate indicating the times that waiting is prohibited. In Controlled Parking Zones no sign will be present alongside single yellow lines and the restriction will be effective during the same controlled hours of the zone. These times are shown on the zone entry signs. Double yellow lines do not require a time plate and prohibit waiting at all times. You may only wait on these lines if you are carrying out loading/unloading or allowing passengers to board or alight. Blue badge holders may wait on yellow lines for up to 3 hours but must ensure that their clock is correctly set and prominently displayed. It is not uncommon for restrictions to change or for times to differ on opposite sides of the road so read all signs present carefully. Observation Period: 5 minutes.
<u>02</u>	<u>Parked where loading or unloading is prohibited</u> (PCN Higher - £70)	You must not wait at a location where loading restrictions are in force. They apply to both single and double yellow lines and will be supported by signage and yellow chevrons on the kerb. A single chevron denotes a loading restriction between specific times and a double chevron prohibits loading at all times. Blue badge holders are not permitted to park where loading is prohibited. Observation Period: None.
<u>05/05s</u>	<u>Parked after expiry of paid for time at a pay and display/voucher bay</u> (PCN Lower - £50)	Ensure that you purchase adequate time to allow for the duration of your stay and move your vehicle following expiry of the pay and display ticket. Any voucher relied upon must be correctly validated and you should check that all tickets or vouchers displayed are clearly visible before leaving your vehicle, particularly after closing doors. Blue badge holders may park in pay and display bays or shared use bays without any time restriction. Observation Period: 6 minutes.
<u>06/06s</u>	<u>Parked without payment of the initial charge without a clearly displayed ticket/permit/voucher</u> (PCN Lower - £50)	Ensure that you have the means to make payment upon arrival at a location where payment is required. Ensure that any voucher relied upon is correctly validated and that all tickets or vouchers are prominently displayed, prior to leaving your vehicle, particularly after closing doors. It is advisable to ensure that any old tickets or vouchers are removed from your vehicle to avoid any confusion. Pay and display holders are available from the Parking Shop free of charge.

Observation Period: 5 minutes.

<u>07/07s</u>	<u>Parked where additional payment made to extend the stay beyond the time initially purchased</u> (meter feeding) (PCN Lower - £50)	Ensure that you purchase adequate time to cover the duration of your stay. Upon expiry of the time shown on your pay and display ticket the vehicle must be moved to another location. Do not purchase any additional tickets beyond the initial ticket paid for. Observation period: None.
<u>12</u>	<u>Parked in a residents or shared use parking place or zone without clearly displaying either a permit or voucher or pay and display ticket issued for that place</u> (PCN Higher - £70)	Read all applicable signage upon entering a controlled parking zone and any signs alongside the bays that you wish to park within. You can then be sure that you have parked within the correct bay. Ensure that any voucher relied upon is correctly validated and that all tickets or vouchers are prominently displayed, particularly after closing doors. Observation Period: 5 minutes.
<u>19</u>	<u>Parked in a residents' or shared use parking place displaying an invalid voucher or an invalid pay and display ticket</u> (PCN Lower - £50)	Read all applicable signage upon entering a controlled parking zone and any signs alongside the bays that you wish to park within. This will tell you when the restrictions are in force and if they apply on match days or evenings. Ensure that all visitor vouchers or pay and display tickets relied upon are correctly validated and displayed. Blue badge holders may park in shared use and pay and display bays without time limit. Observation Period: 5 minutes.
<u>20</u>	<u>Parked in a loading gap marked by a yellow line</u> (PCN Higher - £70)	Ensure that you read all applicable signage alongside the location where you wish to park. You should not park on a loading gap unless you have a genuine need to load or unload. Blue badge holders are not permitted to park in loading areas, unless loading or unloading. Observation Period: 5 minutes.
<u>21</u>	<u>Parked in a suspended bay/space or part of bay/space</u> (PCN Higher - £70)	Ensure that you read the signage at the location where you wish to park. This will tell you which bays have been suspended and the relevant times and dates. No vehicle is permitted to park within a suspended bay unless they have been granted express permission to do so. Observation Period: None.
<u>22</u>	<u>Re-parked during determined time of leaving a bay/space in the same parking place</u> (PCN Lower - £50)	Ensure that you have read the signage and do not return to any location within the no return period stated. Upon expiry of any paid for or permitted time ensure that the vehicle is moved to another location. Observation Period: 5 minutes.
<u>23</u>	<u>Parked in a parking place or area not designated for that class of vehicle</u> (PCN Higher - £70)	Ensure that you read any applicable signage alongside the location where you wish to park. Do not park in bays which are marked for the use of specified vehicles, such as motorcycles, unless you are driving that class of vehicle. Observation Period: 5 minutes.

24	<p><u>Not parked correctly within the markings of the bay or space</u></p> <p>(PCN Lower - £50)</p>	<p>Ensure that you check that your vehicle is correctly parked prior to leaving the location where you have parked. You should seek alternative parking in the event that all the wheels of your vehicle cannot fit fully within the bay markings.</p> <p>Observation Period: None.</p>
25	<p><u>Parked in a loading bay with no sign of loading</u></p> <p>(PCN Higher - £70)</p>	<p>Only park within a loading bay when you have a genuine need to load or unload goods. Ensure that you have read the signage indicating when loading is permitted or prohibited. Any loading should be necessary and not simply convenient. Blue badge holders are not permitted to park within these bays, other than to load/unload.</p> <p>Observation Period: 5 minutes.</p>
27	<p><u>Parked in a special enforcement area adjacent to a dropped footway</u></p> <p>(PCN – higher - £70)</p>	<p>Ensure that you are aware of the presence of dropped kerbs when parking your vehicle, both those provided as pedestrian crossing points and those allowing vehicular access to residential or commercial driveways. Penalty Charge Notices will be issued instantly to any vehicle parked with one or more wheels alongside the transition of the dropped kerb.</p> <p>Observation Period: 5 minutes.</p>
30	<p><u>Parked in a free parking space for longer than the maximum period</u></p> <p>(PCN Lower - £50)</p>	<p>Read the signage and take note of the permitted length of stay and no return period. Ensure that your vehicle is moved to another location upon expiry of the stated period. Blue badge holders may park in free bays without time restriction.</p> <p>Observation Period: 5 minutes.</p>
40	<p><u>Parked in a designated disabled persons parking place without clearly displaying a valid disabled persons badge</u></p> <p>(PCN Lower - £50)</p>	<p>Only park within a disabled bay if you are the holder of a valid blue badge or conveying the badge holder. Read all signage and ensure that you are aware of the times that blue badge parking is permitted. Ensure that the blue badge is clearly and correctly displayed before leaving the vehicle. Blue badge holders should not park within a disabled bay situated within a controlled parking zone unless they also hold a valid residents permit.</p> <p>Observation Period: None.</p>
45	<p><u>Parked in a taxi rank</u></p> <p>(PCN Higher - £70)</p>	<p>Only park within a taxi rank if you are driving a licensed Watford Hackney Carriage. Taxi drivers should only leave their vehicle unattended where it is absolutely necessary to provide assistance to passengers. Read all applicable signage to ensure that you are aware of the times the rank permits or prohibits.</p> <p>Observation Period: Taxis – 10 minutes, Others – None.</p>

47	<u>Parked in a restricted bus stop or bus stand</u> (PCN Higher - £70)	No vehicle other than a bus may wait within a bus stop or bus stand. Observation Period: None.
48	<u>Parked in a restricted area outside of a school during school term time</u> (PCN Higher - £70)	Read all signage to ensure that you are aware of the days and times that the restriction applies. No vehicle is permitted to wait on zig-zag restrictions outside of a school under any circumstances and penalty charge notices will be issued instantly on all occasions. Observation Period: None.
49	<u>Parked wholly or partly on a cycle track</u> (PCN Higher - £70)	Ensure that you check all visible signage and road markings at the location where you wish to park your vehicle and that you are not parked causing an obstruction to the cycle track. Observation Period: None.
55	<u>A commercial vehicle parked in a restricted street in contravention of overnight waiting ban</u> (PCN Higher - £70)	All vehicles in excess of 5 tonnes are excluded from waiting on yellow lines when this restriction is in force. It includes vans or other hired vehicles that exceed the weight limit. Read the signage and ensure that you are aware of the times that the restriction is effective. Observation Period: None.
56	<u>Parked in contravention of a commercial vehicle waiting restriction</u> (PCN Higher - £70)	All vehicles in excess of 5 tonnes are excluded from waiting at a location when this restriction is in force. It includes vans or other hired vehicles that exceed the weight limit. Read the signage and ensure that you are aware of the times that the restriction is effective. Observation Period: None.
99	<u>Stopped on a pedestrian crossing area marked by zig-zags</u> (PCN Higher - £70)	No vehicle should stop on the zig-zag markings at a pedestrian crossing for any reason. You should be aware that this contravention is also considered to be a traffic offence and a Fixed Penalty Notice may be issued by the Police. Observation Period: None.
<u>Off Street Codes</u>		
70	<u>Parked in a loading area during restricted hours without reasonable excuse</u> (PCN Higher - £70)	You must not wait in a loading area unless you have a genuine need to load or unload. Always check all signage to ensure that you are parked within a permitted bay and you are aware of the times that loading restrictions may apply. Observation Period: 5 minutes.
73	<u>Parked without payment of the parking charge</u> (PCN Lower - £50)	Read all signage so that you are aware of the times and charges that apply. Ensure that all tickets purchased are clearly and correctly displayed prior to leaving your vehicle. Blue badge holders must make payment unless signage specifies to the contrary.

Observation Period: 5 minutes.

<u>74</u>	<u>Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited</u> (PCN Higher - £70)	It is not permissible to sell or offer for sale any goods by using any vehicle within a Council car park, without the express permission of the Council. Observation Period: None.
<u>80</u>	<u>Parked for longer than the maximum period permitted</u> (PCN Lower - £50)	Read the signage and take note of the permitted length of stay and no return period. Ensure that your vehicle is moved to another location upon expiry of the permitted period. Observation Period: 5 minutes.
<u>81</u>	<u>Parked in a restricted area in a car park</u> (PCN Higher - £70)	Ensure that you check all markings and signs at the location where you wish to park your vehicle. Do not park within hatched areas or any space that is signed as prohibited. Observation Period: None.
<u>82</u>	<u>Parked after the expiry of paid for time</u> (PCN Lower - £50)	Ensure that you purchase adequate time to allow for the entire duration of your stay and move your vehicle upon expiry of the pay and display ticket. You should check that all pay and display tickets are clearly visible before leaving your vehicle, particularly after closing doors. Observation Period: 6 minutes.
<u>83</u>	<u>Parked in a car park without clearly displaying a valid pay and display ticket or voucher</u> (PCN Lower - £50)	Ensure that all tickets are correctly display prior to leaving your vehicle, particularly after closing doors. Observation Period: 5 minutes.
<u>84</u>	<u>Parked with additional payment made to extend the stay beyond time first purchased</u> (PCN Lower - £50)	Ensure that you purchase adequate time to allow for the entire duration of your stay. Upon expiry of the time shown on your pay and display ticket the vehicle must be moved to another location. Do not purchase any additional tickets beyond the initial ticket paid for. Observation Period: None.
<u>85</u>	<u>Parked in a permit bay without clearly displaying a valid permit</u> (PCN Higher - £70)	Read all applicable signage and any signs alongside the bays that you wish to park in. This will tell you if the selected bay is reserved for permit holders or if a permit is required. Ensure that any permit relied upon is correctly displayed prior to leaving your vehicle. A blue badge is not a permit and does not allow parking in a permit bay. Observation Period: 5 minutes.
<u>86</u>	<u>Parked beyond the bay markings</u> (PCN Lower - £50)	Ensure that you check that your vehicle is correctly parked prior to leaving the location where you have parked. You should seek alternative parking in the event that all the wheels of the vehicle cannot fit fully within the bay markings. Observation Period: None.

87	<u>Parked in a designated disabled persons parking place without displaying a valid disabled persons badge</u> (PCN Lower - £50)	<p>Only park within a disabled bay if you are the holder of a blue badge or conveying the badge holder. Read all signage and check bay markings to ensure that the bay is reserved for use.</p> <p>Observation Period: None.</p>
89	<u>Vehicle parked exceeds the maximum weight or height or length permitted</u> (PCN Higher - £70)	<p>Read the signage within the car park, which will state any weight, height or length restrictions that may apply. Seek alternative parking if your vehicle exceeds any of the restrictions shown.</p> <p>Observation Period: None.</p>
90	<u>Re-parked within determined time of leaving a bay or space in a car park</u> (PCN Lower - £50)	<p>Ensure that you have read the signage and do not return to any location within the no return period stated. Upon expiry of any paid for or permitted time ensure that the vehicle is moved to another location and is not returned within any no return period stated.</p> <p>Observation Period: 5 minutes</p>
91	<u>Parked in a car park or area not designated for that class of vehicle</u> (PCN Higher - £70)	<p>Ensure that you check all signage and bay markings at the bay where you wish to park. Do not park in bays marked for a specific type of vehicle, such as motorcycles, unless you are driving that type of vehicle.</p> <p>Observation Period: 5 minutes.</p>
92	<u>Parked causing an obstruction</u> (PCN Higher - £70)	<p>Ensure that you only park within marked and designated bays within a car park. Do not park in hatched or restricted areas or outside of bay markings.</p> <p>Observation Period: None.</p>
93	<u>Parked in a car park when closed</u> (PCN Lower - £50)	<p>Ensure that you read the car park signage and note the closure time stated.</p> <p>Observation Period: 5 minutes.</p>
95	<u>Parked in a parking place for a purpose other than the designated purpose for the parking place</u> (PCN Lower - £50)	<p>Ensure that you check all signage and bay markings at the location where you wish to park. This will tell you if the selected location is reserved for a specific purpose. You should seek alternative parking if the purpose does not apply to your vehicle.</p> <p>Observation Period: 5 minutes.</p>

Appendix C

This shows the statutory grounds on which a PCN may be challenged.

- Was not the owner of the vehicle in question, at the time of the contravention.
- The vehicle was parked by a person who was in control of it without owners consent (proof such as police crime report number and police station address or insurance claim details required).
- Hire firm and the person hiring the vehicle has signed a statement of liability (copy of valid signed hire agreement required).
- The alleged contravention did not occur (explain reasons).
- The penalty exceeded the amount applicable in the circumstances of the case (that is if the motorist has been asked to pay more than he is legally liable to pay).
- The relevant designation order was invalid (the motorists believes the parking restriction in question was invalid or illegal).
- There has been a procedural impropriety on behalf of the authority (state why you believe the authority has acted improperly or in breach of the regulations).
- The penalty charge notice was paid, either in full or at the discount rate within the discount period.

In addition to the above, if there are any other mitigating circumstances why the motorist considers the Council should cancel the penalty charge notice, they can set out those reasons in full.

Appendix D

Principle reasons for cancellation of Penalty Charge Notices during 2011/12 are shown below:

Reason for Cancellation	Number of penalties cancelled
Mitigating circumstances/Council decision	208
Valid permit/season ticket produced	32
Disabled badge – 1 st contravention	104
CEO error	49
Valid pay and display ticket produced	30
Loading evidence provided	26
Breakdown evidence provided	23
Signs and Lines defects	11
Other evidence provided	3