

Waste & Street Scene Policy Committee

**Wednesday 27 September 2023 at
10.00 am**

**To be held in the Town Hall,
Pinstone Street, Sheffield, S1 2HH**

The Press and Public are Welcome to Attend

Membership

Councillor Joe Otten
Councillor Mark Jones
Councillor Alexi Dimond
Councillor Sue Alston
Councillor Christine Gilligan
Kubo
Councillor Tim Huggan
Councillor Dianne Hurst
Councillor Sioned-Mair
Richards
Councillor Garry Weatherall

PUBLIC ACCESS TO THE MEETING

The Waste and Street Scene Policy Committee discusses and takes decisions on:

- Highway maintenance and management
- Waste management
- Parking Services (management and enforcement)
- City Centre management
- Markets
- Regulatory licensing policy
- Statutory licensing policy development (to be referred to Strategy and Resources Policy Committee for decision on submission to Full Council as part of Budget and Policy Framework)
- Environmental Regulation

Meetings are chaired by Councillor Joe Otten.

A copy of the agenda and reports is available on the Council's website at www.sheffield.gov.uk . You may not be allowed to see some reports because they contain confidential information. These items are usually marked * on the agenda. Members of the public have the right to ask questions or submit petitions to Policy Committee meetings and recording is allowed under the direction of the Chair. Please see the [Council's webpage](#) or contact Democratic Services for further information regarding public questions and petitions and details of the Council's protocol on audio/visual recording and photography at council meetings.

Policy Committee meetings are normally open to the public but sometimes the Committee may have to discuss an item in private. If this happens, you will be asked to leave. Any private items are normally left until last on the agenda.

Meetings of the Policy Committee have to be held as physical meetings. If you would like to attend the meeting, please report to an Attendant in the Foyer at the Town Hall where you will be directed to the meeting room. However, it would be appreciated if you could register to attend, in advance of the meeting, by emailing committee@sheffield.gov.uk, as this will assist with the management of attendance at the meeting. The meeting rooms in the Town Hall have a limited capacity. We are unable to guarantee entrance to the meeting room for observers, as priority will be given to registered speakers and those that have registered to attend.

Alternatively, you can observe the meeting remotely by clicking on the 'view the webcast' link provided on the meeting page of the [website](#).

If you wish to attend a meeting and ask a question or present a petition, you must submit the question/petition in writing by 9.00 a.m. at least 2 clear working days in advance of the date of the meeting, by email to the following address: committee@sheffield.gov.uk.

In order to ensure safe access and to protect all attendees, you will be recommended to wear a face covering (unless you have an exemption) at all times within the venue. Please do not attend the meeting if you have COVID-19 symptoms. It is also recommended that you undertake a Covid-19 Rapid Lateral Flow Test within two days of the meeting.

If you require any further information please email committee@sheffield.gov.uk.

FACILITIES

There are public toilets available, with wheelchair access, on the ground floor of the Town Hall. Induction loop facilities are available in meeting rooms. Access for people with mobility difficulties can be obtained through the ramp on the side to the main Town Hall entrance.

**WASTE & STREET SCENE POLICY COMMITTEE AGENDA
27 SEPTEMBER 2023**

Order of Business

Welcome and Housekeeping

The Chair to welcome attendees to the meeting and outline basic housekeeping and fire safety arrangements.

1. Apologies for Absence

2. Exclusion of Press and Public

To identify items where resolutions may be moved to exclude the press and public.

(NOTE: Appendix 3 to the report at item 9 on the agenda – Amey Performance Report – is not for publication because it contains confidential information under Section 100A of the Local Government Act 1972 [as amended]).

3. Declarations of Interest

(Pages 7 - 10)

Members to declare any interests they have in the business to be considered at the meeting.

4. Minutes of Previous Meeting

(Pages 11 - 18)

To approve the minutes of the last meeting of the Committee held on 21 June 2023.

5. Public Questions and Petitions

To receive any questions or petitions from members of the public.

(NOTE: There is a time limit of up to 30 minutes for the above item of business. In accordance with the arrangements published on the Council's website, questions/petitions at the meeting are required to be submitted in writing, to committee@sheffield.gov.uk, by 9.00 a.m. on 25th September 2023).

6. Members' Questions

To receive any questions from Members of the committee on issues which are not already the subject of an item of business on the Committee agenda – Council Procedure Rule 16.8.

(NOTE: a period of up to 10 minutes shall be allocated for Members' supplementary questions).

7. **Work Programme** (Pages 19 - 34)
Report of the Director of Policy and Democratic Engagement

Formal Decisions

8. **Quarter 1 Budget Monitoring (2023/24)** (Pages 35 - 46)
Report of the Director of Finance and Commercial Services
9. **Review of Amey Performance Challenge** (To Follow)
Report of the Executive Director, Neighbourhood Services
10. **Glyphosate Reduction Trial Update: Highways** (Pages 47 - 60)
Report of the Executive Director, Neighbourhood Services
11. **Civil Parking and Bus Lane Enforcement Policy** (Pages 61 - 264)
Report of the Executive Director, Neighbourhood Services
12. **Christmas Parking Offer** (To Follow)
Report of the Executive Director, Neighbourhood Services

NOTE: The next meeting of Waste & Street Scene Policy Committee will be held on Wednesday 15 November 2023 at 10.00 am

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ADVICE TO MEMBERS ON DECLARING INTERESTS AT MEETINGS

If you are present at a meeting of the Council, of its Policy Committees, or of any committee, sub-committee, joint committee, or joint sub-committee of the authority, and you have a **Disclosable Pecuniary Interest** (DPI) relating to any business that will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your Disclosable Pecuniary Interest during the meeting, participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

You **must**:

- leave the room (in accordance with the Members' Code of Conduct)
- make a verbal declaration of the existence and nature of any DPI at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- declare it to the meeting and notify the Council's Monitoring Officer within 28 days, if the DPI is not already registered.

If you have any of the following pecuniary interests, they are your **disclosable pecuniary interests** under the new national rules. You have a pecuniary interest if you, or your spouse or civil partner, have a pecuniary interest.

- Any employment, office, trade, profession or vocation carried on for profit or gain, which you, or your spouse or civil partner undertakes.
- Any payment or provision of any other financial benefit (other than from your council or authority) made or provided within the relevant period* in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

*The relevant period is the 12 months ending on the day when you tell the Monitoring Officer about your disclosable pecuniary interests.

- Any contract which is made between you, or your spouse or your civil partner (or a body in which you, or your spouse or your civil partner, has a beneficial interest) and your council or authority –
 - under which goods or services are to be provided or works are to be executed; and
 - which has not been fully discharged.

- Any beneficial interest in land which you, or your spouse or your civil partner, have and which is within the area of your council or authority.
- Any licence (alone or jointly with others) which you, or your spouse or your civil partner, holds to occupy land in the area of your council or authority for a month or longer.
- Any tenancy where (to your knowledge) –
 - the landlord is your council or authority; and
 - the tenant is a body in which you, or your spouse or your civil partner, has a beneficial interest.
- Any beneficial interest which you, or your spouse or your civil partner has in securities of a body where -
 - (a) that body (to your knowledge) has a place of business or land in the area of your council or authority; and
 - (b) either -
 - the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you, or your spouse or your civil partner, has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

If you attend a meeting at which any item of business is to be considered and you are aware that you have a **personal interest** in the matter which does not amount to a DPI, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent. You should leave the room if your continued presence is incompatible with the 7 Principles of Public Life (selflessness; integrity; objectivity; accountability; openness; honesty; and leadership).

You have a personal interest where –

- a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing (including interests in land and easements over land) of you or a member of your family or a person or an organisation with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the Authority's administrative area, or
- it relates to or is likely to affect any of the interests that are defined as DPIs but are in respect of a member of your family (other than a partner) or a person with whom you have a close association.

Guidance on declarations of interest, incorporating regulations published by the Government in relation to Disclosable Pecuniary Interests, has been circulated to you previously.

You should identify any potential interest you may have relating to business to be considered at the meeting. This will help you and anyone that you ask for advice to fully consider all the circumstances before deciding what action you should take.

In certain circumstances the Council may grant a **dispensation** to permit a Member to take part in the business of the Authority even if the member has a Disclosable Pecuniary Interest relating to that business.

To obtain a dispensation, you must write to the Monitoring Officer at least 48 hours before the meeting in question, explaining why a dispensation is sought and desirable, and specifying the period of time for which it is sought. The Monitoring Officer may consult with the Independent Person or the Council's Standards Committee in relation to a request for dispensation.

Further advice can be obtained from David Hollis, Interim General Counsel by emailing david.hollis@sheffield.gov.uk.

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Waste & Street Scene Policy Committee

Meeting held 21 June 2023

PRESENT: Councillors Joe Otten (Chair), Mark Jones (Deputy Chair), Christine Gilligan Kubo, Tim Huggan, Dianne Hurst, Barbara Masters (Substitute Member), Ruth Mersereau (Substitute Member), Mike Chaplin (Substitute Member) and Sioned-Mair Richards

1. APOLOGIES FOR ABSENCE

1.1 Apologies for absence were received from Councillor Alexi Dimond, Councillor Sue Alston and Councillor Garry Weatherall. Councillor Ruth Mersereau, Councillor Barbara Masters and Councillor Mike Chaplin attended as substitute members.

2. EXCLUSION OF PRESS AND PUBLIC

2.1 No items were identified where resolutions may be moved to exclude the press and public.

3. DECLARATIONS OF INTEREST

3.1 There were no declarations of interest.

4. MINUTES OF PREVIOUS MEETING

4.1 The Minutes of the meetings of the Committee held on 22 March and 17 May 2023 were approved as a correct record.

5. APPOINTMENTS TO URGENCY SUB-COMMITTEE

5.1 **RESOLVED UNANIMOUSLY:** That Waste and Street Scene Policy Committee:-

1. Agrees to appoint Councillor Sioned Mair-Richards to serve on the Waste and Street Scene Urgency Sub-Committee; and
2. As respects the appointment of Members to serve on the Urgency Sub-Committee or any other Sub-Committee of the Waste and Street Scene Policy Committee, where vacancies exist or in cases of urgency to ensure quoracy or representation, the Monitoring Officer, in consultation with the relevant political group whip, be authorised to appoint Members to serve on such Sub-Committees, as necessary, on the understanding that details of such appointments will be reported to the next or subsequent meetings of the Waste and Street Scene Policy Committee.

6. PUBLIC QUESTIONS AND PETITIONS

6.1 A question had been submitted from James Martin regarding the changes to the

Hackney Carriage Vehicle Licence Policy. James Martin was unable to attend the meeting and would be provided with a written response.

7. WORK PROGRAMME

- 7.1 The Principal Democratic Services Officer submitted a report containing the Committee's Work Programme which detailed all known, substantive agenda items for forthcoming meetings of the Committee to enable this Committee, other Committees, officers, partners and the public to plan their work with and for the Committee.
- 7.2 It was requested that the delays in bringing the Parking Enforcement Policy to the Committee be noted.
- 7.3 Members asked how the public were able to engage with reviews, particularly the review of the district energy network and glyphosate trials; officers agreed to look at how public engagement was carried out on these reviews.
- 7.4 Members proposed a number of additional items for the work programme including the kennelling project, actions from the response to the Street Tree Inquiry report, fly tipping and graffiti, the 'Team around the place' project, Stannington water leak and a public engagement session.
- 7.5 Members discussed the review of Amey scheduled for the Committee meeting in September and requested that the views of all Members be sought prior to the meeting to give Members a full picture of the experiences across all the wards.
- 7.6 Officers agreed to seek clarification that the items on Hostile Vehicle Mitigation measures and the District Energy Network fell under the remit of this Committee.
- 7.7 **RESOLVED UNANIMOUSLY:** That Waste and Street Scene Policy Committee:-
1. Agrees the Committee's work programme, as set out in Appendix 1, including the additions and amendments identified in Part 1;
 2. Considers the further additions or adjustments to the work programme presented in Part 2 of Appendix 1; and
 3. Agrees the following items to be added to Part 2 of Appendix 1 of the next work programme report:
 - a. Kennelling project update;
 - b. Progress update and plan for delivering the actions referred to the Waste and Street Scene Policy Committee by the Strategy and Resources Policy Committee on 19 June 2023, as detailed in Annex A of the 'Learning from the past and moving ahead: Response to the Sheffield Street Tree Inquiry' report;
 - c. Briefing on fly tipping and graffiti;
 - d. Briefing on the 'Team around the place' project;

- e. Review of the emergency planning response to the Stannington water leak; and
- f. Public engagement session, topic(s) to be confirmed.

7.8 **Reasons for Decision**

- 7.8.1 To give the committee members an opportunity to consider the direction of the work programme, align it with their key priorities and create a manageable workload for the committee.

7.9 **Alternatives Considered and Rejected**

- 7.9.1 It was determined that the work programme presented by officers did not meet member priorities and required further consideration in terms of the workload of the committee.

8. **REVENUE BUDGET MONITORING REPORT - MONTH 12**

- 8.1 The Head of Accounting introduced the report which brought the Committee up to date with the Council's final revenue outturn position for 2022/23.

- 8.2 **RESOLVED UNANIMOUSLY:** That Waste and Street Scene Policy Committee note the updated information and management actions provided by this report on the 2022/23 Revenue Budget Outturn.

8.3 **Reasons for Decision**

- 8.3.1 To formally record changes to the Revenue Budget.

8.4 **Alternatives Considered and Rejected**

- 8.4.1 The Council is required to both set a balance budget and to ensure that in-year income and expenditure are balanced. No other alternatives were considered.

9. **HACKNEY CARRIAGE VEHICLE LICENCE POLICY**

- 9.1 The Licensing Strategy and Policy Officer submitted a report seeking approval for an amendment to a technical element of the Hackney Carriage Vehicle Licence Policy, specifically part 9 – Hackney Carriage Vehicle Specification. The amendment would provide clearer information and guidance for applicants on applications, decision-making and enforcement.

- 9.2 Members requested that the Licensing Officers meet with James Martin to discuss the concerns raised in his public question.

- 9.3 **RESOLVED UNANIMOUSLY:** That Waste and Street Scene Policy Committee approves the proposed amendment to the Hackney Carriage Vehicle Specification

at Appendix A to this report to come into force with immediate effect.

9.4 **Reasons for Decision**

9.4.1 It is recommended that Members approve the amendments to the Hackney Carriage Vehicle Specification in order to allow the licensing of rear-loading vehicles as intended.

9.5 **Alternatives Considered and Rejected**

9.5.1 There are no alternative options under consideration.

10. **FOOD SAFETY PLAN**

10.1 The Head of Environmental Regulation and Licensing presented a report seeking approval for a risk-based Service Plan for 2023/24 with respect to Food Safety and Food Standards interventions. As a statutory body in respect of delivering food controls, Sheffield City Council is required to follow guidance from the Food Standards Agency (FSA) with respect to Food Hygiene and Standards. The guidance requires the Council to deliver a Service Plan that includes a programme of inspection of food businesses for 2023/24.

10.2 During the covid pandemic, there were periods when routine work was suspended and many businesses closed; this, along with the national shortages of qualified staff, had adversely impacted many of the Councils' inspection programmes. The Service Plan set out proposals for fulfilling the Council's Hygiene and Standards responsibilities over the next year, including how it was proposed to respond to the backlog in food visits that remained.

10.3 **RESOLVED UNANIMOUSLY:** That Waste and Street Scene Policy Committee:-

- a) Approve the Service Plan including the risk-based food programme proposals in the attached report concerning Food Safety and Standards; and,
- b) Note the necessary overspend in this area to enable statutory duties to be met and the backlog to be reduced which will be mitigated by savings achieved elsewhere in Street Scene and Regulation in 23/24.

10.4 **Reasons for Decision**

10.4.1 We are required to produce a Service Plan setting out amongst other things how we will meet our obligations in terms of activities such as inspections.

10.4.2 Previously, we made full use of the flexibilities given us by the FSA during the pandemic and have met most of the recovery plan milestones in the FSA plan. However, the return to regular inspection programmes and frequency this year requires us to deliver an unprecedented number of inspections at a time when

there are reduced qualified staff nationally. As such we will continue to take a risk-based approach and do all we can to reduce risk to public health. To deliver the programme, will inevitably mean an overspend. A risk-based approach to tackling the large number of inspections will be taken. To deliver the large number of visits we will need to take on additional staff to meet these statutory guidelines.

- 10.4.3 We believe these proposals meet the requirements to produce a statutory food plan:

'The plan must cover all areas of food law the Competent Authority has a duty to enforce, be documented in accordance with Chapter 2 of the Practice Guidance and the Framework Agreement. It must set out how the Competent Authority intends to deliver and resource official food controls and other official activities in its area and address any variance in meeting the outcomes of the previous service plan. A performance review must be carried out at least once per year and be documented. The plan must be submitted for approval by a relevant member forum or relevant senior officer' (Food Law Code of Practice (England) (issued March 2021).'

10.5 **Alternatives Considered and Rejected**

- 10.5.1 As part of a wider structural review, we are reviewing the organisation of Food Standards and Hygiene delivery to ensure best value and the most efficient use of resources. This is also required to minimise the overall regulatory burdens on businesses. A combined hygiene and standards visit would reduce standards backlogs but would reduce the number of hygiene visits – the cost benefits will be shared with members in June.
- 10.5.2 We could choose to not follow the Food Law Code of Practice guidance, however, as highlighted above the FSA would be likely to directly intervene to ensure the requirements of the Code were followed. This would be a reputational risk and would not be in the best interests of our residents.
- 10.5.3 Previous Project Management studies have reviewed the cost benefits of the use of Contract staff versus in house staff and concluded that the hybrid model provides best value for money. However, given current problems we need to recruit additional inhouse staff.
- 10.5.4 If our Contractor is unable to provide additional resource during the plan, we will inevitably carry forward at least 1100 medium to low-risk interventions which we are required to complete by statute. Employing additional 'food competent' officers to concentrate on medium to low-risk interventions, would allow us to clear the backlogs and be in a safer position by 2024/25 so that is what we propose to do. It is proving difficult to recruit temporary staff due to national shortages of contractors hence the need to take on additional permanent staff.
- 10.5.5 Flexibilities in the Current Code of Practice allow us to use alternative means of conducting the lowest risk interventions which we will do.

11. PEST CONTROL AND CLEARANCE CHARGES 2023/24

11.1 The Head of Environmental Regulation and Licensing introduced a report which set out proposals to increase the current fees and charges structure for pest control.

11.2 **RESOLVED UNANIMOUSLY:** That Waste and Street Scene Policy Committee approves the changes to the fees and charges set out in the appendices to this report.

11.3 Reasons for Decision

11.3.1 We believe these proposals will allow the service to cover the cost increases it is facing on materials, salaries, and transport. The service also has to cover the cost of free, subsidised and statutory obligations.

Appendix 1 shows current proposal for Fees and Income uplift.

Appendix 2 shows fees and charges from previous year.

Appendix 3 shows the full year income was £908k, the estimated income at approximately 10% increase over a full year is £998k.

11.4 Alternatives Considered and Rejected

11.4.1 This continues a principle of subsidised public health significant pest control for people on low income, however SCC is not obliged to offer that. However without some subsidised pest control and or a major increase in enforcement, it is hard to see how SCC can meet its equalities, public health and cost of living ambitions.

11.4.2 These proposals continue to provide some concession to allow short or long term tenants to proactively request and pay for where required some pest services. An alternative approach could be to put the onus back on landowners to keep their land free of public health significant pests like rodents, cockroaches, and bedbugs and if the land or property is rented there is no concession available as there is an income for the owner for the land which should help pay for the treatment.

11.4.3 We will bring proposals on the cost benefits of such a proposal to a future committee in 2023. Such proposals would also consider the cost benefits of whether an entirely free service should be maintained and whether some contribution should be expected even for concessionary rat treatment which is currently free.

11.4.4 Previous project reviews have considered the cost benefits of the use of inhouse v contracted out pest control services and concluded that the inhouse model provides best value for money in that a well run inhouse commercial service can help reduce the cost of subsidised / free services and reduce enforcement costs.

12. REVIEW OF CRYSTAL PEAKS MARKET SERVICE CHARGE

- 12.1 The Interim Operations Manager City Centre Maintenance and Sheffield Markets introduced a report reviewing the service charge paid by traders at Crystal Peaks Market Place. There had not been an increase passed on to traders in several years despite the operational cost of the market increasing. The report set out the impact of under-recovery and proposed options in relation to service charges going forward.
- 12.2 Members raised concerns that the proposed service charge increase would have a detrimental impact on the number of market traders and negatively impact footfall to the market. Members requested that a report be submitted to the Committee meeting in September that provided proposals on how to improve the performance of the market and a longer-term plan for increasing the service charge.
- 12.3 **RESOLVED UNANIMOUSLY:** That Waste and Street Scene Policy Committee requests that the report comes back to a future meeting of the Committee to enable the Committee to review the service charge paid by traders alongside consideration of future plans to improve the performance of the markets.
- 12.4 **Reasons for Decision**
- 12.4.1 The Committee rejected the officer recommendations due to concerns that increasing the service charge would have an adverse impact on the occupancy levels of the market and footfall. The Committee requested that a review be undertaken of the options for improving the performance of the market in conjunction with a review of the service charge; this would enable the Committee to consider the options for setting the service charge and the implications that an increase would have on traders and customers.
- 12.5 **Alternatives Considered and Rejected**
- 12.5.1 The alternative options that were considered were outlined in paragraphs 1.6.1 to 1.6.3 of the report. The option to do nothing (1.6.1) had been rejected due to the unsustainable nature of the increasing subsidy required on operational costs.
- 12.5.2 The option to move straight to full cost recovery (1.6.3) would be too much of an impact on the tenants. It was likely to create significant cost pressures that were too large to pass straight on to customers and may increase the markets vacancy rate, which would negatively financially impact the budgets for service charges and rents. Overall, it could undermine the financial position rather than improve it.
- 12.5.3 The Committee rejected the recommended option of an increase of 50% (1.6.2) so that a review of the plans to improve the performance of the market could be undertaken prior to a decision on the service charge.

(NOTE: During the discussion of the above item, the Committee agreed, in

accordance with Council Procedure rules, that, as the meeting was approaching the 2 hours and 30 minutes time limit, the meeting a) should be extended by a period of 30 minutes and b) should be extended by a further period of 30 minutes.)

(NOTE: Councillors Christine Gilligan Kubo, Sioned Mair-Richards and Ruth Mersereau left the meeting during the discussion on the above item.)



Report to Waste and Street Scene Policy Committee

27th September 2023

Report of: Director of Policy and Democratic Engagement

Subject: Committee Work Programme

Author of Report: Rachel Appleyard, Principal Democratic Services Officer

Summary:

The Committee's Work Programme is attached at Appendix 1 for the Committee's consideration and discussion. This aims to show all known, substantive agenda items for forthcoming meetings of the Committee, to enable this committee, other committees, officers, partners and the public to plan their work with and for the Committee.

Any changes since the Committee's last meeting, including any new items, have been made in consultation with the Chair, and the document is always considered at the regular pre-meetings to which all Group Spokespersons are invited.

The following potential sources of new items are included in this report, where applicable:

- Questions and petitions from the public, including those referred from Council
- References from Council or other committees (statements formally sent for this committee's attention)
- A list of issues, each with a short summary, which have been identified by the Committee or officers as potential items but which have not yet been scheduled (See Appendix 1)

The Work Programme will remain a live document and will be brought to each Committee meeting.

Recommendations:

1. That the Committee's work programme, as set out in Appendix 1 be agreed, including any additions and amendments identified in Part 1;

2. That consideration be given to the further additions or adjustments to the work programme presented at Part 2 of Appendix 1;
3. That Members give consideration to any further issues to be explored by officers for inclusion in Part 2 of Appendix 1 of the next work programme report, for potential addition to the work programme.

Background Papers: None

Category of Report: Open

COMMITTEE WORK PROGRAMME

1.0 Prioritisation

1.1 For practical reasons this committee has a limited amount of time each year in which to conduct its formal business. The Committee will need to prioritise firmly in order that formal meetings are used primarily for business requiring formal decisions, or which for other reasons it is felt must be conducted in a formal setting.

1.2 In order to ensure that prioritisation is effectively done, on the basis of evidence and informed advice, Members should usually avoid adding items to the work programme which do not already appear:

- In the draft work programme in Appendix 3 due to the discretion of the chair; or
- within the body of this report accompanied by a suitable amount of information.

2.0 References from Council or other Committees

2.1 Any references sent to this Committee by Council, including any public questions, petitions and motions, or other committees since the last meeting are listed here, with commentary and a proposed course of action, as appropriate:

Issue	Actions set out in Annex A of the 'Learning from the past and moving ahead: Response to the Sheffield Street Tree Inquiry'
Referred from	Strategy and Resources Policy Committee on 19 June 2023
<i>Details</i>	The report 'Learning from the past and moving ahead: Response to the Sheffield Street Tree Inquiry' set out a number of actions that the Council would take in response to the inquiry report. Some of these actions fall under the responsibility of this Committee, see Annex A for full details: Annex A Tree Response actions table.pdf (sheffield.gov.uk)
<i>Commentary/ Action Proposed</i>	Report to this Committee providing a progress update on the actions.

3.0 Member engagement, learning and policy development outside of Committee

3.1 Subject to the capacity and availability of councillors and officers, there are a range of ways in which Members can explore subjects, monitor information and develop their ideas about forthcoming decisions outside of formal meetings. Appendix 2 is an example 'menu' of some of the ways this could be done. It is entirely appropriate that member development, exploration and policy development should in many cases take place in a private setting, to allow members to learn and formulate a position in a neutral space before bringing the issue into the public domain at a formal meeting.

3.2 Training & Skills Development - Induction programme for this committee.

Title	Description & Format	Date
Waste and Highways PFI	Teams presentation to all new members of the committee on the Waste and Highways PFI contracts	Completed
Street Scene & Regulation	Teams presentation on the services within SS&R and the lead officers	Completed
Visit to the Energy Recycling Facility	To see the ERF plant in action and gain a wider understanding of how waste is dealt with and used to provide electricity and heat	Completed
Parking Services	Walk round with a particular focus on one aspect e.g. street parking, match day parking.	TBC
CCTV	Night-time visit to the CCTV control room.	TBC
Sheffield Street Tree Partnership	These sessions are being run specifically for elected members and will offer the opportunity to find out more about Sheffield Street Tree Partnership; who they are and their work to deliver the vision of a network of street trees that Sheffield can be proud of *book via Eventbrite (Email gone out to all Cllrs)	Completed

Appendix 1 – Work Programme

Part 1: Proposed additions and amendments to the work programme since the last meeting:

Item	Proposed Date	Note
NEW: Review of Annual Parking Report	November 2023	The Annual Parking report 2022/23- containing finance and performance figures – statutory publication.
NEW: 2024 to 2027 Revenue and Capital Budget	November 2023	
NEW: Kennelling Project Update	December 2023	Update report on the decision to outsource via Committee on the 23 November 2022.
NEW: Connected by Water, assets and infrastructure and sewer management	December 2023	Consultation on Yorkshire Water’s Business Plan.
NEW: Review of the Graffiti and Fly tipping Project	February 2024	Report to provide a review of the project and identify the impact of the work.
MOVED: Review of General Licensing Fees and Charges	November 2023	Moved from September to allow for consultation.
MOVED: Food Waste Collection trial and future options	November 2023	Moved from September.
MOVED: Review of Taxi Licensing Fees and Charges	November 2023	Moved from September to allow for consultation with the trade.
MOVED: Review of Crystal Peaks Market Service Charge	November 2023	Moved to allow session with Cllrs and Traders in September.
MOVED: Future Waste Collection Service Options for Consultation	February 2024	Moved from November as the new Government guidance has not been published yet.
MOVED: Review of Hostile Vehicle Mitigation (HVM) measures	2024	Review delayed due to long term sickness. Current measures compliant with SYP recommendations.
MOVED: Safety at Sports Grounds Policy	2024	Moved from November meeting.
MOVED: Review of District Energy Network and future opportunities	2024	Moved from November meeting.

Part 2: List of other potential items not yet included in the work programme

Issues that have recently been identified by the Committee, its Chair or officers as potential items but have not yet been added to the proposed work programme. If a Councillor raises an idea in a meeting and the committee agrees under recommendation 3 that this should be explored, it will appear either in the work programme or in this section of the report at the committee’s next meeting, at the discretion of the Chair.

Topic	
Description	
Lead Officer/s	
Item suggested by	
Type of item	
Prior member engagement/ development required <i>(with reference to options in Appendix 2)</i>	
Public Participation/ Engagement approach <i>(with reference to toolkit in Appendix 3)</i>	
Lead Officer Commentary/Proposed Action(s)	

Part 3: Agenda Items for Forthcoming Meetings

Meeting 2 23/24	27 September 2023	10am				
Topic	Description	Lead Officer/s	Type of item <ul style="list-style-type: none"> • <i>Decision</i> • <i>Referral to decision-maker</i> • <i>Pre-decision (policy development)</i> 	<i>(re: decisions)</i> Prior member engagement/ development required	<i>(re: decisions)</i> Public Participation/ Engagement approach	Final decision-maker (& date) <ul style="list-style-type: none"> • This Cttee • Another Cttee (eg S&R) • Full Council • Officer

			• <i>Post-decision (service performance/ monitoring)</i>	<i>(with reference to options in Appendix 1)</i>	<i>(with reference to toolkit in Appendix 2)</i>	
Standing items	<ul style="list-style-type: none"> • <i>Public Questions/ Petitions</i> • <i>Work Programme</i> • <i>Any other committee-specific standing items eg finance or service monitoring</i> 					
2023/24 Quarter 1 Budget Monitoring		Jane Wilby / Philip Gregory	Decision			This Cttee
Review of Amey Performance challenge	Requested at December Committee	Davina Millership	Post-decision	Report to Waste and Street Scene Policy Committee on in December 2022		This Cttee
Review of glyphosate trials and options	Review following trials and setting out options	Davina Millership	Pre-decision	Written briefing for the committee or all members		This Cttee
Potential Christmas Parking Offer	Awaiting details	Sabia Hanif	Decision	Written briefing for the committee or all members	Consult Retail sector	This Cttee
Parking Enforcement Policy	City Wide Parking Policy Review	Sabia Hanif	Decision	Further discussion with W&SS members prior to meeting.	Public consultation taken place including online citywide consultation and engagement with disability access groups. Consultation with councillors will take place	This Cttee

					as part of ongoing monthly briefings	
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Meeting 3 23/24	15 November 2023	10am				
Topic	Description	Lead Officer/s	Type of item <ul style="list-style-type: none"> • Decision • Referral to decision-maker • Pre-decision (policy development) • Post-decision (service performance/ monitoring) 	<i>(re: decisions)</i> Prior member engagement/ development required <i>(with reference to options in Appendix 1)</i>	<i>(re: decisions)</i> Public Participation/ Engagement approach <i>(with reference to toolkit in Appendix 2)</i>	Final decision-maker (& date) <ul style="list-style-type: none"> • This Cttee • Another Cttee (eg S&R) • Full Council • Officer
Standing items	<ul style="list-style-type: none"> • Public Questions/ Petitions • Work Programme • Any other committee-specific standing items eg finance or service monitoring 					
Update on Hackney Carriage Vehicles	Progress on introducing greener vehicles into the hackney carriage vehicle fleet	Craig Harper	Post-decision			This Cttee
NEW: 2024 to 2027 Revenue and Capital Budget	Budget papers setting out Members recommendations for mitigating the pressures plus any new/emerging pressures or investment choices	Philip Gregory / Richard Eyre	Decision			

NEW: Review of Annual Parking Report	The Annual Parking report 2022/23- containing finance and performance figures – stat publication	Sabia Hanif	Performance report? Endorsement?	Written briefing for the committee or all members		This Cttee
MOVED: Review of General Licensing Fees and Charges	Review of Licensing Fees and Charges	Claire Bower	Decision	Written briefing for the committee or all members	Public consultation on vehicle and operator fees	This Cttee
MOVED: Review of Taxi Licensing Fees and Charges	Review of Licensing Fees and Charges	Claire Bower	Decision	Written briefing for the committee or all members	The report will be informed by consultation with taxi trade bodies and the Taxi Trade Forum, as well as online consultation promoted via Gov.Delivery	This Cttee
MOVED: Review of Crystal Peaks Market Service Charge	Report setting out a review of annual service charges paid by traders	Liam Pond / Ben Brailsford	Decision	Written briefing for the committee or all members	Consultation with Crystal Peaks market Traders via the Traders Forum Meeting, online platforms and routine feedback.	This Cttee
MOVED: Food Waste Collection trial and future options	Report to committee setting out parameters for a new city wide, weekly food waste collection,	Neil Townrow	Decision	Food Waste Recycling Collection Trial report to Waste and Street Scene	This report will be informed by feedback from the trial service	This Cttee

	incorporating the lessons learnt from trial service (Sept – Nov 22)			Policy Committee, 22nd June.	and seeks approval for consultation and the methodologies to be used.	
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Meeting 4 23/24	20 December 2023	10am				
Topic	Description	Lead Officer/s	Type of item	(re: decisions) Prior member engagement/ development required (with reference to options in Appendix 1)	(re: decisions) Public Participation/ Engagement approach (with reference to toolkit in Appendix 2)	Final decision-maker (& date)
Standing items	<ul style="list-style-type: none"> • Public Questions/ Petitions • Work Programme • Any other committee-specific standing items eg finance or service monitoring 					
2023/24 Quarter 2 Budget Monitoring		Jane Wilby / Philip Gregory	Decision			This Cttee
Review of Market Energy Charges	6-month review following decision by Committee in March 2023	Liam Pond / Ben Brailsford	Decision	Report to Waste and Street Scene Policy Committee on 22 March 2023.		This Cttee

Moor Markets Service Charge Review	Awaiting details	Liam Pond / Ben Brailsford	Decision	Awaiting details	Awaiting details	This Cttee
Response to the Street Tree Inquiry	Follow up on recommendations within W&SS remit from the Lowcock Report and look at strengthening the remit of the street tree partnership and implement relevant actions	Richard Eyre	Post-decision			This Cttee
NEW: Kennelling Project Update	Update report on the decision to outsource via Committee on the 23 rd November 2022	Ian Ashmore	Post Decision	Shared via knowledge briefing with Cllrs.	Staff and Cllrs	This Cttee
NEW: Connected by Water, assets & infrastructure and sewer management	Update from Yorkshire Water on their business plan This will be for information-sharing and informal feedback to YW	Tim Myatt (External) Facilitated by Richard Eyre	Post Decision	Consultation	Awaiting details	This Cttee

Meeting 5 23/24	14 February 2024	10am				
Topic	Description	Lead Officer/s	Type of item <ul style="list-style-type: none"> • Decision • Referral to decision-maker • Pre-decision (policy development) 	<i>(re: decisions)</i> Prior member engagement/ development required <i>(with reference to options in Appendix 1)</i>	<i>(re: decisions)</i> Public Participation/ Engagement approach <i>(with reference to toolkit in Appendix 2)</i>	Final decision-maker (& date) <ul style="list-style-type: none"> • This Cttee • Another Cttee (eg S&R) • Full Council • Officer

			• <i>Post-decision (service performance/ monitoring)</i>			
Standing items	<ul style="list-style-type: none"> • <i>Public Questions/ Petitions</i> • <i>Work Programme</i> • <i>Any other committee-specific standing items eg finance or service monitoring</i> 					
Sexual Entertainment Venues	Report on developing a policy on Sexual Entertainment Venues		Decision			This Cttee
NEW: Review of the Graffiti and Fly tipping Project	Report to provide a review of the project and identify the impact of the work	Ian Ashmore	Post-Decision			This Cttee
Discussion on Markets development options for indoor and outdoor	Report on proposals to address outdoor market reduced trading days and future options for indoor market improvements	Ben Brailsford	Pre-Decision			This Cttee
MOVED: Future Waste Collection Service Options for Consultation	The council will be introducing new weekly food waste collections and collecting more types of plastic for recycling to meet our new legal obligations of the Environment Act 1990. The report set out options for future waste collection services, compares different collection services (box collection versus bins)	Neil Townrow	Strategy/ policy development, feedback from the consultation will inform future decision.	Written briefing for the committee and/or all members.	Public consultation to include citywide online consultation via Have Your Say Sheffield, engagement through LACs, targeted discussions with Access	This Cttee

	and our consultation strategy.				Liaison Group, Universities and VCF partners.	
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Meeting 6 23/24	13 March 2024	10am				
Topic	Description	Lead Officer/s	Type of item	(re: decisions) Prior member engagement/ development required (with reference to options in Appendix 1)	(re: decisions) Public Participation/ Engagement approach (with reference to toolkit in Appendix 2)	Final decision-maker (& date)
Standing items	<ul style="list-style-type: none"> • Public Questions/ Petitions • Work Programme • Any other committee-specific standing items eg finance or service monitoring 					
2023/24 Quarter 3 Budget Monitoring		Jane Wilby / Philip Gregory	Decision			This Cttee

Items which the committee have agreed to hold a committee briefing on or add to an agenda, but for which no date is yet set.						
Topic	Description	Lead Officer/s	Type of item	(re: decisions) Prior member engagement/	(re: decisions) Public Participation/	Final decision-maker (& date)
			<ul style="list-style-type: none"> • Decision • Referral to decision-maker 			<ul style="list-style-type: none"> • This Cttee

			<ul style="list-style-type: none"> • <i>Pre-decision (policy development)</i> • <i>Post-decision (service performance/ monitoring)</i> 	development required <i>(with reference to options in Appendix 1)</i>	Engagement approach <i>(with reference to toolkit in Appendix 2)</i>	<ul style="list-style-type: none"> • Another Cttee (eg S&R) • Full Council • Officer
Surface water flooding and climate mitigation	Requested by Committee in February 2023. Briefing on surface water flooding remediation with particular regard to the road network. Consider cross-over with climate mitigations. Other cttee's projects have a knock on impact on the flood strategy which is in W&SS remit.		Briefing		Crossover with TRC Policy Committee	This Cttee
Pest Control	Review of approach to concessions for pest control and keeping private land free of infestations.	Ian Ashmore / Craig Bebbington	Referral to decision-maker	Yes – will need to share current demand and cost data and explore the pros and cons of changing the current approach. Will bring some outline discussion documents re. the issues to future briefings.	May need some engagement with LACS. Primarily focussed on how we tackle land we do not own and its not a statutory issue re concessions.	
NEW: Public engagement session	Requested by Committee in June 2023 to take place over the summer. Format and topic(s) to be confirmed.	Richard Eyre	Pre-decision		Public to be invited to make statements to the committee on a specific area(s) of the committee work programme.	This Cttee

MOVED: Review of Hostile Vehicle Mitigation (HVM) measures	Progress on HVM measures, update on temporary proposals and approach to Carver Street.		Decision	Consult with TRC Policy Cttee members due to impact on road network.		This Cttee
MOVED: Safety at Sports Grounds Policy	Requested by Committee at March meeting	Ben Brailsford / Steve Lonnia	Decision	Written briefing for the committee or all members Consultation with Sheffield Sport Ground operators	Consultation with Sheffield Sport Ground operators	This Cttee
MOVED: Review of District Energy Network and future opportunities	Progress update on how the plans for district heating are progressing, particularly in relation to connecting SCC assets.	Neil Townrow	Post-decision			This Cttee

Appendix 2 – Menu of options for member engagement, learning and development prior to formal Committee consideration

Members should give early consideration to the degree of pre-work needed before an item appears on a formal agenda.

All agenda items will anyway be supported by the following:

- Discussion well in advance as part of the work programme item at Pre-agenda meetings. These take place in advance of each formal meeting, before the agenda is published and they consider the full work programme, not just the immediate forthcoming meeting. They include the Chair, Vice Chair and all Group Spokespersons from the committee, with officers
- Discussion and, where required, briefing by officers at pre-committee meetings in advance of each formal meeting, after the agenda is published. These include the Chair, Vice Chair and all Group Spokespersons from the committee, with officers.
- Work Programming items on each formal agenda, as part of an annual and ongoing work programming exercise
- Full officer report on a public agenda, with time for a public discussion in committee
- Officer meetings with Chair & VC as representatives of the committee, to consider addition to the draft work programme, and later to inform the overall development of the issue and report, for the committee's consideration.

The following are examples of some of the optional ways in which the committee may wish to ensure that they are sufficiently engaged and informed prior to taking a public decision on a matter. In all cases the presumption is that these will take place in private, however some meetings could happen in public or eg be reported to the public committee at a later date.

These options are presented in approximately ascending order of the amount of resources needed to deliver them. Members must prioritise carefully, in consultation with officers, which items require what degree of involvement and information in advance of committee meetings, in order that this can be delivered within the officer capacity available.

The majority of items cannot be subject to the more involved options on this list, for reasons of officer capacity.

- Written briefing for the committee or all members (email)
- All-member newsletter (email)
- Requests for information from specific outside bodies etc.
- All-committee briefings (private or, in exceptional cases, in-committee)
- All-member briefing (virtual meeting)
- Facilitated policy development workshop (potential to invite external experts / public, see appendix 2)
- Site visits (including to services of the council)
- Task and Finish group (one at a time, one per cttee)

Furthermore, a range of public participation and engagement options are available to inform Councillors, see appendix 3

Appendix 3 – Public engagement and participation toolkit

Public Engagement Toolkit

On 23 March 2022 Full Council agreed the following:

A toolkit to be developed for each committee to use when considering its ‘menu of options’ for ensuring the voice of the public has been central to their policy development work. Building on the developing advice from communities and Involve, committees should make sure they have a clear purpose for engagement; actively support diverse communities to engage; match methods to the audience and use a range of methods; build on what’s worked and existing intelligence (SCC and elsewhere); and be very clear to participants on the impact that engagement will have.

The list below builds on the experiences of Scrutiny Committees and latterly the Transitional Committees and will continue to develop. The toolkit includes (but is not be limited to):

- a. Public calls for evidence
- b. Issue-focused workshops with attendees from multiple backgrounds (sometimes known as ‘hackathons’) led by committees
- c. Creative use of online engagement channels
- d. Working with VCF networks (eg including the Sheffield Equality Partnership) to seek views of communities
- e. Co-design events on specific challenges or to support policy development
- f. Citizens assembly style activities
- g. Stakeholder reference groups (standing or one-off)
- h. Committee / small group visits to services
- i. Formal and informal discussion groups
- j. Facilitated communities of interest around each committee (eg a mailing list of self-identified stakeholders and interested parties with regular information about forthcoming decisions and requests for contributions or volunteers for temporary co-option)
- k. Facility for medium-term or issue-by-issue co-option from outside the Council onto Committees or Task and Finish Groups. Co-optees of this sort at Policy Committees would be non-voting.

This public engagement toolkit is intended to be a quick ‘how-to’ guide for Members and officers to use when undertaking participatory activity through committees.

It will provide an overview of the options available, including the above list, and cover:

- How to focus on purpose and who we are trying to reach
- When to use and when not to use different methods
- How to plan well and be clear to citizens what impact their voice will have
- How to manage costs, timescales, scale.

There is an expectation that Members and Officers will be giving strong consideration to the public participation and engagement options for each item on a committee’s work programme, with reference to the above list a-k.



Report to Policy Committee

Author/Lead Officer of Report: Philip Gregory,
Director of Finance and Commercial Services

Tel: +44 114 474 1438

Report of: *Philip Gregory, Director of Finance & Commercial Services*

Report to: *Waste & Street Scene Policy Committee*

Date of Decision: *27th September 2023*

Subject: *2023-24 Q1 Budget Monitoring Report*

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, what EIA reference number has it been given? <i>(Insert reference number)</i>				
Has appropriate consultation taken place?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				
<i>“The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended).”</i>				

Purpose of Report:

This report brings the Committee up to date with the Council’s outturn position for Q1 2023/24 General Fund revenue position.

Recommendations:

The Waste & Street Scene Policy Committee is recommended to:

Note the updated information and management actions provided by this report on the Q1 2023/24 Revenue Budget Outturn as described in this report.

Background Papers:

2023/24 Revenue Budget

Lead Officer to complete: -		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Philip Gregory, <i>Director of Finance and Commercial Services</i>
		Legal: Sarah Bennett, <i>Assistant Director, Legal and Governance</i>
		Equalities & Consultation: Adele Robinson, <i>Equalities and Engagement Manager, Policy, and Performance.</i>
		Climate: n/a
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	SLB member who approved submission:	<i>Philip Gregory, Director of Finance and Commercial Services</i>
3	Committee Chair consulted:	<i>Cllr Zahira Naz, Chair of the Finance Committee</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Philip Gregory</i> <i>Jane Wilby</i>	Job Title: <i>Director of Finance and Commercial Services</i> <i>Head of Accounting</i>
	Date: 31 st August 2023	

1. PROPOSAL

1.1. This report provides an update on the current outturn position for Sheffield City Council's revenue budget for 2023/24.

2023-24 Q1 Financial Position by Directorate

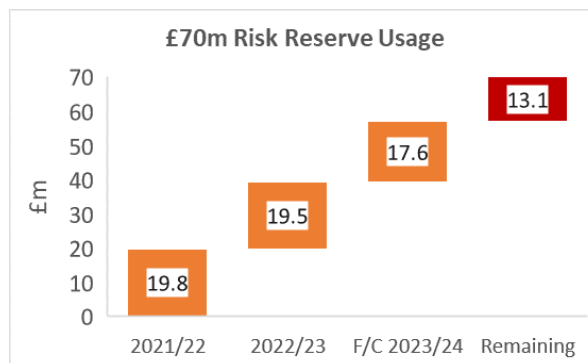
1.2. At the end of the first quarter of 2023-24, the Council's revenue budget shows a forecast overspend of £17.6m.

Full Year £m	Outturn	Budget Variance	
Neighbourhood Services	138.2	135.0	3.2
Adults	138.3	134.8	3.5
Children's	124.0	115.3	8.7
Strategic Support	52.4	47.7	4.7
City Futures	44.0	43.4	0.6
Public Health & Integrated Commissioning	10.7	10.9	(0.2)
Corporate	(490.1)	(487.1)	(3.0)
Total	17.6	(0.0)	17.6

1.3. This overspend is due to a combination of factors. Agreed Budget Improvement Plans ("BIPs") are not forecast to fully deliver within the year. There are underlying cost and demand pressures faced by services that are partially offset by one-off items. These "one-offs" consist of grant income, draws from specific reserves or provisions and income from central government or external sources.

Full Year Variance £m	One-off	BIPs	Trend	Total Variance
Neighbourhood Services	(4.1)	2.5	4.8	3.2
Adults	(9.9)	3.9	9.5	3.5
Children's	(3.9)	3.7	8.9	8.7
Strategic Support	0.0	0.0	4.7	4.7
City Futures	0.0	0.4	0.2	0.6
Public Health & Integrated Commissioning	0.0	0.0	(0.2)	(0.2)
Corporate	0.0	0.0	(3.0)	(3.0)
Total	(17.9)	10.6	25.0	17.6

1.4. In 2021/22, the Council set aside £70m of reserves to manage the financial risks associated with delivering a balanced budget position. Overspends against budgets in 2021/22 and 2022/23 have meant we have drawn almost £40m from this reserve already leaving just over £30m to manage any future budget deficits. If we overspent by £17.6m as this current forecast outturn position suggests, just £13m would be left to mitigate future budget pressures.



1.5. 2023-24 Q1 Financial Position by Committee

1.5.1. The major budget risk areas are in Childrens & Adults Social Care and in Homelessness services

Full Year £m	Outturn	Budget	Variance
Adult Health & Social Care	146.9	143.7	3.2
Education, Children & Families	124.7	115.8	8.9
Housing	10.2	7.0	3.2
Transport, Regeneration & Climate	39.6	40.0	(0.4)
Economic Development & Skills	9.5	9.4	0.1
Waste & Street Scene	63.5	64.2	(0.8)
Communities Parks and Leisure	41.7	41.3	0.3
Strategy & Resources	(418.4)	(421.5)	3.1
Total	17.6	(0.0)	17.6

1.5.2. In 22/23, the Council's forecast overspend improved by over £14m from the first quarter's forecasts to final outturn. This was mainly due to additional income received rather than underlying improvements in budgets and cost reductions. A big contributor to this was the Government's £500m discharge fund announced in November 2022, the sustainability of this income source and other mitigations from the last financial year are still unclear and cannot be relied upon.

Many underlying budget issues in social care services still remain and this is reflected in the current forecast position.

1.5.3. Most of the overspend is due to underlying cost and demand pressures in services. We estimate that £25m is embedded in the baseline costs but is somewhat mitigated by one-off income:

Full Year Variance £m	One-off	BIPs	Trend	Total Variance
Adult Health & Social Care	(9.9)	3.9	9.1	3.2
Education, Children & Families	(3.9)	3.7	9.1	8.9
Housing	(1.7)	0.2	4.7	3.2
Transport, Regen & Climate	0.0	0.1	(0.5)	(0.4)
Economic Development & Skills	0.0	0.0	0.1	0.1
Waste & Street Scene	(0.5)	0.2	(0.4)	(0.8)
Communities Parks and Leisure	0.0	0.2	0.2	0.3
Strategy & Resources	(1.8)	2.2	2.7	3.1
Total	(17.9)	10.6	25.0	17.6

1.5.4. Balancing the General Fund 2023/24 budget was only possible because the Council identified £47.7m of savings:

General Fund Budget Improvement Plans (in £m)

Committee	Total Savings	Financial Savings Deliverable in Year	In Year Gap	Financial Savings Deliverable Next Year	Undeliverable Savings
Adult Health & Social Care	31.6	27.6	3.9	2.3	1.6
Communities, Parks & Leisure	2.0	1.9	0.2		0.2
Economic Devt & Skills	0.5	0.5	0.0		0.0
Education, Children & Families	6.9	3.2	3.7	0.3	3.4

Housing	0.6	0.5	0.2		0.2
Strategy & Resources	4.1	1.9	2.2	2.2	0.1
Transport, Regen & Climate	0.8	0.7	0.1		0.1
Waste & Street Scene	1.1	0.9	0.2		0.2
Total	47.7	37.1	10.6	4.8	5.7

The current forecasts show £10.6m savings plans are undeliverable this year. This represents a delivery rate of 78% against target. In 22/23, less than 65% of savings targets were delivered. Whilst we are improving upon overall delivery performance, we are still falling short of targets meaning further draws could be required from our reserves to meet these overspends if they are not managed and mitigated. Delivering in year budgets must be a key focus for all services for the Council to retain financial sustainability.

1.5.5. Whilst inflation is beginning to fall, costs incurred are very unlikely to fall significantly resulting in these increased costs now being embedded in our cost base. There is an increased demand for services alongside cost pressures in social care, home to school transport and homelessness services.

1.6. Key Committee Overspends:

1.6.1. **Adult Health and Social Care are forecast to overspend by £3.2m** The high cost of packages of care put in place during covid increased our baseline costs and this carries into 23/24. A huge amount of work has been done as part of an investment plan to tackle the underlying issues. One off funding has mitigated the position this year leaving a £0.7m overspend in the purchasing budgets. Work continues on the package reviews to reduce the baseline costs for the future. Recovery work is underway including establishment of Task & Finish groups and the development of business cases around invest to saves including focus on enablement, day services, reviewing high cost 1 to 1 support and maximising income. The main area of overspend in the service now sits in staffing budgets. Service improvements in the Short -Term Intervention Team (STIT) are underway to deliver a stable position.

1.6.2. **Education, Children and Families are forecast to overspend by £8.9m** The key overspends in the service relate to placements with external residential placements a particular issue which are forecast to exceed the previous year's costs by £4.8m. This sits alongside undelivered targets from the previous year of £2m. The average placement cost is £5,400 per week. However due to a limited number of places in the city, placements for the most complex children can cost a great deal more. Actions are being taken to ensure that the right costs for placements are being met by all elements including education and where possible health. High-cost placements are also being reviewed.

The savings proposal for £1.6m to increase fostering placements this year is forecast to not be delivered. Marketing is taking place, but our number of foster carers remains static. Nationally this has been an issue since the pandemic as older foster carers decided to exit the market and there has not been the like for like recruitment to new foster carers.

Further demand in home to school transport costs are forecast to create a £3m overspend against budgets this year. This has the potential to increase in October when we know exactly how many children require transportation to school. An overarching review of this area will commence in 2024.

-
- 1.6.3. **Homelessness support in temporary and exempt accommodation is forecast to cost the Council £8.4m** The Government does not fully subsidise all housing benefit payments made by the Council even though it sets the rules that determine the amount the Council has to pay. In 2022/23, the Council incurred a loss of £5.9m as a result of the legislation relating to temporary homelessness and supported accommodation. The Council is essentially bridging the gap between the amount the accommodation costs to procure and the amount we are able to recover via housing benefits.

In 2023-24, this is forecast to cost the Council £4.9m for temporary accommodation and £3.5m for supported accommodation. The shortfalls are split between the Housing General Fund and Strategy and Resources budgets respectively.

The Budget Implementation Group

-
- 1.6.4. **A subgroup has been set up to drive improvements in Budget delivery** A senior officer working group has been established to help drive delivery of the budget. The purpose of the Budget Improvement Group (BIG) is to improve the delivery of the Council's annual Revenue Budget (both General Fund and Housing Revenue Account) and in particular the delivery of the Budget Improvement Plans (BIPs). It will look to facilitate Council wide learning. The group is jointly chaired by the Director of Finance and Commercial Services and the Chief Operating Officer. The group has a nominated core member from each Directorate: Adults, Children's, City Futures, Neighbourhoods and Strategic Support Services.

Transformation Funding

-
- 1.6.5. **We identified £4m to support transformation activity** As part of 2023-24 budget setting, the Council identified a £4m fund that would be used to support programmes of change in the organisation, expedite the delivery of savings plans or support where delivery of savings has become "stuck". The "BIG" group has provided advice, challenge, and recommendations for allocation of the transformation funding to the Council's Performance and Delivery Board.

In August 2023, the Performance & Delivery board approved bids to support delivery of programmes in Adult Social Care, Housing, Children's services, ICT, HR, and Organisational Strategy to build upon the Future Sheffield programme. These key projects will help stabilise the organisation and bring budgets back to a steady footing for the future. Each programme of work will be monitored, and progress reported to the Council's Performance & Delivery board to ensure activity remains on track. Overall performance will be reported to S&R committee and finance committee as part of in-year budget monitoring, with relevant policy committees overseeing progress on programmes in their areas.

Medium Term Financial Analysis (MTFA)

- 1.6.6. **The MTFA presented to S&R Committee on 7th September detailed committee budget savings targets** An updated medium term financial analysis was presented to Strategy & Resources committee on 7th September to give members an early view of the forecast financial position for the Council for the next 4 years and to set the financial constraints within which the budgeting and business planning process will need to work to achieve a balanced budget position over the medium term. The analysis forecasts a budget gap of £18m for 24/25 that will need to be bridged by services in order to set a balanced budget for 2024/25.

- 1.6.7. The below table outlines the proposed committee savings targets following an equitable application of funds resulting in a deliverable outcome for all Committees:

Committee	Original Pressures	Remaining Income Allocations					Target to Find	Savings Identified	Sales, Fees and Charges Income	New Pressures	Adjusted Target To Find
		Pay award Funded	ASC Precept	Social Care Grant	Significant RPIX contracts and Housing Benefits	Other Funding (split based on NRB)					
Adult Health & Social Care	27.0	(1.9)	(5.4)	(10.9)		(0.9)	7.8	(4.6)	(4.5)	2.7	1.5
Education, Children & Families	12.4	(2.7)		(5.0)		(0.7)	4.1	0.0	(0.2)	4.4	8.3
Housing General Fund	3.6	(0.4)			(2.5)	(0.0)	0.7	0.0	(0.0)	2.9	3.5
Transport, Regeneration & Climate	1.0	(0.4)				(0.2)	0.5	0.0	(0.1)	(0.1)	0.3
Economic Development & Skills	0.9	(0.2)				(0.1)	0.7	0.0	(0.0)	0.1	0.7
Waste & Street Scene	9.8	(0.6)			(6.4)	(0.4)	2.5	0.0	(0.5)	0.5	2.5
Communities Parks and Leisure	1.5	(1.2)				(0.2)	0.0	0.0	(0.2)	0.5	0.4
Strategy & Resources (Corporate)	9.9	0.0				(3.0)	0.0	(6.2)	0.0	0.0	0.7
Strategy & Resources (Committee)	4.7	(2.7)				(0.8)	(0.4)	(0.4)	(0.1)	(0.0)	0.3
Total	70.8	(10.0)	(5.4)	(15.9)	(12.7)	(2.9)	23.9	(11.1)	(5.6)	11.0	18.1

Key points to note:

- The proposal will cover the anticipated 2024/25 pay awards for all Committees.
- The Adult Social Care Precept is applied to the AHSC Committee.
- The Social Care grant is split between Adult Social Care & Education, Children & Families based on their relative shares of the original social care pressures for 2024/25.
- £7.2m has been allocated towards contract inflation pressures which are out of the control of the relevant committee. Examples include the waste contract, highways, and Microsoft licencing.
- £5.5m has also been set aside to cover the significant increase in Housing Benefit subsidy losses for Exempt Properties (S&R £3m) and £2.5m contribution to support the large increase in Homelessness accommodation costs around housing benefits support.

- 1.6.8. Services are required to develop solutions to bridge the budget gap for 2024/25 and bring forward proposals to the November policy committee meetings. At the same time working hard to bring the in-year overspend down through ongoing work on recovery plans and additional support to deliver budget implementation plans (BIPs).

This current forecast in-year overspend must be urgently managed and mitigated to avoid the risk that the Council has to look to our available Budget Contingency Reserve (£30m) to balance at year end. Maintenance of a prudent level of contingency reserves is critical to ensure stability and sustainability for 2024/25 onwards.

1.7. Waste & Street Scene Committee is £0.8m underspent

1.7.1.	The Waste & Street scene committee is forecast to underspend by £0.8m.	Full Year £m	Outturn	Budget	Variance
Streetscene & Regulation (City Centre Management; Director Of Street Scene; Environmental Regulations; Highway Maintenance; Highways Contract; Licensing; City Markets; Waste Management; Emergency Planning; Parking Services)		63.5	64.2	(0.8)	
Total		63.5	64.2	(0.8)	

1.7.2.	Whilst the committee is forecast to underspend this year, £200k of savings plans are set to fall short of target	Full Year Variance £m	One-off	BIPs	Trend	Total Variance
Streetscene & Regulation (City Centre Management; Director Of Street Scene; Environmental Regulations; Highway Maintenance; Highways Contract; Licensing; City Markets; Waste Management; Emergency Planning; Parking Services)		(0.5)	0.2	(0.4)	(0.8)	
Total		(0.5)	0.2	(0.4)	(0.8)	

1.7.3. Budget Savings £m *rounded to nearest £100k

Financial RAG	Description	Total Savings	Savings Deliverable in Year	In Year Gap	Savings Deliverable Next Year	Undeliverable Savings
Red	Further dimming of lighting & reduction to carbon emissions	0.1		0.1		0.1
Red Total		0.1		0.1		0.1
Amber	Challenge planning conditions for longer parking tariff periods	0.1		0.1		0.1
	Reduction in nighttime running hours of City Centre fountains	0.1	0.1	0.1		0.1
Amber Total		0.2	0.1	0.1		0.1
Green	5% cuts to supplies & services budgets	0.1	0.1	0.0		0.0
	50% cut to training budgets	0.0	0.0	0.0		0.0
	Create new car park at West Lane	0.1	0.1	0.0		0.0
	Freeze the annual contribution to the lifecycle costs sinking fund	0.3	0.3	0.0		0.0
	Removal of underspent budget	0.1	0.1	0.0		0.0
	Removal of vacant posts to create improved structure and service delivery	0.2	0.2	0.0		0.0
Green Total		0.8	0.8	0.0		0.0
TOTAL		1.1	0.9	0.2		0.2

1.7.4. A breakdown of budgets included in the W&SS committee is provided below for further detail on the split between income and expenditure budgets:

Service Area	Budget	Outturn - Income	Outturn - Expend	Total Outturn	Variance
WASTE MANAGEMENT	30.9	(6.3)	37.1	30.8	(0.1)
HIGHWAYS CONTRACT	29.0	(48.0)	77.0	29.0	0.0
ENVIRONMENTAL REGULATIONS	3.4	(1.7)	5.4	3.7	0.3
PLACE HUB	2.7	0.0	2.7	2.7	0.0
HIGHWAY MAINTENANCE DIVISION	1.5	(0.9)	2.5	1.7	0.1
CITY CENTRE MANAGEMENT	1.5	(1.4)	3.2	1.8	0.3
SHEFFIELD CITY MARKETS	1.1	(1.6)	3.1	1.4	0.3
STREETSCENE®	0.5	0.0	(0.2)	(0.2)	(0.7)
EMERGENCY PLANNING	0.2	(0.1)	0.3	0.2	(0.0)
LICENSING	0.1	(1.5)	1.7	0.2	0.2
COST OF LIVING HUB	0.0	(11.0)	11.0	(0.0)	(0.0)
PARKING SERVICES	(6.7)	(12.3)	4.4	(8.0)	(1.2)
Grand Total	64.2	(84.8)	148.3	63.5	(0.8)

The above breakdown provides good context for the high value expenditure budgets of the committee. An £800k underspend represents just 1.2% deviation from net budget and less than 0.5% of expenditure budgets.

- 1.7.5. **Contract inflation over the past two years has driven up base budgets** Whilst inflation is beginning to fall, contract inflation pressures driven by RPIX are now embedded in our cost base. Contract inflation was applied for 2022/23 at 8%, for 2023/24 at 12.6% and medium-term planning assumptions have allowed for 7% for 2024/25 costs, 4% for 2025/26 and 3% thereafter in line with current market expectations.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 The recommendations in this report are that the committee notes their 2023/24 budget forecast position and takes action on overspends.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 There has been no consultation on this report, however, it is anticipated that the budget process itself will involve significant consultation as the Policy Committees develop their budget proposals

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

- 4.1.1 There are no direct equality implications arising from this report. It is expected that individual Committees will use equality impact analyses as a basis for the development of their budget proposals in due course.

4.2 Financial and Commercial Implications

- 4.2.1 The primary purpose of this report is to provide Members with information on the City Council's revenue budget monitoring position for 2023/24.

4.3 Legal Implications

- 4.3.1 Under section 25 of the Local Government Act 2003, the Chief Finance Officer of an authority is required to report on the following matters:

- the robustness of the estimates made for the purposes of determining its budget requirement for the forthcoming year; and
- the adequacy of the proposed financial reserves.

- 4.3.2 There is also a requirement for the authority to have regard to the report of the Chief Finance Officer when making decisions on its budget requirement and level of financial reserves.

- 4.3.3 By the law, the Council must set and deliver a balanced budget, which is a financial plan based on sound assumptions which shows how income will equal spend over the short- and medium-term. This can take into account deliverable cost savings and/or local income growth strategies as well as useable reserves. However, a budget will not be balanced where it reduces reserves to unacceptably low levels and regard must be had to any report of the Chief Finance Officer on the required level of reserves under section 25 of the Local Government Act 2003, which sets obligations of adequacy on controlled reserves.

4.4 Climate Implications

- 4.4.1 There are no direct climate implications arising from this report. It is expected that individual Committees will consider climate implications as they develop their budget proposals in due course.

4.4 Other Implications

- 4.4.1 No direct implication

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 The Council is required to both set a balance budget and to ensure that in-year income and expenditure are balanced. No other alternatives were considered.

6. REASONS FOR RECOMMENDATIONS

- 6.1 To record formally changes to the Revenue Budget.

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Report to Policy Committee

Author/Lead Officer of Report: David Wain,
Acting Service Manager, Highways Maintenance

Email: david.wain@sheffield.gov.uk

Report of: Executive Director, Neighbourhood Services

Report to: Waste & Street Scene Policy Committee

Date of Decision: 27th September 2023

Subject: Glyphosate Reduction Trial Update: Highways

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No		<input type="checkbox"/>
If YES, what EIA reference number has it been given? Ref: 2340					
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No		<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No		<input type="checkbox"/>
Does the report contain confidential or exempt information?	Yes		No		<input checked="" type="checkbox"/>

Purpose of Report:

As per item 8 of the Decision taken by the Cooperative Executive on 22nd September 2021, the Cooperative Executive resolved to agree that a further report detailing the outcomes of the Council's trials in reducing the usage of Glyphosate be brought to a future meeting for consideration. This Reports brings those outcomes to the Committee's attention.

Recommendations:

That the Waste and Street Scene Policy Committee agrees:

- To the continuation of the city-wide reduction in the use of Glyphosate where viable until December 2025, pending central government guidance and/or legislation on the use of pesticides in the public realm and to bring a further report to committee once that guidance and/or legislation has been published.
- To implement a suite of educational and informational measures as to what citizens can do to help the Council in delivering a weed free environment to be implemented when seasonally relevant, until December 2025.

Background Papers:

Report to Co-operative Executive, September 2021

Reduction in use of Glyphosate pesticide on land managed by Sheffield City Council

<https://democracy.sheffield.gov.uk/documents/s46368/6%20-%20Form%202%20-%20Executive%20Report%20Glyphosate.pdf>

<https://www.wildlifetrusts.org/community-driven-action-pesticide-free-balerno-edinburgh>

[Item 3 - Appendix A.pdf \(moderngov.co.uk\)](#)

<https://pubmed.ncbi.nlm.nih.gov/28374158/>

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: <i>Adrian Hart</i>
		Legal: <i>Rahana Khalid/Rita Collins</i>
		Equalities: <i>Louise Nunn – EIA Completed</i>
		Climate: <i>Davina Millership (Head of Service)</i>
<i>Legal, financial/commercial, equalities & climate implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	EMT member who approved submission:	<i>Ajman Ali</i>
3	Committee Chair consulted:	<i>Cllr Joe Otten</i>
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	

Lead Officer Name: <i>David Wain</i>	Job Title: Acting Service Manager (Highways)
Date: 15th September 2023	

1. PROPOSAL

Background

- 1.1 Glyphosate is used to control weed growth as weeds rupture highway surfaces making them unsafe and grow over structures such as signs and benches making them unusable or impede visibility.
- 1.2 The management of the Council's highway network is undertaken by a contractor, Amey, as part of a PFI (Private Finance Initiative) contract (the **Contract**) which runs from 2012 to 2037. The contract includes an initial 5-year intensive construction and repair phase to deliver an uplift in quality of the highway network (known as the Core Investment Period), followed by a 20 year maintenance phase, (known as the Lifecycle Investment Period) where the highway network is required to be maintained in a manner which is it retained at that higher standard before being handed back to the Council in 2037.
- 1.3 Sheffield City Council declared a Nature Emergency in June 2021 part of which concerned the use of Glyphosate. Following this, a petition was presented to Full Council in July 2021 to ask Sheffield City Council to ban the use of Glyphosate on Council land. The petition triggered a debate on the plan to reduce and remove use of Glyphosate where possible and received cross party support.
- 1.4 Despite significant media publications about Glyphosate, the current stance in legislation and guidance from the UK's relevant regulatory bodies is that the product is deemed to be safe and efficacious for use as a herbicide and is licensed in the UK until December 2025 for both food production and treatment of broad-leaved weeds in the public realm.
- 1.5 However, academic studies such as Tarazona et al (2017) suggest that the positive implications of reducing Glyphosate could include benefits such as healthier populations of invertebrates, birds and mammals including bees (and other pollinators) which are fundamental to the health of ecosystems.
- 1.6 Therefore, the Council is recommending a continuing effort to decrease the use of Glyphosate where viable.

2. TRIALS

Use of Glyphosate on hard surfaces/highways

- 2.1 Alternative (non-Glyphosate based) products are available, but critically, none are yet licensed for application on hard surfaces as needed for highways (for footpaths, roads etc). A small-scale trial in Sheffield during COVID lockdowns established that many of these

alternative products do not manage weeds with the same efficacy as Glyphosate. Simply put, they did not achieve the same results in reducing the prevalence of weeds. In addition, they require more product to be used and treatments, both of which mean considerably greater cost for less effective results. The Council therefore intend to continue to use Glyphosate on surfaces where no other alternative is viable and reduce the use of Glyphosate elsewhere.

- 2.2 Further to the Contract, Amey have also undertaken trials of pesticide free treatment options such as hot foam and the heat treatment of weeds. They agreed with the findings of a peer reviewed academic study commissioned by the City of Cardiff Council which found that despite strong public support for interventions of this type, they were costly, resource and carbon intensive, required increased treatment frequency and had health and safety risks. For these reasons it is not proposed to pursue these treatments on hard surfaces currently.

Trials relating to reduction of use of Glyphosate on non-hard surfaces

- 2.3 To further understand the impact of reducing Glyphosate use across the city, a two-phase plan was agreed at the September 2021 Policy Committee for roll out in 2022.
- i) The first phase of the plan was the planned cessation of use of Glyphosate across the city in shrub beds, rose beds, planted areas as well as in the formation of “mowing strips”.

Mowing strips are areas around obstacles such as trees, street signs, street furniture such as benches as well as along the edge of grass verges to reduce the amount of strimming required as part of the grass cutting operation on residential streets.
 - ii) The second phase was to implement a “Weed Killer Free Neighbourhood” which was undertaken in a defined area of Brincliffe for a full year in 2022.

- 2.4 The trials relating to the cessation of the use of Glyphosate in 2022 were also rolled over into 2023.

- 2.5 The outcome of the above phase 1 plans concluded that complete cessation was not economically viable but reduction of the use of Glyphosate was possible. Annual usage figures of Glyphosate decreased from 140,000 litres of diluted product being used across this city in 2020 (pre-trial) to currently less than 50,000 litres of diluted product being used in 2023, representing a huge overall reduction in use of Glyphosate based products in the public realm.

- 2.6 In relation to phase 2 of the plans, unfortunately, the 2022 trial in Brincliffe was inconclusive. It is believed that the area was likely to be

subject to active third-party intervention. Our monitoring would strongly indicate that regular mechanical or chemical removal of weeds was deployed by residents and or business owners given the immaculate aesthetic achieved outside some premises.

3. RECOMMENDED ACTIONS

Proposal - City wide reduction in use of Glyphosate

3.1 It is proposed to continue to use alternatives for Glyphosate on soft surfaces throughout the city until December 2025. This is likely to result in further sustained reductions in the use of Glyphosate and increased public acceptance over a period of time with regards to weed growth.

3.2 In coming to this recommendation, officers considered the work carried out by the City of Edinburgh Council in their pesticide free Balerno project which has been in place since 2020. The project asked the Council to take a more precautionary approach to weed management and build a higher level of weed acceptance within the community. They found that during the project residents from across the community participated and over 80% of residents reported seeing more bees and butterflies.

3.3 Proposal - Weed Killer Free Neighbourhoods

The Brincliffe trial was unfortunately unsuccessful at evaluating the impact on the highway of not applying any chemical weed killers. In addition, the trial was conducted on a cost neutral basis with our PFI provider however they have indicated that a wider roll out of similar trials would not be possible on these terms. For these reasons it is not proposed to consider any future trials at this time.

3.4 One outcome of the Brincliffe trial was the feedback received during the consultations which indicated that citizens were keen to understand what they could do to assist the Council to reduce the amount of Glyphosate used.

3.5 It is therefore proposed that a suite of educational and informational measures as to what citizens can do to help the Council in delivering a weed free environment is implemented when seasonally relevant until December 2025.

3.6 This is proposed to include:

- i) Communications via key strategic partner volunteer groups such as Sheffield Litter Pickers
- ii) Social media posts and content through the Council's existing Communications Service
- iii) Information via platforms such as GovDelivery (mailing lists)

3.7 Proposal – work with Amey to reduce the use of Glyphosate where viable (i.e. on soft surfaces)

Further to the Contract, the Council are working with Amey to put in place a Contract Change Notice pursuant to the Contract which will enable a relaxation to some of Amey’s contractual obligations to manage weeds across the Council’s land, meaning they can use less effective (non-Glyphosate) products in some areas, without the risk of performance deductions.

4. HOW DOES THIS DECISION CONTRIBUTE?

4.1 The declaration of a Nature Emergency (alongside the Climate Change Emergency) is a key priority in the Council’s One Year Plan.

5. HAS THERE BEEN ANY CONSULTATION?

5.1 Consultation on the reduction of Glyphosate and the Glyphosate free zone was undertaken by Citizenspace throughout all of 2022.

5.2 Consultee feedback indicated that the financial and staffing challenges faced by the Council were understood and there was an appetite for action at a neighbourhood level, on a voluntary basis, to help reduce the amount of Glyphosate the Council uses even further.

6. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

6.1 Equality of Opportunity Implications

6.1.1 An Equality Impact Assessment was carried out as part of the overarching ‘Reduction in use of Glyphosate on land managed by Sheffield City Council’ report as approved by the Cooperative Executive in September 2021.

6.1.2 This has been updated in September 2023 under EIA reference 2340.

6.2 Financial and Commercial Implications

6.2.1 Whilst a contract variation will be required for this proposal, it is envisaged at this stage there will be no financial implications as a result of the variation. The variations will have a Performance Requirement relief in order to achieve the cost neutrality. The continuing reduction of the use of Glyphosate city wide has been accommodated within the Contract by offsetting the utilisation of alternative weedkillers and their application and a relaxation of Performance Requirements for weed growth within grass verges. The educational / informational campaign will be carried out by existing officers within existing resources.

6.3 Legal Implications

- 6.3.1 Glyphosate was approved for use in the EU until 15 December 2022 (Commission Implementing Regulation (EU) 2017/2324).
- 6.3.2 Following the UK leaving the European Union, the Health and Safety Executive now regulate pesticides in the UK and the licence has been extended until December 2025 for both food production and treatment of broad-leaved weeds in the public realm.
- 6.3.3 A Contract Change notice has been negotiated under the guidance of Commercial Services and has no financial impact. These changes are made in accordance with the terms of the Contract and comply with the Public Contracts Regulations 2015.
- 6.3.4 Under the **Weeds Act 1959**, instances may occur where Amey, on behalf of the Council may legally have to deviate from the above proposals to manage specific dangerous or invasive species or injurious weeds which have the potential to cause harm (for example instances of Japanese Knotweed, Himalayan Balsam or Giant Hogweed). The Council will mitigate this risk by agreeing the use of Glyphosate by Amey on a case-by-case basis with appropriately qualified Technical Officers from within the Authority.
- 6.3.5 As the Highway Authority, the Council have a legal duty under **Section 41(1) of the Highways Act 1980**, to maintain the highway. This requires the Council to keep the fabric of the highway in such good repair as to render its condition safe for ordinary traffic to pass at all seasons of the year. Weeds growing through the surface of the highway or between paving slabs may create highway defects which need to be acted upon in the interests of public safety and fulfilling this duty. Across the rest of the city, the continued use of Glyphosate in “spot treatment” of weeds which have already emerged is deemed to be sufficient to manage this risk.

6.4 Climate Implications

- 6.4.1 A Climate Impact Assessment has been completed and approved by the Head of Service
- 6.4.2 A reduction in the total number of treatments using chemical weed killers will in turn yield a net reduction in vehicle travel, water usage, and the amount of herbicide produced and delivered to Amey’s depot in the first place – all of which will achieve an overall reduction in carbon footprint for this element of the operation.
- 6.4.3 Also refer to sections 2.1 and 2.2 of this report.

7. **ALTERNATIVE OPTIONS CONSIDERED**

- 7.1 The option to ‘do nothing’ was considered and discounted considering both the declaration of a Nature Emergency and the support received for the petition against the use of Glyphosate.
- 7.2 The option to cease the use of Glyphosate on *all* land immediately was considered but discounted due to high level of cost/expenditure. Sheffield has 1,064,045.03 square metres of high usage footways and 8,77,757.67 square metres of lower use footways in the city.

Based on a “worst case scenario” of around 10% of the footway network failing between 2023 and 2037 due to weeds and vegetation this is estimated to cover around £116 million pounds in resurfacing.

Additional Street Cleansing Costs have also been modelled based on 42 additional operatives, additional road sweepers, and other vehicles, and plant machinery being brought into the operation to uplift street cleansing service to manually remove weeds has also been costed at around £2.4 million per year – circa £32 million over the remainder of the PFI contract.

Therefore, the total potential cost implication of complete cessation in a worst-case scenario could be as high as £150 million of additional expenditure. This may however be mitigated should there be a legislative change.

8. REASONS FOR RECOMMENDATIONS

- 8.1 Approval of the recommendations will allow:
- A continuous reduction in the use of glyphosate in highway areas across all of Sheffield.
 - The opportunity to work with residents in various areas of the city to promote awareness and encourage action in line with the Nature Emergency outcomes. This will achieve an important step in the city’s response to the declared Nature Emergency.
 - Alignment with the timescales for further central government guidance and/or legislation and future licensing of information on the future licensing of Glyphosate.

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PART A - Initial Impact Assessment

Proposal Name: Glyphosate Reduction Trial Update - Highways

EIA ID: 2340

EIA Author: David Wain

Proposal Outline: On 22nd September 2021 in response to a public petition, the Cooperative Executive agreed a suite of trial changes to operations across both Parks and Highways teams with a view to reducing the overall amount of the weed killer Glyphosate used by Sheffield City Council. Point 8 of this initial decision was for highways to report back after the trial period and lay out a forward looking plan for continual reduction in Glyphosate use. As the trial projects have yielded significant reductions in the use of this weed killer, the update is that the projects will continue in the same manner through until 2025 at which point the license of Glyphosate is up for review and a further paper will be submitted if required

Proposal Type: Non-Budget

Year Of Proposal: 23/24

Lead Director for proposal: Richard Eyre

Service Area: Waste and Streetscene

EIA Start Date: 9/12/2023

Lead Equality Objective: Understanding Communities

Equality Lead Officer:

Decision Type

Committees:

Policy Committees

- Waste & Street Scene

Portfolio

Primary Portfolio:

Neighbourhood Services

EIA is cross portfolio:

No

EIA is joint with another organisation:

No

Overview of Impact

Overview Summary:

Glyphosate based weed killers will still be used on hard surfaces (i.e. pavements and roads) As such no impact is expected upon the usability of the general public realm - i.e. paths, roadways and parking spaces. The change only applies to verges where a non-glyphosate based chemical will be used. There is a risk of additional weed growth or larger weeds establishing which may cause minor discomfort to some people who are unable to see them clearly (such as those with visual impairments) if they were diverting from the formal footpath network and taking short cuts across verges etc if the weeds they were encountering were particularly spiky or pernicious (such as thistles).

Impacted characteristics:

- Disability

Consultation and other engagement

Cumulative Impact

Does the proposal have a cumulative impact:

Yes

Full public consultation on Glyphosate use was undertaken throughout the entirety of 2022 via Citizenspace - the overwhelming result was in support of maintaining reduction in the use of Glyphosate. The secondary "ask" was that the Council do more to educate the community on what they can do to help the Council further reduce our reliance upon chemical weed killers - which is covered in the report by means of a communications / press package.

Impact areas:

Year on Year

Initial Sign-Off

Full impact assessment required:

No

Review Date:

9/12/2023

Action Plan & Supporting Evidence

Outline of action plan:

Mitigation will include community education programme as to how the public can help us manage weeds without chemical control Mitigation will also include Amey's routine grass cutting cycle to verges to manage the growth and size of weeds in areas which are not on footpaths.

Action plan evidence:

Changes made as a result of action plan:

Mitigation

Significant risk after mitigation measures: No

Outline of impact and risks:

Review Date

Review Date: 9/12/2023



Report to Policy Committee

Author/Lead Officer of Report: Emma Barker/Sabia Hanif

Report of: Executive Director Operational Services
Report to: Waste & Street Scene Policy Committee
Date of Decision: 27 September 2023
Subject: Civil Parking and Bus Lane Enforcement Policy

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
If YES, what EIA reference number has it been given? 2303				
Has appropriate consultation taken place?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Does the report contain confidential or exempt information?	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-				

Purpose of Report:

The report seeks approval of an updated Civil Parking and Bus Lane Enforcement Policy.

The policy provides updated information and guidance on

- National regulations and government guidance
- How enforcement is carried out for parking and bus lane contraventions
- Service objectives for enforcement
- The appeals process that motorists must follow to dispute a parking or bus lane ticket and a guide to our cancellation policies.

This is aimed at ensuring our policies:

- reflect national regulations and guidance.
- are transparent.
- are consistent.

Recommendations:

That the Waste & Street Scene Policy Committee

Approve the updated Civil Parking and Bus Lane Enforcement Policy.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Adrain Hart
		Legal: Richard Cannon
		Equalities & Consultation: Louise Nunn
		Climate: Sustainability team – sign off by Head of Service – Ben Brailsford
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	SLB member who approved submission:	Ajman Ali
3	Relevant Policy Committee	Waste & Street Scene Policy Committee
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: Sabia Hanif	Job Title: Parking Services Manager
	Date: 12.09.23	

1. PROPOSAL

- 1.1 Sheffield City Council has existing teams who carry out parking and bus lane enforcement and who consider appeals against Penalty Charge Notices (PCNs) issued by the Council.
- 1.2 In 2020 the Persistent Evader and Parking Removals Policy was added to the enforcement policy (Appendix B).
- 1.3 Aside from the above update, other aspects of previous policies need review to account for changes in legislation, associated regulations and statutory guidance. This includes rolling out enforcement of contraventions that the Council has powers to do but which had not been in the previous policy such as:
 - Parking in front of dropped kerbs and double parking – the enforcement team currently have to refer drivers to the police for such issues; this would enable us to be more responsive to such complaints.
 - Enforcement against heavy commercial vehicles wholly or partly parked on a footway, verge or land between two carriageways.
 - Enforcement of 24/7 loading bans that are just shown by road markings but do not have signs. This is permitted by the Traffic Signs Regulations and General Directions 2016 and mentioned in Chapter 3 of the Department for Transport Traffic Signs Manual. At some locations (such as outside entrances and egresses) the provision of a sign is not always practical, but the area needs to be kept clear of parked vehicles.
 - Enforcement against vehicles parked in correctly signed cycle tracks.
 - CCTV parking enforcement for parking to include no waiting / no loading restrictions in mandatory cycle lanes and in bus lanes.
- 1.4 Grace periods **must**¹ be allowed in certain circumstances and are covered in the Civil Enforcement Officer (CEO) handbook and appeals guidance (Appendices A and C)
- 1.5 Civil Enforcement regulations were amended in 2022¹ and this is reflected in the updated policy. Key changes included timescales for bus lane PCN discount payments (21 days instead of 14), the introduction of a fixed time for local authorities to respond to bus lane representations and changes to the way motorists can oppose a bus lane PCN debt registration.

¹ The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

1.6 Other policy changes have been proposed to improve the effectiveness of enforcement, whilst balancing the quality and fairness of this activity. This includes:

- Reducing warning notice periods. Enforcement use warning notices to educate drivers when new restrictions are introduced to alert them that they may be issued a PCN in future where they regularly park in a particular location, or drive a certain route, and may not have noticed sign changes.

Currently warning notices attached to vehicles on street and in new car parks are issued over two weeks. The proposals are to reduce this to one week as drivers will generally return to their vehicle within this time and should park correctly next time. Should a motorist be away during the warning notice period and receive a PCN without realising the change in restrictions an appeal could still be made.

Warning notices issued by post for contraventions recorded by CCTV (such as for new bus lanes) are currently issued for a two-month period. Most of these cases are reviewed in two weeks or less and a warning notice would get posted within the third week. The proposal includes reducing the warning notice period for CCTV PCNs to one month.

- Reducing observation periods in car parks. Historically 5 minutes observation has been allowed but this would normally be to check for activity such as loading. Loading exemptions do not apply in car parks.
- Reduced observation periods in most circumstances on street where loading is allowed to 3 minutes. This would include removing a 10-minute observation period previously allowed for Transits and other larger vehicles where loading is permitted; operators of commercial vehicles should often be able to provide evidence to support appeals if they were engaged in such activity.

Not allowing any observation period in circumstances where loading is permitted (or for some bays where the driver may need to collect a visitor permit from adjacent premises), could result in more PCNs being issued to exempt vehicles / vehicles which the driver is trying to park correctly. This would lead to more parking appeals potentially at three stages – informal challenges, formal representations and appeals at the Traffic Penalty Tribunal (TPT). In turn, this increases workload for the notice processing team.

Based on current observation times of 5 minutes (10 minutes for larger vehicles) and excluding cases that went on to TPT in 2022-23, the notice processing team responded to 713 appeals made to the Council where loading was a reason given for disputing the PCN. 27% of these

were upheld and the PCN was cancelled by the Council based on the evidence. The remainder of appeals were dismissed and out of these there was a roughly 50/50 split of those refused outright (these would include contraventions where the vehicle was parked where loading is not allowed and instances where it seemed the driver was doing something else) and those that were invited to send evidence to support their claim but the evidence was either insufficient or not forthcoming.

From a snapshot of vehicles seen by CEOs on restrictions with loading exemptions, about 1 in 10 vehicles were when first approached seen to be loading and no further action was taken. A further 28% of vehicles were seen to be loading before a PCN was issued; the majority of these had loading observed within the first 3 minutes (less than 6% had activity observed in the fourth or fifth minute).

61% were issued a PCN after at least a 5-minute observation period during which no loading activity had been seen.

- The policy also allows CEO discretion to issue an instant PCN (or reduce the normal observation period) if they have reason to believe the vehicle is being used for a purpose it is not exempt for.

The updated policy is aimed at providing clear and transparent information to motorists. Areas covered in more detail in the policy include explanations of the rules about footway parking and when PCNs may be issued for doing so.

- 1.7 The policy explains different types of restriction but also puts an onus on drivers to make sure they keep up to date with current traffic signs they may encounter. The Department for Transport publication for motorists 'Know Your Traffic Signs' says:

Traffic signs play a vital role in directing, informing and controlling road users' behaviour in an effort to make the roads as safe as possible for everyone. This makes a knowledge of traffic signs essential. Not just for new drivers or riders needing to pass their theory test, but for all road users, including experienced professional drivers.

The policy also includes a clear summary of the main exemptions that apply to different restrictions. Restrictions are generally set by Traffic Regulation Orders (TROs). The exemptions to those restrictions are also set out in the TROs. Exemptions often vary between different local authorities creating inconsistent rules for drivers. The policy provides a guide on these for those visiting Sheffield.

Certain restrictions may be enforced without a TRO being required. These are set out within the relevant legislation and apply as though a TRO had been made containing those restrictions. The exceptions to those restrictions are also set out accordingly. For example, the

dropped kerb parking restriction is provided in section 86 of the Traffic Management Act 2004, as are the exceptions to that restriction (such as being a vehicle used for fire brigade or police purposes).

- 1.8 Updates also clarify that drivers parking in a bay where the nearest machine is out of order should use an alternative method of paying.
- 1.9 The Guidance Policies for issued Parking and Bus Lane PCNs and Appeals document adds that “we may make some allowance in a limited number of circumstances if the restriction is not indicated in the Highway Code or Know Your Traffic Signs”. This recognises that there are sometimes discrepancies between information published for drivers and how authorities are permitted to sign restrictions. This does not prevent us from enforcing, but for appeals made due to such signs being used offers the chance to exercise discretion and educate the driver so they are aware for the future.

As an example, Know Your Traffic Signs says “A double kerb mark means no loading at any time and is always supplemented by a “no loading at any time” plate”. Signage regulations for local authorities now allow for the restriction to be provided with just clear double kerb markings. Under the updated policy we would enforce if there are double kerb markings but no sign. However, if an appeal was made by a driver who said they did not see a sign a first-time cancellation may be considered with the reply informing the driver only the markings are now required for this restriction.

Providing a ‘no loading at any time’ restriction without a sign was trialled on Bishop Street on a section of restrictions outside Wickes car park entrance. In 2022 nineteen PCNs were issued to vehicles here. As of April 2023, only one had been appealed and fourteen had been paid.

Other examples of when first-time discretion may be applied in the updated policy are for signs which the Council has been authorised to use by the DfT but are not in Know Your Traffic Signs. The keys ones being suspension signs and temporary no waiting and loading restrictions (which have temporary correx signs).

Under previous policy first-time cancellations are still allowed for drivers who parked in Restricted Parking Zones (RPZs) and say they did not understand the signs. Originally local authorities had to get special DfT authorisation for these, but RPZ signage is now standard. These appeals would be upheld in the updated policy.

2. HOW DOES THIS DECISION CONTRIBUTE ?

- 2.1 The policy is designed to provide clear, consistent, and concise guidance to all those who need to use it:

- CEOs issuing PCNs
- Members of the notice processing team when considering PCN appeals
- Drivers wanting to find out more information about restrictions and if they have received a PCN the appeals process and policy.

2.2 The policy is aimed at supporting better enforcement, including additional contraventions and should improve compliance. Clear priorities allow focus on key enforcement issues which have the greatest impact (safety, congestion, improving streets for other uses – not just other drivers).

Fewer vehicles breaching parking rules improves the appearance of neighbourhoods; improved footway parking enforcement protects footway users as well as reducing damage to flagstones caused by vehicles. Improved compliance can help the turnover of parking spaces for those visiting local businesses.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 A Citizenspace online survey was run between 13 March and 28 March 2023. 429 responses were received. Out of these:

- 55% respondents had experienced vehicles blocking their drive at least once a month
- 23% experienced this more than once a week on average
- Over 50% said they also experience vehicles blocking pedestrian dropped kerbs where there was tactile pavement (surfaces with raised patterns to help visually impaired pedestrians) at least once a week or more on average
- Only 77% experience problems with vehicles double parking

3.2 Many restrictions are introduced by the implementation of a Traffic Regulation Order (TRO). TROs are subject to their own regulated consultation process before they can be made and the restrictions within them then enforced. Restrictions that do not rely on a TRO are ordinarily covered by primary and secondary legislation made either by parliament or under its authorisation. They can be enforced without a TRO needing to be made first.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

4.1.1 Policy covering enforcement against vehicles parked on cycle tracks and CCTV enforcement for vehicles parked in mandatory cycle lanes and bus lanes (with relevant parking restrictions) benefits a cross section of people including cyclists, commuters, public transport users,

Reduced observation times should improve parking problems near schools for example and benefit young people.

More transparent information about footway parking rules, the implementation of issuing PCNs to HGVs on the footway (as well as enforcement for other vehicles that wrongly park on the footway), should benefit pedestrians on footways. This includes those pushing buggies, with visual impairments, or with restricted mobility). Similar groups should benefit from the enforcement of dropped kerbs.

4.2 Financial and Commercial Implications

- 4.2.1 If a reduction of footway parking could be achieved this could save some maintenance costs.
- 4.2.2 Ensuring drivers who use pay and display bays use alternative ways to pay to park would contribute to improved income.
- 4.2.3 Reducing warning notice periods will still enable drivers to be educated about new restrictions but would result in those that do not change their behaviour receiving penalty charges more promptly.
- 4.2.4 Some of the appeals decisions referred to in 1.9 would result in some additional cancellations but these may also be offset by other cases that would currently be cancelled being upheld. The appeals process needs to be fair and proportionate though rather than based on income collection.
- 4.2.5 Reductions in some observation times before PCN issue should enable CEOs to observe more vehicles overall and where such vehicles are not parked in compliance with the rules to issue more PCNs.

4.3 Legal Implications

- 4.3.1 Section 87 of the Traffic Management Act 2004 states that statutory guidance regarding the Council's enforcement of traffic contraventions may be published by the national authority. This is the Department for Transport's 'Statutory guidance for local authorities in England on civil enforcement of parking contraventions'. It sets out a policy framework which the Council's updated Civil Parking and Bus Lane Enforcement Policy also incorporates.
- 4.3.2 The Council already carries out the civil enforcement of traffic contraventions in accordance with the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022. However, the updated Civil Parking and Bus Lane Enforcement Policy is intended to reflect best practice with these regulations in mind.

- 4.3.3 Section 21 of the Road Traffic Act 1988 ('the 1988 Act') states that it is an offence for any person to park a mechanically propelled vehicle wholly or partly on a cycle track. Paragraph 4 in part 1 of schedule 7 in the Traffic Management Act 2004 states that this offence is a parking contravention which is subject to civil enforcement. This means that the Council may issue a PCN where the contravention is observed.
- 4.3.4 Section 19 of the 1988 Act states that it is an offence for any person to park a heavy commercial vehicle wholly or partly on the verge of a road, any land situated between two carriageways (which is not a footway) and on footway. Again, the Traffic Management Act 2004 states that this offence is a parking contravention which is subject to civil enforcement.
- 4.3.5 Sections 85 and 86 of the Traffic Management Act 2004 ('the 2004 Act') set out powers for enforcement of dropped kerbs and double parking, as well as the applicable exceptions. They are prohibitions that may be enforced as if imposed by an order under section 1 of the Road Traffic Regulation Act 1984 – a TRO. As sections 85 and 86 impose restrictions on parking, contravention of those restrictions (as if they were included in a TRO) may be regarded as parking contraventions and are therefore subject to civil enforcement per section 73 of the 2004 Act.

4.4 Climate Implications

- 4.4.1 The inclusion in the policy of enforcement parking on cycle tracks, and the inclusion of CCTV options for parking restrictions in mandatory cycle lanes and bus lanes should improve sustainable transport options

4.4 Other Implications

- 4.4.1 Before enforcement of some of the additional options is implemented it would be necessary to review that any necessary signage and required orders are correct.
- 4.4.2 Appropriate methods for reporting vehicles parked across dropped kerbs for driveways would need to be developed with correct information management processes.
- 4.4.3 Updated guidance and training for the policy changes would need to be rolled out to enforcement and appeals teams.

5. **ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Leave the observation period for restrictions where loading exemptions apply at 5 minutes but just reduce this to 3 minutes for yellow lines near schools. Initial patterns noted from observations carried out by CEOs suggest that most loading activity is spotted within the first few

minutes. Applying 3 minutes generally is more consistent than doing so just at certain locations and would contribute to more efficient enforcement.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The Department for Transport sets out that civil enforcement policies should be consistent, fair and effective. The existing policies need updating to reflect current regulations and enforcement options available to the local authority.

It is recommended that Members approve the policy in order for the updated recommendations to be implemented.

ⁱ The Civil Enforcement of Parking Contraventions (England) General (Amendment) Regulations 2015



Civil Parking and Bus Lane Enforcement Policy 2023

Author:	Emma Barker
Version Number:	V1.0

Document History

Revision Date:	Version Number	Summary of Changes

CONTENTS

- 1. Introduction**
- 2. Summary of Supporting Legislation and Guidelines**
- 3. Enforcement Policy Objectives**
- 4. Enforcement Priorities**
- 5. Parking and Bus Lane Enforcement Policy**
- 6. Definitions**

Appendix A - Sheffield City Council Civil Enforcement Officer (CEO) handbook

Appendix B – Persistent Evaders and Dangerous / Obstructive Parking Policy

Appendix C - Guidance Policies for Civil Parking and Bus Lane appeals

1. Introduction

This Policy has been written to explain how Sheffield City Council manages enforcement of parking and bus lanes (including what our responsibilities are in law).

Sheffield City Council recognises the needs of road users to have access to suitable and adequate car parking and for that to be properly managed. The Council aims to keep Sheffield's streets and roads safe for road users (including for example pedestrians and cyclists, as well as motorists) by carrying out responsible parking provision and enforcement.

It also supports other objectives of the Council's Transport Strategy such as managing the availability of spaces for users (residents, businesses and visitors), and reducing the amount of avoidable congestion and emissions from traffic circulating seeking a parking space.

Through the enforcement of bus lanes, we aim to support bus service reliability, reduced public transport journey times and reduced congestion.

This Policy references legal duties and whilst every effort has been made to keep it reader-friendly, we will refer to legal wording where necessary. We will make every effort to ensure our notices and letters are written in Plain English.

A list of definitions is included in this document to explain the meaning and use of certain words and phrases used in the Policy (and in our official notices).

This Policy sets out:

- An overview of national regulations and guidance
- Sheffield City Council's main objectives and priorities managing enforcement of parking and bus lane restrictions (including some more detailed guidance on specific scenarios)
- Information about some of the different restrictions and how these may be enforced.
- How appeals against Penalty Charge Notices (PCNs) are dealt with
- How requests to suspend parking bay restrictions, or applications to grant dispensations are considered
- How Council staff and others working with us will conduct themselves whilst carrying out their legal duties.

The Council will endeavour to treat people fairly, equally and with respect, taking account of their personal circumstances, and in keeping with the Government's enforcement guidance.

This Policy has been developed from:

- Sheffield City Council's previous and current enforcement and transport practices and policies.
- Best practice in the parking enforcement industry.

- Reviews of recommendations from the Traffic Penalty Tribunal (TPT).
- National statutory and operational guidance guidelines and publications available to local authorities and highway users. These include:
 - The Secretary of State's Statutory Guidance to Local Authorities on the Civil Enforcement of Parking Contraventions
 - The Traffic Signs Regulations and General Directions 2016 (as amended) and related circulars
 - Department for Transport Traffic Signs Manuals
 - The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022
 - Sheffield City Council's Traffic Regulation Orders (TROs)
 - The Highway Code and Know Your Traffic Signs publications.

We would like to point out that it is impossible to provide in this document, specific guidelines to cover all circumstances.

2. Summary of Supporting Legislation and Guidelines

The Traffic Management Act 2004 was introduced to place a duty on local authorities to tackle congestion and disruption on the road network (working in partnership with other nearby authorities) so far as may be reasonably practicable while having regard to its other obligations, policies and objectives.

This Act provides councils with legal powers to support the regulation of parking (and some moving contraventions) by way of enforcement, as well as other activities such as coordinating street works. Part 6 of the Act covers the enforcement of traffic contraventions.

The Council will use these powers with regard to this policy, which is aimed at achieving:

- More effectively implemented and enforced parking policies to improve traffic and public transport flow, road safety, use of parking spaces and environmental benefits.
- Co-ordination of enforcement and parking policy so that we can better utilise enforcement and respond to what local people want as well as what authorities are required to do.
- Re-investment of PCN income back into the service and other transport related projects.

The design and review of parking and traffic restrictions are the remit of the Transport team. This policy covers the enforcement of restrictions once implemented and the subsequent appeals process.

There are various associated regulations and national guidance stemming from the Traffic Management Act 2004. These set the rules for parking and bus lane enforcement for local authorities and motorists.

- The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022
- The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022
- The Civil Enforcement Officers (Wearing of Uniforms) (England) Regulations 2007
- The Removal and Disposal of Vehicles (Amendment) (England) Regulations 2007

Penalty Charge Notices issued prior to 31 May 2022 were covered by earlier regulations from 2005 and 2007.

The Department for Transport also publishes statutory guidance for Councils to follow.

For most types of restriction enforced using PCNs, there must be a Traffic Regulation Order (TRO) which creates that restriction. Certain restrictions do not require a TRO and can be created simply by placing the necessary traffic signs (such as bus stop clearways and crossing controlled areas (marked by white zig zags)). Certain other matters may be dealt with based purely on the circumstances, such as where parking occurs at dropped kerbs or double parking.

A TRO is a legal document which sets out the Council's intended restrictions, including how and where they are applied. Councils must follow legislation such as the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended) to create Traffic Regulation Orders. This ensures a consultation process is followed and (unless restrictions are only temporary) objections can be made within set timescales.

We would include evidence of any relevant TRO if a case were taken to appeal at the Traffic Penalty Tribunal (TPT). Some of our existing TROs can be viewed in the TRO Library on the TPT website (www.trafficpenaltytribunal.gov.uk/tro-library/).

There are also rules about the signage that can be used to inform drivers of the relevant restrictions. For new schemes, these are laid out in The Traffic Signs Regulations and General Directions 2016 (as amended). Some older schemes may still be marked out using signage contained in earlier versions of the Traffic Signs Regulations and General Directions.

Occasionally a Council may need to introduce a restriction which is not provided for in the national regulations. To use non-standard traffic signs, the authority must get approval from the Department for Transport. Details of such approved signs are available online: www.dft.gov.uk/traffic-auths/

The Highway Code

All road users should read the Highway Code and be aware of its contents, which include rules about driving and parking.

As well as the Highway Code, the DfT also publishes further guidance to motorists in 'Know Your Traffic Signs'. These DfT publications are available online as well as hard copies. As stated in 'Know Your Traffic Signs', it is essential that drivers have knowledge of traffic signs, including keeping up to date with changes to road signs.

Periodically national regulations and guidance are updated by government. The Council will have regard to these updated materials when published.

3. Enforcement Policy Objectives

Enforcement is carried out at locations where restrictions are correctly signed and (if required) a valid Traffic Regulation Order (TRO) is in place.

Enforcement is aimed at:

- Discouraging parking which is dangerous or obstructs other motorists, pedestrians, cyclists and disabled people.
- Improving the quality and accessibility of public transport and bus journey times.
- Helping Sheffield be a sustainable city economy, supporting high streets and district centres; balancing the needs of different road users, including vehicles required for deliveries.
- Improving the local environment.
- Supporting the needs of disabled people, including those who rely on the use of a vehicle.
- Delivering the objectives of parking schemes, such as permit parking zones to help residents and local businesses.
- Improving compliance - issuing Penalty Charge Notices acts as a deterrent, but through publicity campaigns, warning notice periods for new restrictions, website information, the appeals process and CEO advice to the public, we also aim to educate.
- To support Transport Strategy targets and objectives, and to help meet the requirements of The Traffic Management Act 2004, including reducing congestion and improving road safety.

4. Enforcement Priorities

Evidence for PCNs issued using CCTV is captured using Automatic Number Plate Recognition (ANPR). As such the cameras capture all vehicles that enter the restricted area. Any vehicles that are known to be exempt or authorised are filtered out by the system before review work is carried out. The regulations¹ require that a request is made to the DVLA within 14 days from the contravention date so as to get the registered keeper details. The Council aims to review all CCTV footage in time for the DVLA information to be requested. This also ensures the keeper receives the notification of the contravention promptly (following the DVLA response and processing of the PCN for issue).

It is not feasible to patrol all on-street and car park restrictions constantly. To meet the objectives of parking enforcement, restrictions have been ranked according to levels of priority. Generally, these align with the above objectives and with the higher and lower level contraventions rates (as listed in the Civil Enforcement Officer (CEO) handbook).

Some restrictions will be given more focus at different times – for example, school keep clear restrictions would be prioritised around the school start and finish times, or restricted streets near football grounds on match days.

To cover different areas throughout the city officers are assigned routes ('beats' to patrol on foot or areas to visit using transport). These are kept under review by the enforcement team.

The enforcement team may be made aware of 'hotspot' areas with current issues through liaison with other parties such as bus companies and elected members, plus other feedback and assessment.

If a high volume of contraventions occurs in a particular area, the underlying reasons should be investigated.

Drivers who believe there is a low risk of getting caught should not contravene a restriction. PCNs may be issued anywhere that has restrictions implemented.

Members of the public can also report where they think vehicles are parked in contravention of restrictions, including suspected Blue Badge misuse. These requests would be assessed on priority too. We need details such as the exact location, times of day and days of the week when regular parking issues are occurring, so that we can follow up on these requests. Information about reporting incorrectly parked vehicles is available on the Council website.

Where camera enforcement is not possible, Penalty Charge Notices can only be issued where one of our CEOs observes a vehicle in contravention.

¹ Regulation 10 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

Department for Transport Operational Guidance to Local Authorities (2010) recommended not pursuing more than one PCN issued over a 24-hour period where a parking contravention has occurred and the vehicle has not moved.

Whilst not contained in 2022 Statutory Guidance, our policy still provides that the CEOs should only issue one PCN within a single 24-hour period. Drivers should not regard the PCN as a 'permit' to park. In some circumstances and where appropriate, the Council may instruct removal of the vehicle after a PCN has been issued. Vehicles parked for longer than 24 hours at a location where a restriction applies may also be issued further PCNs.

There may be instances where it may seem a vehicle is in contravention, but it is not – for instance, a vehicle parked on a waiting restriction may have a Blue Badge correctly displayed, or the vehicle may be parked in a relevant bay with a valid virtual parking permit, or cashless payment session. Checks can be made from the control room to see if a vehicle has a virtual permit or cashless payment session.

Type of restriction	Priority ranking	Planned assignment of CEOs
Bus lanes and bus stops	High	Daily as part of patrols of key routes and beats; also enforced using CCTV
Peak period no loading restrictions on key main roads connecting the city	High	Daily as part of patrols of key routes and areas
Single/double yellow on main roads	High / medium	Beats and areas
School keep clear restrictions (which have a Traffic Regulation Order)	High	Daily enforcement during term time on a pre-planned schedule of schools (note: signs do not specify the restrictions apply term time only – drivers should observe the signed restrictions); also enforced using CCTV
Permit Parking Zones	Medium	Beats and areas
Pedestrianised Areas	High / medium	Beats and areas
Taxi ranks	High / medium	Some ranks (e.g. near shops) are always enforceable; on other

Type of restriction	Priority ranking	Planned assignment of CEOs
		streets enforcement is prioritised in the evenings as they service night-time economy premises
Disabled bays	High / medium	Depending on location – some will be observed more frequently as they are in areas which have other high priority restrictions
Loading bays and other bays for specific users (e.g. motorcycle bays, electric vehicles)	Medium	Depending on location – some will be observed more frequently as they are in areas which have other high priority restrictions
City Centre Pay & Display or cashless parking bays (on and off street)	Medium / low	Beats
District shopping areas – parking bays	Medium / low	Beats and areas
Road junctions with restrictions (not main roads) and other yellow lines	Medium	Beats and areas
Events	High	Based on when these are scheduled
Temporary restrictions for works such as highway maintenance (Streets Ahead)	High	Based on when these are scheduled
Bay suspensions	Medium	Based on when these are scheduled
Blue Badge Misuse	High / Medium	Beats and areas
Red routes and other no stopping restrictions	High	Daily as part of patrols of key routes and areas

Type of restriction	Priority ranking	Planned assignment of CEOs
		Also red routes may be enforced using CCTV
Cycle lanes with restrictions	High	Beats and areas; also mandatory cycle lanes with waiting and / or loading restrictions may be enforced using CCTV
Car parks outside the city centre (permits)	Medium	Beats and areas
Car parks outside the city centre (pay and display, limited waiting)	Low	Beats and areas
Dropped kerbs	High / Medium	Based on requests for enforcement if blocking a drive, otherwise depending on location – some will be observed more frequently as they are in areas which have other high priority restrictions (e.g. main pedestrian routes with tactile paving)
Double parking	Medium	Depending on location – some instances will be observed more frequently as they are in areas which have other high priority restrictions
Environmental (e.g. engine idling FPNs)	See relevant parking restriction type	Linked to enforcement of relevant parking restrictions

CEOs also carry out other duties including:

- Reporting any signage issues
- Issuing warning notices
- Reporting potential abandoned vehicles

- Putting up signs indicating the suspension of parking places and removing them
- Helping with some parking surveys and providing reports
- Providing witness statements; officers could also be requested on rare occasions to give evidence directly in an adjudication hearing
- Reporting relevant activities to other departments (for example Highways) and the police
- Assisting with general queries about parking to help drivers understand the rules; engaging in events when required to promote understanding and find out local issues

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5. Parking and Bus Lane Enforcement Policy

The following section document lists the most common scenarios that will be considered by CEOs when patrolling restrictions.

Bus lane restrictions and some parking contraventions are enforced using CCTV enforcement.

More details of different restrictions and the issuing of PCNs are contained in Appendix A: Sheffield City Council Civil Enforcement Officer (CEO) handbook.

We aim to:

- treat everyone fairly and consistently
- be balanced in how we enforce parking.

All staff are required to adhere to the Council's Code of Conduct which lays out expected standards of behaviour, including being respectful to others, not influenced by personal gain and adhering to the Council's policies and procedures.

As enforcement staff may encounter vulnerable adults and children whilst patrolling and may be regarded as an official figure in uniform, all our CEOs have a Disclosure and Barring Service (DBS) check. This checks for criminal convictions and cautions.

As with all services, the Council must put in place safe systems of work and take whatever measures are necessary to protect its staff and keep them safe, while carrying out their duties. Examples of this include body worn cameras and not patrolling alone in some areas.

A Civil Enforcement handbook has been included as part of the policy. This details reasons why a PCN may be issued, observations that a CEO will carry out and exemptions that apply in different circumstances.

Staff working on behalf of Parking Services undertake relevant training, including in-house training and development.

Once a PCN has been issued there is an opportunity to appeal. Guidance Policies for Civil Parking and Bus Lane Appeals are also set out within this document.

Abandoned Vehicles

Abandoned vehicles can be reported online via the Council's website (www.sheffield.gov.uk) if there is evidence it is:

- not taxed
- in a very poor condition (e.g. flat tyres and broken windows) and it does not appear to have been for a significant amount of time (i.e. has been left parked at the same location without being moved for more than two weeks).

If a CEO suspects a vehicle meets the above criteria, checks should be made by the Parking Services enforcement team to see if it is:

- taxed (using the www.gov.uk website); If a vehicle is untaxed but it appears it is not abandoned this can be reported via the www.gov.uk website.
- Contacting the police to verify if it is stolen

The Council's abandoned vehicle section can deal with such vehicles under the provisions of the Refuse Disposal (Amenity) Act 1978. If a vehicle is abandoned and has already been issued at least 3 PCNs, no further PCNs should be issued.

Once a vehicle has been deemed abandoned it can be removed to a secure compound, where if not claimed is destroyed. Vehicles can be removed from the public highway and from any land in the open air (including private land) after notice is given and where the occupier does not object.

Bank Holidays

If a bank holiday is on a day when restrictions normally apply, signing rules say that the restriction applies as normal, unless the signs specifically state 'except bank holidays'.

Bank Visits & Security Vans

If restrictions are in place near a bank, these should be complied with by all motorists.

The only exemption which applies is for armoured vehicles (operated by companies licenced under the Private Security Industry Act) which are delivering/collecting cash or other valuables to banks or other business premises and are occasionally required to park near business premises in order to safely deliver or collect high value amounts.

Security vans involved in the delivery of mail or other such low value items are expected to comply with parking restrictions.

CCTV enforcement of parking restrictions

The Council can issue parking PCNs for certain contraventions detected using CCTV and associated recording equipment (a certified approved device). Images are reviewed by the enforcement team to carry out checks the vehicle registration has been recorded correctly and that the evidence shows the vehicle is in contravention before the case is referred for a PCN to be issued.

Such PCNs would be served by post after the keeper details have been obtained from DVLA.

The restrictions that such PCNs can be issued for are if vehicles are parked:

- In a bus lane (waiting and loading restrictions will apply)
- In bus stop clearway or bus stand clearway
- On 'keep clear' zig-zag markings outside schools
- On a red route
- In a mandatory cycle lane (which has waiting or loading restrictions)

Such enforcement would normally be used if enforcement by CEOs on patrol has challenges and traffic management issues cannot be resolved. This may include areas where officers have experienced abuse, or where vehicles are temporarily moved when an officer is seen but then returned to the restriction resulting in ongoing traffic management and road safety issues.

CCTV enforcement of bus lane restrictions

The Council can also issue bus lane PCNs for contraventions detected using CCTV and associated recording equipment (a certified approved device).

This footage is also reviewed before a PCN is issued to check the vehicle registration is correct and that a contravention has been witnessed.

These PCNs would also be served by post after the keeper details have been obtained from DVLA.

Bus lane enforcement includes vehicles driving along bus lanes and bus gates (as detailed in the CEO handbook).

Dropped Kerbs

Kerbs may be lowered for the benefit of other road users such as pedestrians, cyclists and vehicles that need to cross the footway (or a verge, or cycle track) to gain authorised access to other premises.

A carriageway may also be raised to meet the level of the footway, cycle track or verge.

Parking in front of such dropped kerbs is not permitted and may cause inconvenience, or even prevent access for others, especially those with a disability or impairment. The Highway Code says not to park where the kerb has been lowered to help wheelchair users / powered mobility vehicles, or in front of an entrance to a property. Parking in front of a driveway can prevent the householder from gaining access to the highway.

Where another restriction is in place (such as double yellow lines), a PCN may be issued to the vehicle if it is contravening that restriction.

In the absence of such restrictions, a PCN may still be issued if a vehicle is parked across a dropped kerb. The exemptions that apply if a vehicle is parked across a dropped kerb may differ to those for other restrictions. Whilst a Blue Badge holder may park on a waiting restriction for up to 3 hours, they are not allowed to park in front of a dropped kerb.

The police may issue a Fixed Penalty Notice for obstruction (if another vehicle cannot get off their driveway), but the council may also issue a PCN if a vehicle is parked across a dropped kerb at locations:

- that form part of a signed cycle network route;
- where tactile paving has been provided; or
- where it has been verified the occupier of premises has complained about a vehicle parked across their driveway and there is a 'H' marking in place to deter parking.

This would not apply if the vehicle is parked fully within a signed parking bay.

The occupier of a residential property may park their own vehicle in front of their driveway dropped crossing (or permit someone else to), providing:

- there is not another restriction in place
- they have not accepted a reward to allow someone to park there
- it is not a shared access

Double Parking / not parking adjacent to the carriageway edge

A PCN may be issued if a vehicle is parked more than 50cm from the edge of the carriageway. Vehicles parked out on the road may impede other drivers from passing along the street, especially larger vehicles such as fire engines, ambulances, buses, or waste collection lorries.

This applies to Blue Badge holders too.

A PCN would not be issued if the vehicle is parked fully within a signed parking bay that is positioned away from the carriageway edge.

Broken Down Vehicles

A note left in the windscreen stating that the vehicle has broken down will not be accepted by the CEO as a reason for not issuing a PCN. A CEO may exercise reasonable discretion if they observe a driver experiencing difficulties (for example unable to start the car and awaiting recovery). However, if this is not witnessed and a PCN is issued the driver would need to appeal the PCN (see appeals policy).

A vehicle being used to remove a broken-down vehicle from the highway would be exempt whilst engaged in this activity as detailed in the CEO handbook.

Bus Lanes and Bus Gates

Bus lane and bus gate enforcement is carried out using CCTV and PCNs. Such PCNs are issued by post.

When enforcement is introduced in new locations, we will issue warning notices for a period of one month before full enforcement starts.

If there are extensive road works or events in progress which may cause confusion near bus lanes / bus gates, or stop traffic from using other routes, enforcement may be suspended. In such cases, signage will be put in place to inform drivers the bus lane or gate is not operational.

Bus Stops and Bus Stands

Where there is a bus stop clearway (or bus stand clearway), other vehicles are not permitted to stop when the restriction applies, except if exempt (see the CEO handbook). Taxis (licenced hackney carriages, not PHVs) may wait to allow a passenger to board or alight.

Carers/Care Organisations

The NHS and organisations that employ professional carers may apply to the Council for permit staff to park in permit bays to visit patients at home.

Residents may obtain a carer's permit for family and friends who attend as carers (or for the use of professional carers too).

All permits are subject to online terms and conditions.

Carers are not exempt from yellow lines restrictions or other restrictions such as disabled bays, bus stop clearways, loading bays.

Clamping

The Council has the power to clamp vehicles parked in contravention of parking restrictions, in addition to the issue of a PCN. However, the Council consider that the clamping of a vehicle parked in contravention of a restriction does not have clear traffic management benefits. Therefore, we will not clamp vehicles parked in contravention of parking restrictions. However, we may in some circumstances tow a vehicle away (see Specific Policy - Removal of Vehicles).

Complaints

Claims that a CEO has made an error whilst issuing a PCN will be investigated under the normal appeals procedures and a written response will be sent.

Any allegation of misconduct or rudeness made against a member of the enforcement staff will be investigated under the Council's official complaints procedure.

The official complaints procedure is **not** appropriate for use in relation to appeals against PCNs, as there is a separate independent tribunal available for these issues. (see Traffic Penalty Tribunal). Nor is a referral to the Local Government Ombudsman appropriate as again, the Traffic Penalty Tribunal is the relevant body to hear disputes regarding the issue of PCNs.

Council Officers and Members on Duty

All Council officers and members on duty are expected to fully comply with parking regulations.

Disabled Drivers/Passengers

Blue badges may only be used if the vehicle is being used to transport the badge holder. They cannot be used for example by someone else to go shopping on behalf of the badge holder if the holder is not a passenger in the vehicle.

The badge must be clearly displayed so it can be read from outside the vehicle. The front of the badge (showing the expiry date, issuing authority and serial number) should be face up. This side of the badge has a hologram.

Where a time limit applies for badge holders the timer disc must also be displayed and set by the user to show the time the vehicle was parked.

All EU Blue Badges may be used in Sheffield. Non-EU badges may also be used (this is a discretionary allowance) but would still need a timer disc if parked where time limits apply (or a note displayed in the vehicle stating the time of arrival).

A PCN may be issued if:

- the vehicle is parked at a location where Blue Badge exemptions do not apply
- all the details on the front of the badge cannot be seen or are not legible
- the timer disc is not set / displayed at location where time limits apply to badge holders
- it appears the vehicle has been parked for longer than permitted with a blue badge / timer disc displayed
- there is reason to believe the badge is not being used for the benefit of the holder



Information for badge holders is available online:

www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england

If the Blue Badge is believed to be being used for the benefit of someone other than the badge holder, CEOs may request to inspect the badge and retain it if it seems the badge is being misused. Procedures will be followed to establish the badge holder's whereabouts.

In addition to the issue of a PCN (any parking exemptions would not apply if the badge is being misused), the CEO may record a separate statement for any potential Blue Badge misuse cases to be dealt with through criminal proceedings.

Discretion

To protect CEOs from allegations of inconsistency, favouritism and claims of bribery, the government suggests that the exercise of discretion should rest with back-office staff who deal with challenges, representations and appeals.

However, if the driver returns before a PCN has been printed the CEO should verbally advise the driver why they cannot park there (see Regulation 10 PCN information in the CEO handbook).

However, once the CEO has commenced the process of printing a ticket, they must complete the process and issue a PCN. In these circumstances, if the motorist wants to dispute the PCN the appeals process should be followed.

Dispensations and Suspensions

(a) Dispensations

The TROs contain details of exemptions that apply to the restrictions – for example loading / unloading activity on a waiting restriction. In general, where tools, equipment or materials are required, these items should be unloaded (from a location where this activity is permitted) into the relevant premises and the vehicle should then be parked legally elsewhere.

There may be occasions where there is no relevant exemption in the TRO, but it is necessary for a vehicle to park there. Consideration may be given to the issue of dispensations to vehicles which are being used as a workshop. The definition of a workshop vehicle is one where there is equipment which needs to be used directly from the vehicle as part of the work being carried out at an adjacent property (for example a vehicle being used to clear blocked drains that has a hose attached).

Dispensations have to be applied for and paid for in advance of the works taking place. These are processed by the back-office team. Information about applications, including fees is on www.sheffield.gov.uk.

Dispensations are always vehicle specific. If a dispensation is not used in accordance with the dispensation terms and conditions, or the agreed activity for which it was issued is not observed a PCN may be issued.

(b) Suspensions

These must also be applied for and payment made in advance. Information about this process is on www.sheffield.gov.uk. These are signed using Department for Transport approved signs. See the CEO handbook for information about issuing PCNs to vehicles in suspended bays.

There are occasions when parking bays have to be suspended – usually to enable works to be carried out. The bays affected may be free parking bays, pay & display bays, residents parking bays or other bays which are allocated for specific users. Suspension applications will be considered for reasons such as:

- maintenance of adjacent property where highway access is required for deliveries, essential vehicles, skips etc
- skips on the highway
- maintenance of trees
- Police request
- security reasons
- filming - contact us about filming in the city
- any other reason accepted by Parking Services.

Parking suspensions are intended to keep the bays clear.

We will not suspend bays to provide parking for vehicles unless they are essential for works in the suspended area (such as an asbestos removal vehicle). Other examples of vehicles that are essential for the agreed works would be allowed access to the suspended area are:

- if a bay is suspended for utility works, liveried utility vehicles being used in connection with the works
- if a bay is suspended to allow access to a construction site - only works vehicles being used to continuously load or unload goods or materials to that project can use the suspended area
- for filming suspensions - only essential filming unit vehicles such as lighting generators and equipment vehicles.

Bay suspensions are not granted for general parking of personal vehicles (such as cars/vans, people carriers). Other works or private vehicles should be parked legally elsewhere (for example in nearby pay and display parking).

Applications for suspensions must be received at least 10 working days prior to the required date and must be made to the Council's Parking Services section. Full payment must be made at least 9 days prior to the suspension start date. Less notice may be accepted in certain circumstances (e.g. for funerals), subject to discretion.

If granted, suspensions of parking bays / spaces will be clearly signposted with temporary DfT approved signs indicating the exact location and extent of the suspension with the start and finish dates and times. These signs will normally be displayed at least five days before the suspension comes into operation, but less notice may be given in certain circumstances (e.g. for emergency works), subject to discretion. When the signs are erected, a record will be made of any vehicles which are already parked at the relevant location.

Signs are placed to deter motorists from parking in the suspended area, but we are not able to guarantee that vehicles will not park there. Our enforcement team can be contacted to report vehicles.

We do not remove vehicles from the suspended area, but vehicles seen by the Civil Enforcement Officers parked in contravention of a suspension may receive PCNs.

Dropping Off / Picking Up Passengers

The CEO handbook details restrictions where exemptions apply to allow a passenger to be picked up / dropped off. This activity is not permitted where no stopping restrictions apply (for example clearways, red routes, zig-zags outside schools and on pedestrian crossings).

In most circumstances, the driver should remain with the vehicle and a maximum of two minutes allowed (unless passengers requiring more assistance such as elderly, disabled, or young children are involved).

This also applies for Hackney Carriages and Private Hire Vehicles. Special consideration will be given to Hackney Carriages or Private Hire vehicles that will need a small amount of additional time to announce their arrival and accept payment. CEOs will exercise reasonable discretion in such circumstances.

Emergency Vehicles Service vehicles

Emergency service vehicles (such as police, fire and ambulance) are exempted from some restrictions (see Civil Enforcement Officer (CEO) handbook), provided the vehicle is being used for operational duties, rather than parked for convenience outside premises such as police stations, courts, or during breaks from duty.

Enforcement Agents

Enforcement Agents have certificates (issued by county court judges) which allow them to recover debts. Functions they perform include executing warrants (court

orders) for the collection of money or goods. For this purpose, the Enforcement Agent will always have an appropriate vehicle nearby. If the only nearby available place to leave the vehicle is a yellow line a dispensation may be applied for.

For other locations (e.g., where parking bays are available), or to carry out other activities for which they do not need a vehicle nearby (such as if they are serving a summons or a warrant) they would be expected to comply with parking restrictions.

Footway / Verge Parking

Outside of London, footway parking can only be enforced by CEOs if:

- there are signs on the footway / verge which prohibit waiting or stopping; or



Use code 01



Use code 46

- a signed footway parking ban zone has been set up; or
- there is a waiting restriction on the section of the carriageway *parallel* to where the vehicle is parked. If there is also a loading ban, the PCN may be issued for contravening the loading ban. In such circumstances a PCN may only be issued during times when the waiting / loading restriction applies; or
- there is a no stopping restriction indicated by red lines on the section of the carriageway parallel to where the vehicle is parked. In such circumstances, a PCN may only be issued during times when the red route no stopping restriction applies.

Vehicles parked on the footway where there is not any signage that would allow a CEO to issue a PCN may be issued a Fixed Penalty Notice (FPN) by the police if they consider there is deliberate obstruction.

The Highway Code states: You **MUST NOT** park partially or wholly on the pavement in London, and should not do so elsewhere unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs.

See Private Property section too.

Funerals and Weddings

Official vehicles actively involved in a funeral, or a wedding will be given due consideration and PCNs will not be issued (i.e., the official hearse vehicle, or the official wedding car transporting whilst dropping off the bride / groom).

Other vehicles being used by those attending a service should park legally.

Garages

A PCN may be issued if a repair garage employee parks a vehicle on the highway, in contravention of a restriction, whilst maintenance of the vehicle is being carried out, or if there is not enough room in the garage premises for the vehicle. If a garage employee drives the vehicle through a bus lane a PCN may be issued too.

Likewise, drivers should not leave a vehicle in contravention of a parking restriction whilst dropping off a vehicle at a garage.

Liability for PCNs issued to a vehicle whilst it is in the care of a garage remains with the keeper of the vehicle. Any claim for penalty charges incurred would be a civil matter between the two parties.

Loading / Unloading

Loading / unloading is generally permitted when there are waiting restrictions in place, except when there is also a loading restriction. See CEO handbook for more details of where loading / unloading exemptions apply.

There is not a fixed observation period that must be given to see if this activity is happening. The CEO handbook contains suggested observation times that will be applied.

Loading exemptions apply if the vehicle is waiting where permitted and either the goods being delivered/collected are heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from a 'legal' parking place.

It also includes delivery / collection if being done as part of the operations of a commercial delivery business (e.g., couriers).

Loading exemptions do not cover activities such as:

- the driver also stopping for other activity, e.g., carrying out work, getting a drink, serving customers, going to the toilet
- shopping i.e. buying goods before loading them.
- stopping for convenience for collection - e.g., a driver going to collect a takeaway (however, if a driver is delivering food as part of a business, this would be classed as loading whilst they need to collect / deliver it, but not if waiting for the order to be prepared)

Visitors

Visitors should park in accordance with the restrictions in place (such as in limited waiting bays or pay & display bays). This may mean a short walk to the premises they are visiting. If they need to park in a permit holder's only bay, they should request the use of a visitor permit from the resident they are visiting.

Most parking and traffic restrictions in Sheffield and the signs used to denote them are similar to those used in other parts of the country. Visitors to Sheffield are expected to comply with restrictions in the same way as motorists who live in the city.

Discretionary consideration may be given in some circumstances for restrictions indicated by non-standard Department for Transport prescribed signage (not contained in current versions of the Highway Code or Know Your Traffic Signs).

Warning notices – parking restrictions on street

If a new or amended Traffic Regulation Order for parking restrictions is introduced the CEOs may initially issue warning notices for the first 7 days.

On occasion, we need to introduce temporary restrictions. Reasons for this would include short-term traffic management or events. For short-term temporary restrictions, it may not be possible to issue warning notices.

At locations where parking PCNs are issued using CCTV, warning notices will be issued for 1 month.

Obtaining change (for pay and display)

The law does not allow motorists time to park up and then get change (for example from a nearby shop) so a pay and display ticket can be bought. This is a matter that has been decided at High Court.²

A motorist should travel with spare change otherwise, they must park legally elsewhere. At some locations there are alternative options to pay by phone, or by card.

Pay and Display Bays / Cashless Parking Restrictions (On-street and in Car Parks)

Pay and display parking bays / car parks require the purchase of a ticket or payment using cashless parking. Payment must be made at the time of parking.

² Strong v. Dawtry 1961

- Unless a maximum stay applies at the location, cashless parking sessions can be extended remotely if drivers need to park for longer than the initial payment was made for
- Where available only one free parking session should be used at the same parking location on any day – longer parking sessions must be paid for

Further information is provided on restrictions signs, information boards / panels and / or machine facias about the use of pay and display and cashless parking and circumstances in which a contravention may be deemed to have occurred/where PCNs may be issued (such as not clearly displaying a ticket, or parking at a different location to where the parking session was bought for). These requirements are also contained within the relevant TRO underpinning the restriction.

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Pay and Display Machines not working

If a machine is not working drivers should either:

- use an alternative machine in working order in close proximity, (i.e. on the same car park or street)
- obtain a cashless parking session (information about this will be shown on the pay and display machine and/or other nearby signs)
- use a credit / debit card to make payment at machines with this facility if the fault is a with getting coins accepted
- find alternative parking

There is a telephone number on the pay and display machines that drivers can use to get advice on their alternative options.

Penalty Charge Notice – recorded observation times

The issue of PCNs is usually controlled by either:

- handheld computer terminals carried by the CEOs.
- Software for CCTV camera systems.

These have integrated clocks which are synchronised to national standards. Time is synchronised with mechanisms such as an Internet Time Service (ITS). It is not possible for the CEO to alter the time stated on such PCNs.

In rare circumstances a handwritten parking PCN may be issued and the CEO will use a digital watch to reference the observation times noted on such PCNs.

Pay and Display machines are also networked. Whilst on patrol CEOs check they are working, including showing the correct time and date. This is done by obtaining a “test” ticket from the machines.

Permits/Permit Parking Zones

As part of some agreed parking schemes permits are issued to eligible applicants. Proof may be required for the issue of permits.

Some permits are virtual parking permits (where their existence can be checked in a manner similar to vehicle tax), whilst others are still physically issued permits which must be clearly displayed in the vehicle.

Examples of permit types include residents’ permits, business permits and visitors’ permits. The types of permits available may be reviewed as part of changes to parking schemes. Current permit types available are published online. All permits are subject to terms and conditions (covering how the permit may be used). This

information is also online, with other information such as how to apply and proofs required.

Private Property

A road is legally defined for the purposes of traffic regulation as "any length of highway or other road to which the public has access". If a vehicle is parked on a section of road where a parking restriction applies, a PCN may be issued.

Highways are regarded in common law as being land on which all members of the public have a right to pass and re-pass. Different types of highway may be used by different types of traffic. For example, highways which are footpaths provide a public right of passage on foot.

Highways can be adopted or unadopted – the adoption status only determines who is responsible for maintaining it. Even if an area of highway is unadopted or privately owned, if it is still highway (i.e., all members of the public still have a right to pass over this section of land) then parking restrictions may still apply.³

The legal definition of road above also includes roads "to which the public has access". It is therefore possible for parking restrictions to apply to land which is not highway but may still be considered a road "to which the public has access". This may result in a situation where a parking restriction applies across the entire width of a road despite only some of it being highway, on the basis that the entire width of the road is accessible to the public.

The existence of this rule means that there should be a physical boundary or barrier between areas of roads which are highway and those which are not but would otherwise be publicly accessible. If not, then parking restrictions may apply across the entire width of the road.

See Footway / Verge Parking section too.

We enforce Council operated car parks on Council owned land and also enter into agreements to provide Council operated off-street parking on their land (for example some Sheffield Hallam University car parks).

Parking restrictions placed on other private property off street cannot be enforced by our Civil Enforcement Officers. The relevant landlord or owner, or enforcement agency should be contacted about queries. The British Parking Association has information about Approved Operators.

Tariffs for Parking – On & Off Street

³ High Court decision (Price v DPP [1989] RTR 413) stated "Although the surface of the pavement differs at or about the line dividing public ownership and private ownership, there was nothing in the photograph or plan, nor anything in the evidence, that suggested that the privately owned part of the pavement was in anyway shut off to pedestrians or in any way delineated so as to indicate that it was not part of the pavement as a whole for the purpose of people walking up and down"

We may periodically review (usually annually) the level of charges for parking on-street and in our car parks. Officers will conduct the review and any recommendations will be placed before appropriate elected members in accordance with the Council's constitution in relation to such decisions. Agreed changes will also follow Traffic Order procedures before being implemented.

Taxi Ranks

Taxi Ranks are for the use of licensed Hackney Carriages Vehicles. Use by Hackney Carriages licensed by other authorities or by Private Hire Vehicles is prohibited.

Taxis parked on other restrictions such as yellow lines outside a taxi rank may be issued with a Penalty Charge Notice.

Sheffield City Council Hackney Carriage Byelaws should also be adhered to by Hackney Carriage drivers. Enforcement of this is separate to the parking policy.

Uniforms – Civil Enforcement Officers

The Traffic Management Act 2004 and associated regulations require CEOs to wear a uniform.

This should show:

- the CEO is involved in parking enforcement
- Sheffield City Council
- a badge number to identify the CEO

The CEOs also carry a Sheffield City Council photo identity card, showing their identification number.

To protect their identity the CEOs name is not on the uniform or ID card.

Foreign Vehicles

Drivers of foreign vehicles should comply with restrictions and a PCN may be issued if not.

6. Definitions

The following are definitions of terms commonly used in conjunction with parking and bus lane enforcement.

Challenge

A “challenge” is a written communication to the local authority in response to the issue of a PCN, during the period prior to the issue of a Notice To Owner. If a challenge is received within the period of 14 days from the date of service of a PCN, the discount period will be re-offered if the challenge is rejected.

Charge Certificate

A charge certificate is issued: -

- (i) Not less than 28 days after a Notice to Owner (NtO) is served and no payment or formal representation is received
- (ii) Not less than 28 days after a Notice of Rejection of Representation is served where no payment has been received and no appeal has been made to Traffic Penalty Tribunal.
- (iii) Not less than 28 days after rejection of an appeal by the Traffic Penalty Tribunal has been served.

When a Charge Certificate is issued the amount of the penalty is increased by 50%

The Charge Certificate is sent to the debtor requiring payment of the full increased amount within 14 days of the date of service.

Debt Registration

This is done at the TEC (Traffic Enforcement Centre) on or after 14 days from the service of a Charge Certificate if the PCN is still open. The local authority must confirm issue of the Charge Certificate to the court and there is a fee payable to TEC for each registration. This is added to the Charge Certificate amount owed to the Council when an Order for Recovery is sent to the keeper / hirer once TEC accept the debt registration

The Order for recovery is sent to the debtor advising him / her that they have 21 days in which to pay the amount owed or make a witness statement to TEC if one of the following applies:

- The Notice to Owner / postal PCN was not received
- Formal representations were made but no reply was received
- An appeal was made to the Traffic Penalty Tribunal but the decision was not received
- The PCN had been paid in full

Failure to do either will result in a Warrant of Execution being applied for by the Council at TEC. Once issued, this will enable the Council to instruct Enforcement Agents to collect the debt on their behalf.

Driver Vehicle Licencing Authority (DVLA)

The government centre responsible for maintaining records of vehicles, their registered keepers and driving licences.

Non Fee Paying Enquiry and Response to DVLA – VQ4 & VQ5

For postal PCNs, or when a parking PCN served on street remains unpaid, the Council will make a non-fee paying enquiry to DVLA to ascertain the identity of the keeper of the vehicle. The enquiry is made electronically via the Council's parking processing system.

The response from DVLA is also electronic and is automatically fed into the Council's system.

Notice to Owner (NtO)

If a parking PCN served on street remains unpaid for 28 days, the Council will make an enquiry with DVLA to ascertain the identity of the registered keeper. Once this is done, a legal Notice to Owner will be sent to the keeper advising him / her that the relative PCN remains unpaid.

The Notice will contain full details of the PCN issued and will request payment within 28 days of service, or it gives the keeper the opportunity to make a formal representation against the PCN, which also must be done within 28 days. This should be done online or by post. The NtO details how to do so.

Penalty Charge Notice (PCN)

Parking PCNs served on street must be affixed to the vehicle or handed to the driver.

Local authorities can also issue parking PCNs by post if the Civil Enforcement Officer has been prevented from issuing it, either because the vehicle has been driven away, or by the conduct of the driver in preventing the CEO. from issuing it to the vehicle. Also local authorities can issue by post, PCNs which have been detected using CCTV (an approved device).

PCNs served on street will identify: -

- the name of the enforcement authority
- the registration mark of the vehicle involved in the alleged contravention
- the date and time at which the alleged contravention occurred
- the grounds on which the civil enforcement officer serving the notice believes that a penalty charge is payable (including a contravention code)
- the CEO badge number
- observation times
- the street or car park name
- the amount of the penalty charge
- that the penalty charge must be paid before the end of the 28-day period beginning with the date on which the notice is served
- that if the penalty charge is paid before the end of the period of 14 days (21 days in the case of PCNs served by post using evidence from an approved device), beginning with the date of service of the notice, the penalty charge will be reduced by the amount of any applicable discount

- the manner in which the penalty charge must be paid
- that if the penalty charge is not paid before the end of the 28-day period, a notice to owner may be served by the enforcement authority on the owner of the vehicle; and
- that the person on whom the notice to owner is served will be entitled to make representations against the penalty charge.
- the date of service (issue) of the PCN
- the make and colour of the vehicle
- location of the vehicle
- Instructions on how to challenge or make formal representations against the issue of the PCN.

Registered Keeper

The person(s) or organisation who are registered at DVLA as being legally responsible for the vehicle. The registered keeper is not necessarily the owner or the driver.

Representation

A “representation” is a written communication to the local authority in response to a Notice To Owner or a PCN which has been issued by post. Where a representation is made in response to a Notice To Owner, the full amount of the Penalty Charge will be payable if the representation is rejected by the local authority.

If a representation is received by the local authority in response to a postal PCN, within 21 days of the date of service of that postal PCN (14 days for a regulation 10 parking PCN), the discount period will be re-offered in the event that the representation is rejected.

Traffic Enforcement Centre (TEC)

The TEC is located in Northampton and is a branch of the County Court, which specifically deals with motoring contraventions / offences.

All case registrations with TEC are carried out electronically.

Traffic Penalty Tribunal

An independent body supported by subscriptions from local authorities by means of a levy on each PCN issued plus an annual fee.

Once a formal representation against a PCN has been rejected, the keeper of a vehicle is given the opportunity to appeal to the Traffic Penalty Tribunal within 28 days of the rejection.

The Traffic Penalty Tribunal will review the case and make an independent decision as to the validity of the PCN based purely on its legality. The standard of proof required by the Traffic Penalty Tribunal is “on the balance of probabilities”. The Traffic Penalty Tribunal will consider whether the Council should have taken into account mitigating circumstances and will refer back to the Council’s Chief Executive for re-consideration any case where the Adjudicator considers that there were grounds for cancellation of the PCN.

The Council will then have 35 days to respond to the Adjudicator, advising whether they will cancel the PCN or giving reason as to why they do not consider that the PCN should be cancelled.

Traffic Penalty Tribunal decisions are final and binding on both parties.

Traffic Regulation Order (TRO)

These are legal documents created by the Council to regulate the use of roads and car parks. TROs may specify restrictions for parking (for example double yellow lines, or permit holder only bays), or traffic movement (for example bus lanes, or one

way streets). Separate legislation specifies what type of restrictions the Council can enforce and which ones the police are required to enforce.

TROs can be

- Permanent (until another TRO is made which changes or removes that restriction)
- Experimental – these are implemented for a temporary period to test how well new restrictions work. Experimental orders can eventually be made permanent.
- Temporary – these are usually to allow works or special events to take place

The TRO document details what and where the restrictions are and detail the rules for these.

The Council has to follow national regulations to create TROs.

A certain type of 'notice' (not an order) may also be used for the short term restriction of traffic movement due to unforeseen circumstances (mainly public safety). Some restrictions do not require a TRO – for example bus stop clearways.

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Sheffield City Council Civil Enforcement Officer (CEO) handbook

INTRODUCTION

The Civil Enforcement Officer (CEO) handbook has been written as a guide for use by officers patrolling on street and in car parks. It also provides a reference document for staff who deal with appeals against Penalty Charge Notices (PCNs).

The handbook lists

- contraventions for which PCNs may be issued
- a brief guide to signs / lines that are used for different restrictions.

Note: the drawings and photographs included in this handbook are examples; signs may differ at some locations but to be enforceable must be signs prescribed or authorised by the Department for Transport.

- suggested observation periods
- exemptions that apply for different restrictions, including if loading / unloading is allowed
- a guide to evidence that CEOs should log

More details are also contained in the Guidance Policies for Civil Parking and Bus Lane Enforcement

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List of contravention codes - Standard PCN Codes v7.0

This list is updated periodically. Minor changes will be incorporated. Significant changes such as the addition of new contravention codes would be considered under policy review.

On-Street

Code	General suffix(es)	Description	Diff. level	Notes
01	ajoyz	Parked in a restricted street during prescribed hours	Higher	Code specific suffixes apply. Suffixes y & z for disabled badge holders only. See additional notes
02	ajo	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher	Code specific suffixes apply. See additional notes
04	cs	Parked in a meter bay when penalty time is indicated	Lower	
05	cgpsuv1	Parked after the expiry of paid for time	Lower	
06	cipv1	Parked without clearly displaying a valid pay & display ticket or voucher	Lower	Higher level in Wales
07	cgmprsuv	Parked with payment made to extend the stay beyond initial time	Lower	'meter feeding'
08	c	Parked at an out-of-order meter during controlled hours	Lower	Electronic meters only
09	ps	Parked displaying multiple pay & display tickets where prohibited	Lower	
10	p	Parked without clearly displaying two valid pay and display tickets when required	Lower	"two" may be varied to another number or "multiple".
11	gu	Parked without payment of the parking charge	Lower	
12	arstuw4	Parked in a residents' or shared use parking place or zone without a valid virtual permit or clearly displaying a valid physical permit or voucher or pay and display ticket issued for that place where required, or without payment of the parking charge	Higher	Code specific suffixes apply
13		---- RESERVED FOR TIL USE (LOW EMISSION ZONE) ----	n/a	
14	ay89	Parked in an electric vehicles' charging place during restricted hours without charging	Higher	
16	abdehqstwxzy4569	Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required	Higher	Code specific suffixes apply. Suffix "s" only for use where bay is completely non-resident
17		---- RESERVED FOR ROAD USER CHARGING USE ----	n/a	
18	abcdefghijklmnoprsxy12356789	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	
19	airsuwxyz4	Parked in a residents' or shared use parking place or zone with an invalid virtual permit or displaying an invalid physical permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower	Code specific suffixes apply
20		Parked in a part of a parking place marked by a yellow line where waiting is prohibited	Higher	
21	abcdefghijklmnopqrsvxy1256789	Parked wholly or partly in a suspended bay or space	Higher	
22	cfglmnopsv1289	Re-parked in the same parking place or zone within one hour after leaving	Lower	"one hour" may be varied to another time period or "the prescribed time period"
23	abcdefghijklmnoprsvwxy123789	Parked in a parking place or area not designated for that class of vehicle	Higher	Suffix required to fully describe contravention
24	abcdefghijklmnopqrsvxy1256789	Not parked correctly within the markings of the bay or space	Lower	
25	n2	Parked in a loading place or bay during restricted hours without loading	Higher	On-street loading bay or place

26	n	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher	"50 cm" may be varied to another distance in Scotland.
27	no	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher	
28	no	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher	
29	j	Failing to comply with a one-way restriction	n/a	
30	acfglmnopsuy1278g	Parked for longer than permitted	Lower	
31	j	Entering and stopping in a box junction when prohibited	n/a	
32	jdt	Failing to proceed in the direction shown by the arrow on a blue sign	n/a	Code-specific suffixes apply.
33	jboefghikqrsyz	Using a route restricted to certain vehicles	n/a	Code-specific suffixes apply.
34	j0	Being in a bus lane	n/a	
35		Parked in a disc parking place without clearly displaying a valid disc	Lower	
36	j	Being in a mandatory cycle lane	n/a	
37	j	Failing to give way to oncoming vehicles	n/a	
38	jlr	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	n/a	Code-specific suffixes apply.
39		--- RESERVED FOR TIL USE (ULTRA LOW EMISSION ZONE) ---	n/a	
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	
41		Stopped in a parking place designated for diplomatic vehicles	Higher	
42		Parked in a parking place designated for police vehicles	Higher	
43		Stopped on a cycle docking station parking place	Higher	
45	nw	Stopped on a taxi rank	Higher	"stopped" may be varied to "waiting"
46	n	Stopped where prohibited (on a red route or clearway)	Higher	
47	jn	Stopped on a restricted bus stop or stand	Higher	
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher	CCTV can be used on a restricted area outside a school only
49	j	Parked wholly or partly on a cycle track or lane	Higher	
50	jlr	Performing a prohibited turn	n/a	Code-specific suffixes apply.
51	j	Failing to comply with a no entry restriction	n/a	
52	jgmsvx	Failing to comply with a prohibition on certain types of vehicle	n/a	Code-specific suffixes apply.
53	cj	Failing to comply with a restriction on vehicles entering a pedestrian zone	n/a	'and cycle' may be added (see additional notes)
54	cj	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	n/a	'and cycle' may be added (see additional notes)
55		A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	
56		Parked in contravention of a commercial vehicle waiting restriction	Higher	Non- overnight waiting restriction
57		Parked in contravention of a bus ban	Higher	Non- overnight waiting restriction
58		Using a vehicle on a restricted street during prescribed hours without a valid permit	n/a	London Lorry Control Scheme
59		Using a vehicle on a restricted street during prescribed hours in breach of permit conditions	n/a	London Lorry Control Scheme

61	124cgn	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	Code-specific suffixes apply.
62	124cgn	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	Code-specific suffixes apply.
63		Parked with engine running where prohibited	Lower	
64	124	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	n/a	Code-specific suffixes apply. For use in Essex only
65	124	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	n/a	Code-specific suffixes apply. For use in Essex only.
66	124cg	Parked on a verge, central reservation or footway comprised in an urban road	n/a	Code-specific suffixes apply. For use in Exeter only.
67		Using a vehicle on a restricted street without a valid HGV Safety Permit	n/a	HGV Safety Permit Scheme (Direct Vision Standard)
68		Using a vehicle on a restricted street in breach of HGV Safety Permit conditions	n/a	HGV Safety Permit Scheme (Direct Vision Standard)
72		--- RESERVED FOR BUILDERS' SKIPS CONTRAVENTIONS ---		London only
75		--- RESERVED FOR LITTERING FROM MOTOR VEHICLES ---		
76		-- RESERVED FOR WASTE RECEPTACLE CONTRAVENTIONS --		London only
97		Driving a motor vehicle in an unrestricted street in excess of the posted speed limit	n/a	London only
99	no	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	Pedestrian Crossings

Off-Street

70		Parked in a loading place or bay during restricted hours without loading	Higher	Off-street loading areas
71		Parked in an electric vehicles' charging place during restricted hours without charging	Higher	Off-street car parks
73	gu	Parked without payment of the parking charge	Lower	Off-street car parks
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	Off-street car parks
77		--- RESERVED FOR DVLA USE ---	n/a	
78	abdefghklpqvu156789	Parked wholly or partly in a suspended bay or space	Higher	Off-street car parks
80	gu	Parked for longer than permitted	Lower	Off-street car parks
81	o	Parked in a restricted area in an off-street car park or housing estate	Higher	Off-street car parks
82	puv4	Parked after the expiry of paid for time	Lower	Off-street car parks
83	4	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	Off-street car parks
84	gu	Parked with payment made to extend the stay beyond initial time	Lower	Off-street car parks
85	abrwyz45	Parked without a valid virtual permit or clearly displaying a valid physical permit where required	Higher	Off-street car parks. Code specific suffixes apply.
86	prs	Not parked correctly within the markings of a bay or space	Lower	Off-street car parks
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	Off-street car parks
89		Vehicle parked exceeds maximum weight or height or length permitted	Higher	Off-street car parks

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

Suffixes and Additional Notes

General suffixes: –

a) permit holder only electric vehicle charging bay	b) business bay	c) buses only
d) doctor's bay	e) car club bay	g) motorcycle bay
h) hospital bay	i) wrong type of voucher	k) ambulance bay
l) loading place	m) parking meter	o) blue badge holder
p) pay & display	q) market traders' bay	s) shared use bay
t) voucher/P&D ticket used in permit bay	r) residents' bay	v) voucher
w) e-scooter bay	u) electronic payment	0) local buses / trams only
1) electric vehicles bay	y) electric solo motorcycle bay	4) virtual permit
5) dedicated disabled bay	2) goods vehicle loading bays	6) zero emission capable taxis only
9) electric vehicle car club bay	3) bicycle bay	
	7) taxis only	

Restricted street (codes 01 and 02) only: -

Suffix a) 'temporary traffic order' (code specific)

Permit contraventions (codes 01, 12, 16, 19 and 85) only: -

Suffixes w) 'wrong parking zone', x) 'incorrect VRM', y) 'obscured/illegible permit' and z) 'out of date permit' (code specific)

Note: Suffixes 'y' and 'z' are applicable on code 01 for Blue Badge contraventions only

Taxi Ranks (code 45) only: -

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

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

1) one wheel on footway	2) partly on footway	4) all wheels on footway
c) on vehicle crossover	3) on grass verge	

Moving traffic contraventions only: –

32 d) proceeding in the wrong direction t) turning in the wrong direction

33 b) buses only c) buses and cycles only e) buses, cycles and taxis only f) buses and taxis only

g) local buses only h) local buses and cycles only i) local buses, cycles and taxis only k) local buses and taxis only
 q) tramcars and local buses only r) tramcars only s) tramcars and buses only y) pedal cycles only
 z) pedal cycles and pedestrians only

38 l) must pass to the left r) must pass to the right

50 l) no left turn r) no right turn u) no U-turn

52 b) buses g) goods vehicles exceeding max gross weight indicated m) motor vehicles
 s) solo motorcycles v) all vehicles except non-mechanically propelled ones being pushed
 x) motor vehicles except solo m/cycles

53 Code specific suffix c) amends the description to add 'and cycle' after the word pedestrian

54 Code specific suffix c) amends the description to add 'and cycle' after the word pedestrian

Camera Enforcement

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

For contravention codes 01 and 02, Suffix 'j' can only be used if there is also a mandatory cycle lane at the location (London and England only)

Enforcement evidence required

- This helps the notice processing team make decisions when dealing with appeals
- Is important to validate reasons why the PCN should be upheld or cancelled
- Clear information is needed for cases that go to adjudication.

The appeals officer and the adjudicator were not there when the PCN was issued - the evidence needs to make it clear what was witnessed.

When issuing a PCN the CEO must accurately record the registration number of the vehicle and the grounds on which they believe a penalty charge should be paid. Other information as required by the relevant regulations, such as when the contravention occurred, the amount payable and how representations against the charge may be made must also be on the PCN.

The CEO will also record other information on the PCN such as

- the location where the vehicle was parked (the street or car park name will show on the PCN; other more specific information such as a property the vehicle is parked near will be documented in the notes)
- a contravention code (this is a standard list used by all local authorities)
- any observation period given
- a unique PCN number
- the make and colour of the vehicle

Additional evidence to support why the PCN was issued will also be logged. This may include photographs of the vehicle and the restriction signage, details of items displayed in the vehicle, a summary of any interaction with the driver or activity seen such as loading / unloading.

Observation period:

- Recommended observation periods are detailed in the CEO handbook. An observation period is allowed to see if permitted activity is taking place – for example, loading, or a motorist going directly to a pay and display machine to buy a ticket for display.
- If the CEO has reason to believe the vehicle is parked solely for convenience (for example, the driver has stopped to buy something from a fast food outlet or coffee shop) and not for any reason that would exempt it from being there, a PCN may be issued without the full observation period being given. Evidence logged by the CEO must clearly support the reasons for issuing a PCN in such circumstances.

Grace period:

- This is different to an observation period; it is time that **must**¹ be allowed before a PCN can be issued.
- A PCN must not be issued to a vehicle which had been legitimately parked in a bay (on or off street) until at least 10 minutes has elapsed after it was allowed to be parked.
i.e. if a vehicle was parked in a pay and display bay at 10.06am with a previously valid ticket in the vehicle which expired at 10.00am, a PCN could not be issued until after 10.11am. If the CEO first saw the same vehicle at 10:11am a PCN could be issued instantly. However, if there was no pay and display ticket clearly displayed (or evidence of paid for time), a normal observation period would apply.
- The grace period applies whether the period of parking is paid for, or free limited waiting.
- Grace periods only apply to designated parking places where a person is permitted to park. A road with a restriction (e.g. single yellow line) or prohibition (e.g. double yellow line) is not a 'designated' parking place either during - or outside of - the period of the restriction or prohibition.
- However, if a blue badge has been used correctly on a yellow line and overstay the 3-hour limit, we will allow a 10 minute grace period too

For parking contraventions observed by a CEO on patrol (rather than using CCTV), the following evidence and supports the PCN issue:

Location:

- Clear information about where the vehicle is parked – ideally a property number, or building / business name that the vehicle is outside or opposite.

If there is no property number or name, or if the vehicle is parked by a large building, other useful adjacent points of reference (e.g. signpost numbers, or pay and display machine number, approximate distance to road junction) should be noted; a sketched plan on the handheld may be useful.

If the camera is not working on the handheld, a plan should be done on the handheld showing where the vehicle is located.

- Distance to the nearest restriction sign (if applicable)

¹ The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

What is displayed in the vehicle

The CEO should:

- check all windows of the vehicle
- record everything displayed in the windscreen - such as notes, permits, pay and display tickets, vouchers, Blue Badges
- document what is shown on items on display – such as permit number, serial number, expiry dates / times²
- if there is an item such as a permit or Blue Badge that can be seen elsewhere in the vehicle (e.g. on a car seat, or in a footwell), make a note of this and if any details on the item can be read
- scan permits that have barcodes on them to check they are still valid

Photographs:

Although these are not a legal requirement, they are very useful evidence and should ideally be taken wherever possible to show:

- the front and rear of the vehicle (clearly showing the number plate)
- a perspective view of the vehicle in relation the nearest sign(s) and road markings^{3 4 5}
- the PCN attached to the windscreen of the vehicle (if applicable)⁶
- a close-up of the restriction sign (if applicable)
- the dashboard and windscreen / other windows to show what (if anything) was on display
- close up image(s) of item(s) on display

Except for the photograph of the PCN on the vehicle, these can be taken in the observation period before the PCN is issued.

Other comments to check / record:

² this information may be important when appeals are being considered; an adjudicator may question whether an item that can be seen in a photograph was in fact a valid ticket / permit, even if it is something else (e.g. a permit issued by another authority) but this cannot be clearly seen in the picture.

³ if there are gaps in the markings, or they have started to fade where the vehicle is parked it is helpful to also take pictures of the markings that are further to the front and rear of the vehicle (at least another one of two car lengths); this is evidence adjudicators may ask for.

⁴ other than zone entry signs, the restriction sign(s) should be on the same side of the street to the vehicle

⁵ these should include photographs of supplementary information signs, such as yellow information signs, car park information boards

⁶ If the PCN was issued but the motorist drove away / prevented issue before it could be served, a photograph of the vehicle driving away should be taken if possible

- signs / markings
- did the driver return and if so log any conversation / comments
- was any loading / unloading seen (it helps to know what was being carried and where the driver came from / went)
- if evidence of a passenger being dropped off / picked up is seen
- if constant or casual observations were carried out
- how the PCN was served⁷
- any evidence of breakdown (e.g. a flat tyre)
- if relevant does the nearest pay and display machine appear to be working
- if there is an option at the location to pay for parking by phone checks should be made to see if this has been used
- for code 22 or code 30 contraventions constant observation is not required but there needs to be a first observation to record the VRM, time seen, vehicle valve positions, the direction the vehicle is facing and the location, ideally with a photo. A second observation is carried out (within the specified time) to see if the VRM matches and if the valve positions differ to the original observation. Additional photos should be taken before issue.
- any other information which is likely to be useful.

The handheld may show special messages when a specific criterion is selected – these directions should be followed.

The condition of signs and/or lines

- With the exception of restrictions that have signs at the entry point to the restricted area (e.g. single yellow lines in Controlled Parking Zones, permit parking on streets with 'Permit holders only beyond this point', 24 hour clearways), there should be a restriction plate on the same side of the street as the vehicle, adjacent to the bay / line.
- Generally, there are not set regulations about how many repeater signs are needed. As a guide it is recommended signs for bays should be at roughly 15 metres from the start of the bay and then 30 metre intervals; signs for yellow line restrictions should be roughly 15 metres from the start of the yellow line then every 60 metres.
- A PCN should not be issued if there is no plate on the adjacent side of the street, or within reasonable distance from the vehicle.
- If a sign is obscured and cannot be read (e.g. because of graffiti, weather or overhanging foliage), a PCN should not be issued. If the sign can still be read a PCN should be issued.

⁷ if the CEO was prevented from serving it on street / or the vehicle drove away beforehand see section below regarding postal PCNs

- Lines may fade or become broken. If they are worn but still evident a PCN may be issued but good evidence should be taken of both the line where the vehicle is parked and also to the front / rear of the vehicle.
- If the line is completely missing on the section of road where the vehicle is parked (i.e. no part of the vehicle is parked where a line is still present) a PCN should not be issued. If kerb markings are missing the contravention should be treated as a waiting restriction.
- Missing / faulty signs and lines should be reported by the CEO.
















‘Regulation 10’ PCNs – CEO prevented from serving the PCN by a person, or by the vehicle being driven away:

- These can only be issued if the PCN had already been prepared (observations had been completed **and** the PCN has been printed or is already being printed) but the CEO was then prevented from then serving it in the normal manner.
- **Detailed** handheld notes should explain at what point the motorist returned and why the CEO did not either fix it to the vehicle or hand it to the motorist.
- A written witness statement from the CEO (and from any other CEO witness) must be handed in on the same day to be logged to the case. The PCN that was printed from the handheld should also be provided.
- As much evidence as possible (including photographs of the vehicle that can be obtained safely) should be provided.
















Permit rules – terms and conditions are shown on the Parking Permits links on www.sheffield.gov.uk/parking
















The following exemptions apply to on-street restrictions. The CEO would check if any of these apply if they see a vehicle parked on a restriction.

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Waiting restrictions	✓			✓	✓	✓		✓ 3-hour limit, no return with 1 hour	✓	✓	✓	✓	✓		✓
Loading ban restrictions	✓			✓	✓	✓				✓	✓	✓	✓	✓	✓
Parking bays for 1. designated class (e.g. motorcycle) 2. electric vehicle charging 3. Voucher parking bays	✓			✓	✓	✓			✓	✓	✓	✓	✓		✓
Parking bays - with free limited waiting	✓			✓	✓	✓		✓ ⁸	✓	✓	✓	✓	✓		✓
Pay and display bays (including shared use ones)	✓	✓		✓	✓	✓		✓	✓	✓	✓	✓	✓		✓
Permit parking bays	✓	✓		✓	✓	✓		✓ 3-hour limit, no	✓	✓	✓	✓	✓		✓

⁸ if the disabled badge holder symbol shows on the sign the maximum stay also applies to Blue Badge holders
















																
								return with 1 hour								
<p>Loading bays: TSM says Disabled badge holders may use loading bays, other than those reserved for goods vehicles, but only for as long as is necessary for the purposes of loading or unloading</p>	✓			✓	✓	✓		<p>✓ 3-hour limit, no return with 1 hour</p>	✓	✓	✓	✓	✓			✓
Disabled bays	✓			✓	✓	✓		<p>✓ signs on some disabled bays set a maximum stay and period of no return</p>	✓	✓	✓	✓	✓			✓
24-hour carriageway clearway and clearway footway				✓	✓	✓				✓	✓	✓	✓			✓

																
and verge restrictions																
Heavy goods vehicle footway restriction				✓												✓
Taxi clearways				✓			✓			✓	✓					✓
Bus stop clearways	✓ 9		✓	✓		✓				✓	✓	✓				✓
Red routes	10		See section on red routes for RED ROUTE No stopping except buses restrictions	✓	✓	✓				✓	✓	✓	✓			✓
No stopping on entrance markings				✓												✓
Parked more than 50cm from the	✓			✓	✓ 11	✓			✓	✓	✓					✓

⁹ this only applies for taxis (hackney carriages, not PHVs) for as long as is reasonably necessary for the passenger to board or alight; other vehicles are not allowed to pick up / drop off passengers in a bus stop

¹⁰ See section on Red Routes for dropping off / picking up passengers exemptions on single and double red lines for taxis and blue badge holders

¹¹ only if being used for the collection of waste by a local authority, or carrying out works in relation to a road, a traffic sign or road lighting

																
edge of carriageway									m of 20 minutes							
Parked in front of a kerb that is dropped, or a section of road that has been raised to be level with a footway, cycle track or verge ¹²	✓			✓	✓ 13	✓			✓	✓	✓					✓
Bay suspensions				✓						✓	✓					✓
Pedestrian crossings				✓						✓						✓
Cycle tracks				✓												✓

¹² An exemption also applies if a vehicle is parked outside residential premises by or with the consent (but not consent given for reward) of the occupier of the premises. This exemption is not applicable for shared driveways.

¹³ only if being used for the collection of waste by a local authority, or carrying out works in relation to a road, a traffic sign or road lighting

Exemptions key:



Setting down or picking up a passenger (including loading / unloading their personal luggage). *The driver should remain with the vehicle (unless for reasons as detailed below the passenger needs support). If witnessed allow 2 minutes for such activity to be completed, although special consideration should be given to:*

- *taxis or Private Hire Vehicles that will need a small amount of additional time to announce their arrival and accept payment*
- *drivers who need to accompany someone into / out of adjacent premises due to mobility or safeguarding matters (e.g. someone who is disabled, or a young child).*



A solo motorcycle or moped.



Public service vehicles operating a local bus service waiting at an authorised stopping place, terminal or turning point.



Vehicles when used for fire brigade, ambulance or police purposes but not for convenience parking.



A vehicle not being a passenger vehicle on the service of the local authority providing that it is being used in the exercise of a statutory power or duty of that, and it is necessary for the vehicle to wait in that location.



Roadworks / utilities (maintenance, improvement or reconstruction of the highway or the cleansing of gullies in or adjacent to the parking place, the laying, erection, alteration or repair in or adjacent to the parking place of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any electronic communications network; or the placing, maintenance or removal of any traffic sign; also vehicles essential for building operations, demolitions or excavations, such as digging machines.

- if the work cannot be undertaken without the vehicle being at that location and it is not parked there for longer than necessary for this to be carried out.



Licensed taxis (hackney carriage vehicle) waiting on an authorised taxi rank



A vehicle displaying a disabled person's badge



. A vehicle used for removal of furniture to or from adjacent premises, other loading/unloading for which the vehicle is essential



A vehicle is prevented from moving by circumstances beyond the driver's control



A vehicle involved in the removal of any obstruction to traffic



A Post Office (or universal service provider) vehicle which is being used for loading/unloading, delivering/collecting of postal packets to or from a postal box or premises



A vehicle waiting while a gate or barrier is opened/closed to allow access or departure to/from premises.



Security vehicle - operated by a company carrying out activities for which it is licensed by the Security Industry Authority



A vehicle which has been told to wait by a police constable in uniform or has to stop in order to avoid an accident

The following details different restrictions that our Civil Enforcement Officers enforce, with examples of signage and the contravention codes that may apply. Further details of traffic sign variants for on street restrictions are included in The Traffic Signs Regulations and General Directions 2016 (as amended), associated Department for Transport Traffic Signs Manuals and working drawings. In addition, on streets where schemes were introduced before the current regulations came in, there may be versions of signs contained in previous regulations. These do not need to be replaced unless through maintenance or a review of the restrictions.

Some signage may have separate Department for Transport authorisation. Details of these are online (www.dft.gov.uk/traffic-auths/).

Car park signage does not have to comply with the same regulations as on street.

DRAFT

On street restriction types

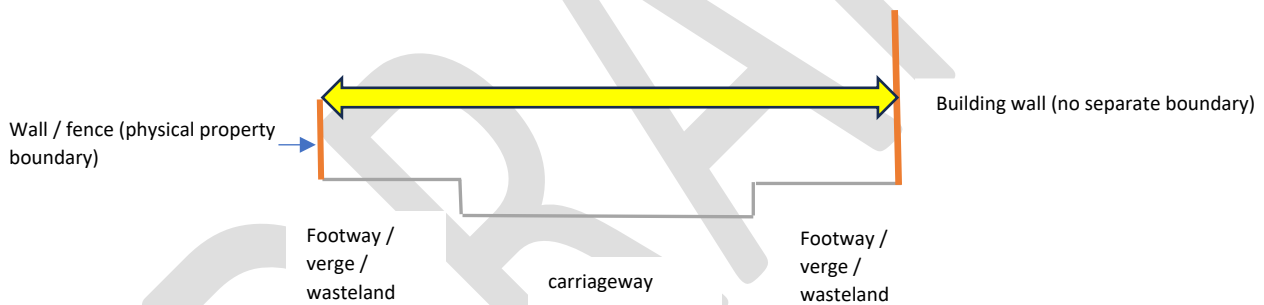
DRAFT

1. Waiting restrictions, including Controlled Parking Zones, Restricted Parking Zones and Pedestrian Zones

Contravention code	Contravention Description	Summary	Observation period
01	Parked within a restricted street during prescribed hours.	The contravention occurs when a vehicle is seen to be parked where a waiting restriction applies (without any loading activities taking place).	3 minutes
22	Re-parked in the same parking place within 1 hour (or other specified time) of leaving.	For blue badge holders who return to park on the same section of waiting restriction within 1 hour of leaving.	0 minutes
23	Parked in a parking place or area not designated for that class of vehicle	If a vehicle other than an ambulance is seen to be parked where a rank is provided for ambulances	3 minutes
30	Parked for longer than permitted	For blue badge holders who have parked for more than 3 hours on a waiting restriction	No observation period is required if the blue badge holder has parked for more than 3 hours on a waiting restriction, but 10 minutes grace period should be allowed, i.e. at least 3 hours and 10 minutes should have elapsed since the time of arrival set on the timer disc before a PCN can be issued.
42	Parked in a parking place designated for police vehicles	A contravention occurs when a vehicle other than an official police vehicle is parked in a place marked for "POLICE" use.	3 minutes
45W	Waiting in a taxi rank	A contravention occurs when a vehicle that is not a public hire taxi (with a hackney carriage licence plate on the vehicle) is seen to be parked in a taxi rank	3 minutes

		<p>which has a no waiting restriction.</p> <p>Private hire vehicles are not permitted to park on a taxi rank and should be enforced against the same as any other vehicle. Taxis and private hire vehicles may be distinguished from each other by the information contained on the plates attached to the rear of the vehicle.</p>	
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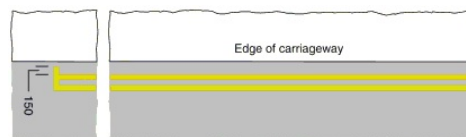
Waiting restrictions apply from the white line at the centre of the road to the first building line, whether that be a garden wall or the wall of a building. Highway is regarded as a way over which members of the public have a right to pass and repass. Even if the land is unadopted or privately owned, if it is still highway (i.e. all members of the public still have a right to pass over this section of land) the restriction still applies. Similarly, restrictions may apply across the entire length of a road to which the public have access even if that road is not a highway.



Sign Required for Double Yellow Line: No

(indicating no waiting at any time)

Lines Required: Yes



Note: for a double (or single) yellow line to apply in a lay-by, the lines should be painted at the back of the lay-by to allow enforcement against the vehicles parked in it. If the lines are outside the lay-by, enforcement cannot be carried out in the lay-by.



Controlled Parking Zones (CPZ)

An area with a blanket prohibition of waiting. The no waiting restriction times are shown at the entrance to the zone.

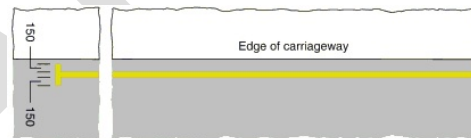
The zone may also have other restrictions such as double yellow lines (no waiting at any time), single yellow lines with adjacent times plates (if the restriction applies at different times to the rest of the zone), bus stop clearways and designated parking places.

Sign Required for Single Yellow Line: Yes

Lines Required: Yes



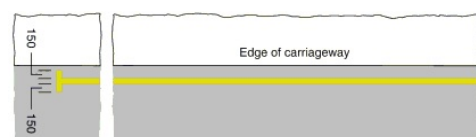
Located at entrances to the zone



Located at exits to the zone

Other Single Yellow Lines*:

Lines Required: Yes



Sign Required for Single Yellow Line: Yes



- *not in a CPZ
- *if restriction times differ to CPZ
- *not in most pedestrian zones

Restricted Parking Zones

Uniform no waiting restrictions apply throughout the zone and are indicated at the entrance to the area by entry signs showing the no waiting roundel.

If no times are shown the waiting restrictions apply at all times. The sign may show specific times for the waiting restrictions and / or that parking is allowed in the zone in signed bays.

Sign Required: Yes

Lines Required: No



Signs located at entrance to the zone



Located at exits to the zone (or if the next section is CPZ a controlled zone entry sign would be in provided)



Repeater signs at intervals at approximately 30m intervals within the zone

Pedestrian Zones

Sign Required: Yes

Some pedestrian zones only have waiting restrictions:



The yellow panels indicate that there are waiting restrictions within the zone



Repeater signs within the zone

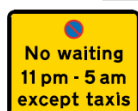
Lines Required:

No (if no kerb steps, but yellow lines may be provided)

No waiting except taxis (or police or ambulances)

Sign Required: Yes

Lines Required: Yes



Edge of carriageway

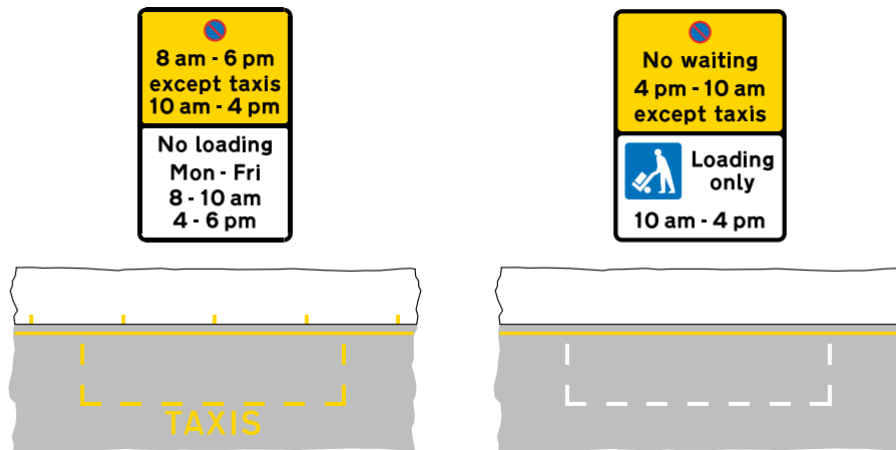


“Taxi” may be varied to “police” or “ambulance”

The legend may be varied to “AMBULANCES” or “POLICE”

Note: markings may vary if restrictions other than no waiting restrictions apply at certain times.

Examples below:



Shared use bays that have restricted parking during certain times (e.g. pay and display) and no waiting except taxis at other times should have a white bay marking with a single yellow line.

No waiting on the footway

Sign Required: Yes

Lines Required: No



Waiting restrictions in pedestrian zones are covered in section 4.

2. Loading restrictions, including Restricted Parking Zones and Pedestrian Zones

Contravention code	Contravention Description	Summary	Observation period
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	The contravention occurs when a vehicle is seen to be parked or loading/unloading where a loading ban is in place.	0 minutes

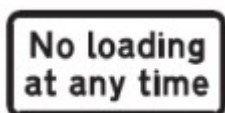
If kerb markings are badly faded and/or the required loading restriction sign is missing a code 01 PCN may be issued instead.

Loading ban restrictions applies from the white line at the centre of the road to the first building line, whether that be a garden wall or the wall of a building. Highway is regarded as a way over which members of the public have a right to pass and repass. Even if the land is unadopted or privately owned, if it is still highway (i.e. all members of the public still have a right to pass over this section of land) the restriction still applies. See Waiting Restrictions section above for more detail.

No loading at any time restrictions

Sign Required: Yes*

Double Kerb-bar Markings Required: Yes

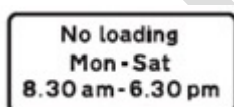


* The no loading at any time sign may be omitted and enforcement carried out if the double kerb markings are in good condition.

No loading – part time restrictions

Sign Required: Yes

Single Kerb-bar Markings Required: Yes



Restricted Parking Zones

Uniform no waiting and no loading restrictions apply throughout the zone and are indicated at the entrance to the area by entry signs showing the no waiting roundel.

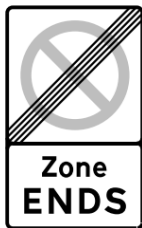
If no times are shown the restrictions apply at all times. The sign may show specific times for the restrictions and / or that parking is allowed in the zone in signed bays.

Sign Required: Yes

Lines Required: No



Signs located at entrance to the zone



Located at exits to the zone (or if the next section is CPZ a controlled zone entry sign would be in provided)



Repeater signs at intervals at approximately 30m intervals within the zone

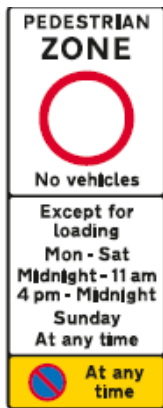
Pedestrian Zones

Sign Required: Yes

Lines Required:

Some pedestrian zones include loading restrictions. The zone entry sign will show when loading is allowed, repeater signs within the zone show the times that the loading restriction applies.

No (if no kerb steps, but yellow lines may be provided)



Located at entrances / exit to the zone
 – entry signs show when vehicles can enter to load / unload if this is restricted at certain times.



Repeater signs within the zone – showing when loading is not allowed

3. On street parking bays – general notes

Note: Instead of white markings, bays can instead be indicated by a contrasting pattern or colour, from the surrounding parts of the road. This would usually be in Restricted Parking Zones and Pedestrian Zones.



A bay may also be provided in a lay-by without markings if there is a restriction sign next to the lay-by.

3.1 Motorcycle bays


This section also applies to other types of bays that are for a specific class of vehicle (for example buses only).

This may also include vehicles other than passenger vehicles, goods vehicles, or invalid carriages which are left parked in pay and display bays^{14 15}.

Contravention code	Contravention Description	Summary	Observation period
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services,	0 minutes

¹⁴ "Passenger vehicle" means a motor vehicle (other than a motor cycle or an invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer

¹⁵ "Goods Vehicle" means a motor vehicle not exceeding 30cwt unladen weight which is constructed or adapted for use for the carriage of goods of any description and is not drawing a trailer

		unless otherwise licensed by the Council.	
23	Parked in a place or area not designated for that class of vehicle.	A contravention occurs when a vehicle is seen to be parked in a parking place that is designated for the use of another class of vehicle – for example a car parked in a motorcycle bay.	3 minutes
30	Parked for longer than permitted	A contravention occurs when a vehicle is seen to be parked where it may not originally have been in contravention of a restriction, but it has stayed for longer than permitted. For example, if a motorcycle parked in a bay with the following sign for more than one hour 	No observation period is required after the motorist has exceeded the maximum stay, but ten minutes grace period should be allowed, i.e. for a 1 hour limited waiting bay at least 70 minutes should have elapsed since the time the vehicle is first logged before a PCN can be issued.
22	Re-parked in the same parking place within 1 hour (or other specified time) of leaving.	The contravention occurs when a vehicle is seen to be re-parked in any bay or space within the same parking place within one hour (or other specified time) of leaving. The restriction sign next to the bay should state a period of no return (as above)	0 minutes
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. In the case of a RPZ bay this would be applied if part of the vehicle is outside the delineated area. At least one full wheel must be outside the	3 minutes

		parking space or bay and at least one wheel should be within the bay markings.	
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Signs required: Yes*

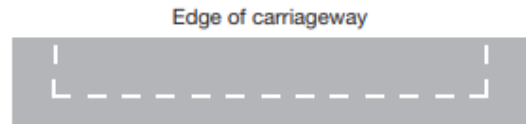
Bay markings required: Yes

* Sign may be omitted if the bay has a legend and the restriction applies at all times without other restrictions such as time limits

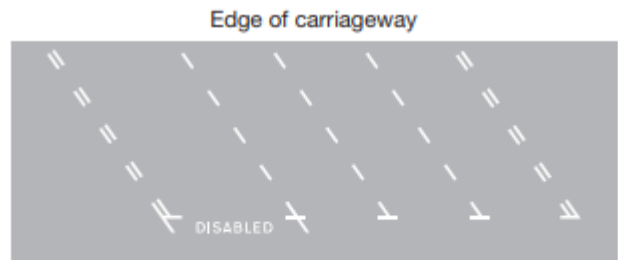


Car and caravan, or motor caravan

Goods vehicles



Continuous parking bay adjacent to the kerb (words may be added outside the bay to describe the type of parking)



Parking bay with individual spaces (echelon)

For solo motor cycle bays a legend may say either

“SOLO MOTORCYCLES” or “SOLO MOTORCYCLES ONLY”, “SOLO M/CYCLES” or “SOLO M/CYCLES ONLY”, “SOLO M/CS” or “SOLO M/CS ONLY”

For a bus bay the legend may say “BUSES” or “BUSES ONLY”.

Legends may be omitted if there is a sign next to the bay.

There are no legends for bays for other classes of vehicle such as goods vehicles.

3.2 Electric vehicle charging bays

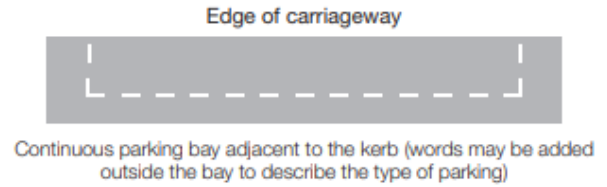
Contravention code	Contravention Description	Summary	Observation period
14	Parked in an electric vehicles' charging place during restricted hours without charging	A contravention occurs when a vehicle is seen parked in an on street electric charging bay without actively charging.	3 minutes
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services, unless otherwise licensed by the Council.	0 minutes
22	Re-parked in the same parking place or zone within 1 hour (or other specified time) after leaving	The contravention occurs when a vehicle is seen to be re-parked the same electric vehicles' charging place within 1 hour (or other specified time) of leaving. The restriction sign next to the bay should state a period of no return.	0 minutes
16	Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required	This contravention occurs if a vehicle is parked in an electric vehicles' charging place that is for permit holders only but the vehicle does not have a valid permit if one is required	3 minutes
23	Parked in a place or area not designated for that class of vehicle	This contravention applies if a different class of vehicle to that shown on the restriction sign uses an electric charging place. For example if the sign shows that bay is for electric taxis only but a car is on charge in the bay.	3 minutes
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay	3 minutes

		<p>or space. In the case of a RPZ bay this would be applied if part of the vehicle is outside the delineated area.</p> <p>At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.</p>	
30	Parked for longer than permitted	<p>The contravention occurs when a vehicle is seen to be parked in an electric vehicles' charging space for longer than permitted. The restriction sign next to the bay should state the maximum stay.</p>	<p>No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This may be based on evidence of the duration of the charging period, or other logs made by the CEO recording when the vehicle had been observed in the bay.</p>

Signs required: Yes



Bay markings required: Yes



A legend may say either

"ELECTRIC VEHICLES" or "ELECTRIC VEHICLES ONLY"

"ELECTRIC VEHS" or "ELECTRIC VEHS ONLY"

"ELECTRIC MOTORCYCLES" or "ELECTRIC MOTORCYCLES ONLY"

"ELECTRIC M/CYCLES" or "ELECTRIC M/CYCLES ONLY"

"ELECTRIC M/CS" or "ELECTRIC M/CS ONLY".

For an electric taxi charging place the legend may say "E-TAXIS"

Legends may be omitted if there is a sign next to the bay.

3.3 Pay and display and pay by phone bays

Contravention code	Contravention Description	Summary	Observation period
05	Parked after the expiry of paid for time	This on-street contravention code occurs when a vehicle is parked in a pay and display bay (or pay by phone bay) after the expiry of the pay & display ticket or the expiry of the phone payment service.	0 minutes A 10 minute grace period applies after the pay & display ticket or the virtual payment system has expired. A PCN should not be issued in this period.
06	Parked without clearly displaying a valid pay & display ticket or voucher	When a vehicle is parked without clearly displaying a valid pay and display ticket or voucher. E.g. the vehicle is parked in an on street pay and display bay with a pay and display that is obscured or upside down, or in a voucher bay without a valid voucher clearly displayed *NOTE* if the option to pay by phone is available but no pay and display ticket can be seen, contravention 11 should be used	3 minutes
11	Parked without payment of the parking charge	When a vehicle is parked without either clearly displaying a valid pay & display ticket or purchasing parking time using pay by phone. This would also apply if a driver obtained a free parking ticket at	3 minutes

		<p>locations where these are available but then used more free sessions instead of paying to park.</p> <p><i>*NOTE* if the option to pay by mobile phone / web based payment systems is not available at the location and drivers can only park using pay and display tickets, contravention 06 must be used;</i></p> <p>06 should also be used if the vehicle is parked with an obscured pay & display ticket</p>	
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services, unless otherwise licensed by the Council.	0 minutes
22	Re-parked in the same parking place within 1 hour (or other specified time) of leaving.	The contravention occurs when a vehicle is seen to be re-parked in any bay or space within the same parking place within 1 hour (or other specified time) of leaving. The restriction sign next to the bay should state a period of no return.	0 minutes
23	Parked in a place or area not designated for that class of vehicle.	The signs and lines required are the same as indicated for pay and display bays normally but the information on the pay and display machine should state permitted vehicle information. This may also include vehicles that exceed a specified size or weight / vehicles other than	3 minutes

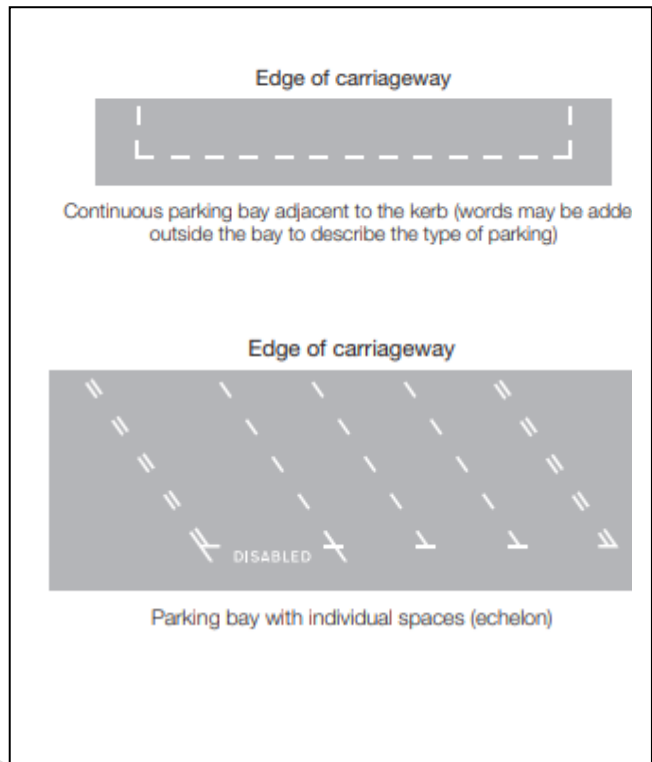
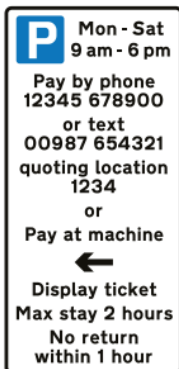
		passenger vehicles, goods vehicles, or invalid carriages ^{16 17} .	
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. In the case of a RPZ bay this would be applied if part of the vehicle is outside the delineated area. At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.	3 minutes
30	Parked for longer than permitted	A contravention occurs when a vehicle is seen to be parked where it may not originally have been in contravention of a restriction, but it has stayed for longer than any time limit specified on the signs (or for longer than permitted for time restricted permits that may be used in such bays).	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This may be based on evidence of the duration of the paid for session, or other logs made by the CEO recording when the vehicle had been observed in the bay.

Signs required: Yes

Bay markings required: Yes

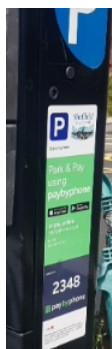
¹⁶ "Passenger vehicle" means a motor vehicle (other than a motor cycle or an invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer

¹⁷ "Goods Vehicle" means a motor vehicle not exceeding 30cwt unladen weight which is constructed or adapted for use for the carriage of goods of any description and is not drawing a trailer



There are many different sign variants: restriction times, details about where to get a pay and display ticket; some have maximum parking times / no return periods and / or pay by phone details.

Some bays signed as pay and display have the pay by phone information on the machine or supplementary information signs (if so, a restriction sign must still be next to the bay)



3.4 Free limited waiting bays

Contravention code	Contravention Description	Summary	Observation period
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services, unless otherwise licensed by the Council.	0 minutes
22	Re-parked in the same parking place within 1 hour (or other specified time) of leaving.	The contravention occurs when a vehicle is seen to be re-parked in any bay or space within the same parking place within 1 hour (or other specified time) of leaving. The restriction sign next to the bay should state a period of no return.	0 minutes
23	Parked in a place or area not designated for that class of vehicle.	A contravention occurs if the limited waiting sign has symbols showing the types of vehicle permitted to use the bay but a different type of vehicle parks there. For example, if a car parks in a limited waiting motorcycle bay.	3 minutes
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. In the case of a RPZ bay this would be applied if part of the vehicle is outside the delineated area. At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.	3 minutes

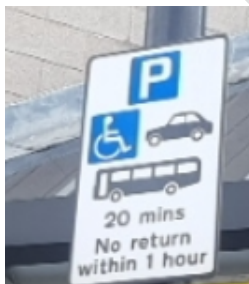
30	Parked for longer than permitted	A contravention occurs when a vehicle is seen to be parked where it may not originally have been in contravention of a restriction, but it has stayed for longer than any time limit specified on the signs.	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This is based on logs made by the CEO recording when the vehicle had been observed in the bay.
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Signs required: Yes

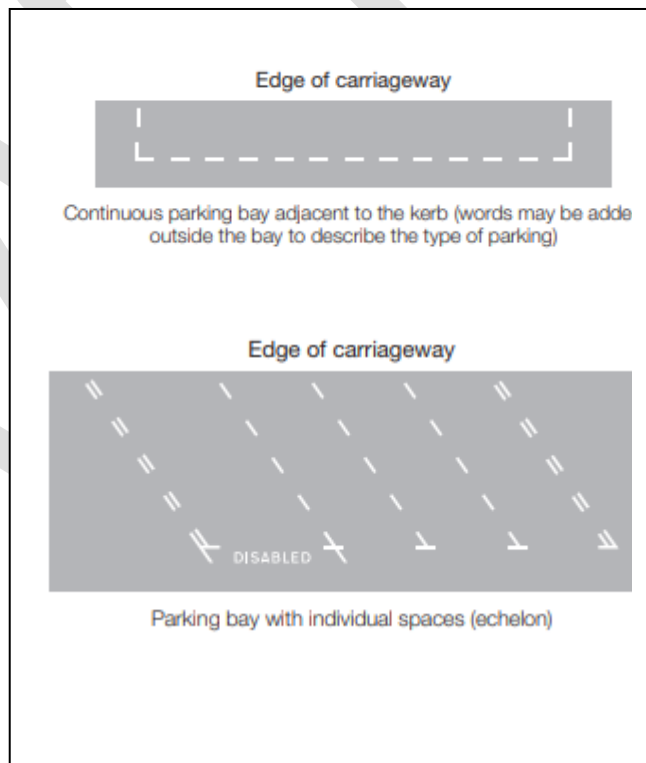


The sign may indicate the vehicles that may park in the bay as per the example in the motorcycle parking section. These can include solo motorcycles, motor cars, buses, disabled badge holders, car club permit holders, electric vehicle charging bays and voucher holders. The bay may be for use for a combination of the above.

For example, the following sign shows that disabled badge holders, motor cars and buses may park for up to 20 minutes:



Bay markings required: Yes



3.5 Permit parking

Contravention code	Contravention Description	Summary	Observation period
16	Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required.	If the vehicle is parked in a permit bay and does not have a permit (physical or virtual) that is valid for the type of permit bay and / or the scheme where the bay is	3 minutes - to allow motorists adequate time to obtain a visitor permit as well as establish if loading/unloading is taking place.
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services, unless otherwise licensed by the Council.	0 minutes
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. In the case of a RPZ bay this would be applied if part of the vehicle is outside the delineated area. At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.	3 minutes
30	Parked for longer than permitted	A contravention occurs when a vehicle is seen to be parked where it may not originally have been in contravention of a restriction, but it has stayed in a permit bay for longer than allowed, i.e. blue badge holders for more than 3 hours, carers or NHS organisational permits for more than 2 hours	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This is based on logs made by the CEO recording when the vehicle had been observed in the bay and / or the time of arrival set on the relevant timer disc

Signs required: Yes*

Bay markings required:

* Sign may be omitted if the bay has a legend and the restriction applies at all times without other restrictions

Can specify a specific permit holders only, or type of permit holder (e.g. resident permits, business permits, doctors permits, car club permit holders).

Can also include an identifier for the permit scheme. The permit scheme can also be shown on CPZ entry signs.

Yes - if signs are on next to the carriageway

A legend may be provided:

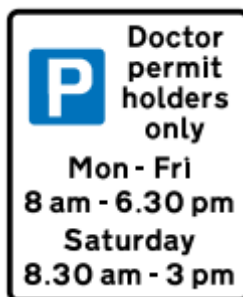
“PERMIT HOLDERS ONLY” or “PERMIT HOLDERS”,

“DOCTOR” or “DOCTOR ONLY”.

No – for permit holder areas



Continuous parking bay adjacent to the kerb (words may be added outside the bay to describe the type of parking)



Parking bay with individual spaces (echelon)

No bay markings are required if the following sign is used at the start of the permit restricted area:



3.6 Disabled bays

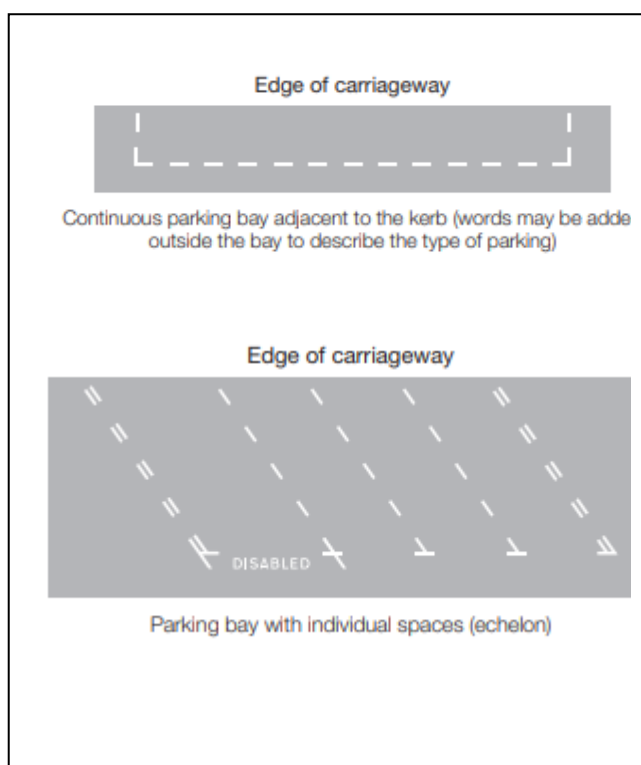
Contravention code	Contravention Description	Summary	Observation period
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services, unless otherwise licensed by the Council.	0 minutes
22	Re-parked in the same parking place within 1 hour (or other specified time) of leaving.	The contravention occurs when a vehicle displaying a valid Blue Badge is seen to be re-parked in any bay or space within the same parking place within 1 hour (or other specified time) of leaving. The restriction sign next to the bay should state a period of no return.	0 minutes
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. In the case of a RPZ bay this would be applied if part of the	3 minutes

		<p>vehicle is outside the delineated area.</p> <p>At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.</p>	
30	Parked for longer than permitted	A contravention occurs when a vehicle displaying a valid Blue Badge is seen to be parked where it may not originally have been in contravention of a restriction, but it has stayed for longer than any time limit specified on the signs.	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This may be based on evidence of the time disc arrival time, or other logs made by the CEO recording when the vehicle had been observed in the bay.
40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	A contravention occurs when a vehicle waits in a disabled person's parking place without displaying a valid blue badge (and clock if required).	3 minutes

Signs required: Yes*

Bay markings required: Yes

* Sign may be omitted if the bay has a legend and the restriction applies at all times without other restrictions such as time limits



Legends may be provided as follows:

“DISABLED” or “DISABLED ONLY”

Note: On some streets, yellow advisory disabled bay road markings are provided. These are to deter drivers without a valid Blue Badge from parking there. However, our parking enforcement team (nor the police) cannot issue a ticket to vehicles parked in such on street yellow advisory bays.

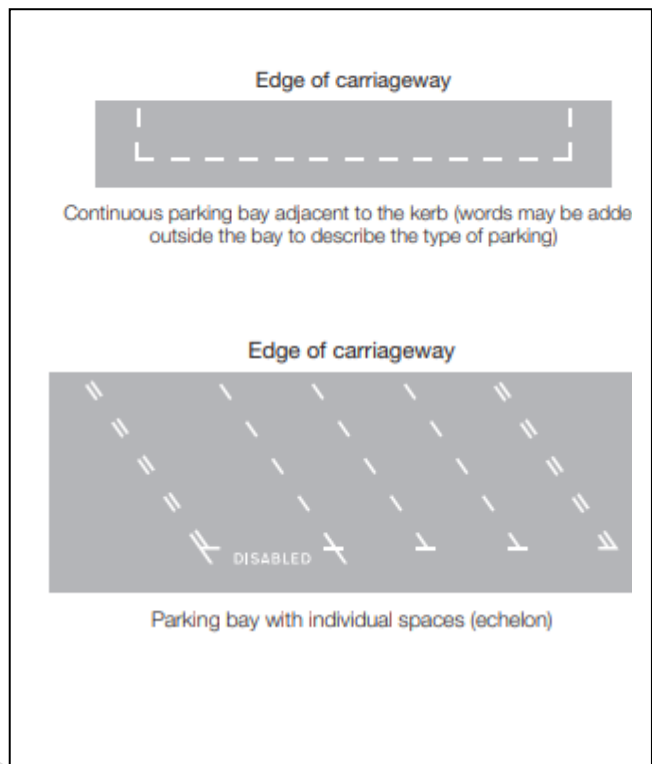
3.7 Voucher parking bays

Contravention code	Contravention Description	Summary	Observation period
06	Parked without clearly displaying a valid pay & display ticket or voucher.	When a vehicle is parked without clearly displaying a valid voucher.	3 minutes
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services,	0 minutes

		unless otherwise licensed by the Council.	
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.	3 minutes
30	Parked for longer than permitted	A contravention occurs when voucher holder is seen to be parked where it may not originally have been in contravention of a restriction, but has stayed for longer than any time limit specified on the signs.	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This may be based on evidence of the voucher, or other logs made by the CEO recording when the vehicle had been observed in the bay.

Signs required: Yes

Bay markings required: Yes



3.8 Loading bays

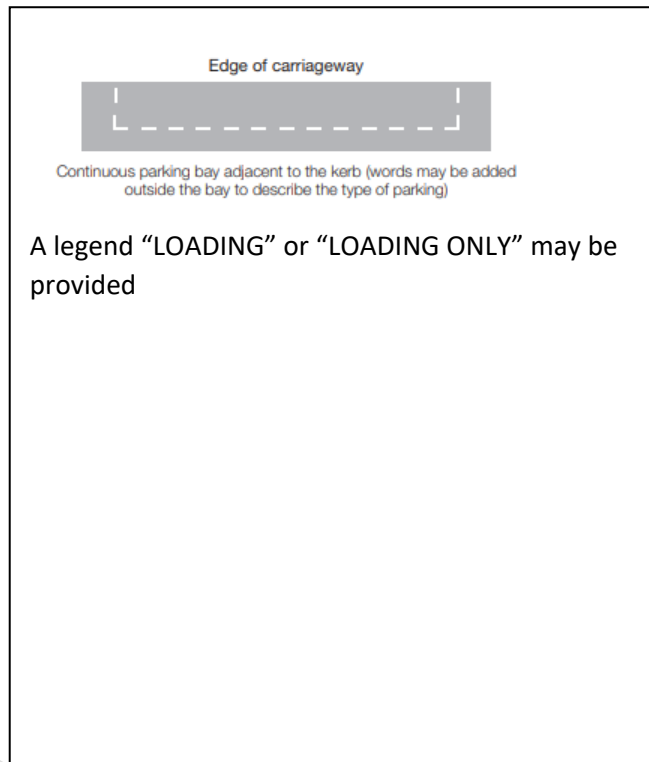
Contravention code	Contravention Description	Summary	Observation period
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services, unless otherwise licensed by the Council.	0 minutes
23	Parked in a place or area not designated for that class of vehicle.	A contravention occurs if the loading bay or place is for goods vehicles only but a different type of vehicle parks there.	0 minutes
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. In the case of a RPZ bay this would be applied if part of the vehicle is outside the delineated area.	3 minutes

		At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.	
25	Parked in a loading place or bay during restricted hours without loading	The contravention occurs when a vehicle waits in a restricted on-street loading bay, or a signed loading area without loading or unloading seen to be taking place.	3 minutes
30	Parked for longer than permitted	A contravention occurs if the loading bay sign indicates a maxi when a but it has stayed for longer than any time limit specified on the signs.	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This may be based on evidence of the time disc arrival time, or other logs made by the CEO recording when the vehicle had been observed in the bay.

Signs required: Yes*

Bay markings required: Yes

* Sign may be omitted if the bay has a legend and the restriction applies at all times without other restrictions such as time limits



No bay markings are required if the following sign is used at the start of a loading only area:



3.9 Shared use bays

At some locations to manage different demands bays may provide different restrictions at different times, or they may allow different users to park there at the same time.

Adjacent signs show the restrictions that apply. In these circumstances, a legend would not be marked with the bay marking.

- 1) Bays that provide different restrictions at different times.



In the example above on Monday to Saturday between 8.00 - 9.30am and 4.30-6.30pm the bay is a loading bay. See the above section on loading bays for applicable contravention codes and observation periods.

Between 9.30am – 4.30pm on Monday to Saturday it is a free limited waiting bay. The section above covering free limited waiting bays details relevant contravention codes and observation periods.

At other times no restriction applies.

- 2) Bays that allow different restrictions at the same time (multiple use)

In the following example on Monday to Saturday between 8am - 6.30pm either permit holders or pay and display ticket holders can park. A 4 hour maximum stay applies for pay and display.



Contravention code	Contravention Description	Summary	Observation period
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	A contravention occurs if a vehicle is being used to sell (or offer for sale) goods, skills or services, unless otherwise licensed by the Council.	0 minutes
19	Parked in a residents' or shared use parking place or zone with an invalid virtual permit or displaying an invalid physical permit or voucher or pay and display ticket, or after the expiry of paid for time	<p>This on-street contravention code occurs when a vehicle is parked in a shared use permit holder / pay and display bay (or pay by phone bay)</p> <ul style="list-style-type: none"> • If a previously valid permit has expired • If a permit or payment display item that relates to the day of issue, e.g. pay and display tickets and daily use permits is not valid when / where the vehicle is parked (e.g. expired that day, was issued for a different zone); or if a cashless payment session has expired • For daily use permits which have wrong user input (e.g. in cases where the wrong date is filled in or scratched off) 	<p>0 minutes</p> <p>A 10 minute grace period applies after the pay & display ticket or the virtual payment system has expired. A PCN should not be issued in this period.</p>

12	Parked in a residents' or shared use parking place or zone without a valid virtual permit or clearly displaying a valid physical permit or voucher or pay and display ticket issued for that place where required, or without payment of the parking charge	<p>When a vehicle is parked without clearly displaying a valid pay and display ticket or voucher. E.g. the vehicle is parked in an on street pay and display bay with a pay and display that is obscured or upside down, or in a voucher bay without a valid voucher clearly displayed</p> <p>No permit or pay & display ticket seen in the vehicle and not showing as having a cashless payment session or virtual permit valid for where the vehicle is parked.</p> <p>This would also apply if a driver obtained a free parking ticket at locations where these are available but then used more free sessions instead of paying to park.</p>	3 minutes
22	Re-parked in the same parking place within 1 hour (or other specified time) of leaving.	The contravention occurs when a vehicle is seen to be re-parked in any bay or space within the same parking place within 1 hour (or other specified time) of leaving. For shared use bays information about the period of no return will be stated on the pay and display machine.	0 minutes
23	Parked in a place or area not designated for that class of vehicle.	The signs and lines required are the same as indicated for pay and display bays normally but the information on the pay and display machine should state	3 minutes

		permitted vehicle information. This may also include vehicles that exceed a specified size or weight / vehicles other than passenger vehicles, goods vehicles, or invalid carriages ^{18 19} .	
24	Not parked correctly within the markings of the bay or space	When part of a vehicle is not parked wholly within the markings of the bay or space. In the case of a RPZ bay this would be applied if part of the vehicle is outside the delineated area. At least one full wheel must be outside the parking space or bay and at least one wheel should be within the bay markings.	3 minutes
30	Parked for longer than permitted	A contravention occurs when a vehicle is seen to be parked where it may not originally have been in contravention of a restriction, but it has stayed for longer than any time limit specified on the signs (or for longer than permitted for time restricted permits that may be used in such bays).	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This may be based on evidence of the duration of the paid for session, or other logs made by the CEO recording when the vehicle had been observed in the bay.

¹⁸ "Passenger vehicle" means a motor vehicle (other than a motor cycle or an invalid carriage) constructed solely for the carriage of passengers and their effects and adapted to carry not more than twelve passengers exclusive of the driver, and not drawing a trailer

¹⁹ "Goods Vehicle" means a motor vehicle not exceeding 30cwt unladen weight which is constructed or adapted for use for the carriage of goods of any description and is not drawing a trailer

Shared use bays can also be a combination of types 1 and 2 above. The following example shows a bay that is restricted Monday to Saturday

- 8 – 9am and 5 – 8.30pm multiple use for resident permit holders or pay and display ticket holders (type 2 above)
- 9am – 5pm pay and display bays restrictions apply (see section 3.3)

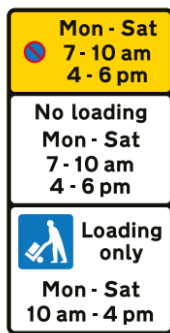


3.10 Bays with prohibition of waiting and loading at certain times

Some sections of the road may provide parking in bays at certain times, but to manage other traffic management needs parking may not be allowed at other times. For instance, such restrictions may be provided on a route that has a bus lane which operates at peak travel times, but outside of these hours some parking and / or loading is provided.

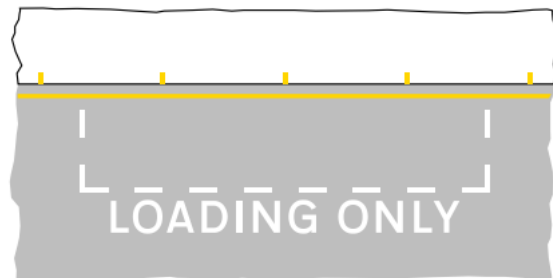
Signs required: Yes

The bottom panel of the sign shows the parking / loading bay restriction; the waiting restriction is shown on a yellow panel and if there is a loading ban the restriction times are shown on a white panel under the waiting restriction times.



Bay markings required:

Yes - and relevant single yellow line and single kerb markings for the waiting / loading restrictions

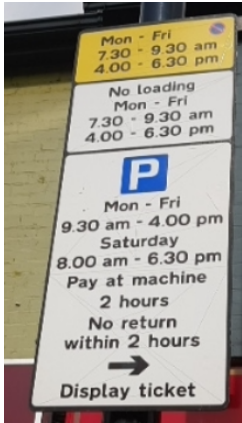


The contravention codes that would apply would depend on whether at the time a vehicle is parked the waiting / loading, or the parking bay restrictions apply.

For the example below a vehicle parked at 9am on a Tuesday would be subject to the no waiting and no loading restrictions (see section 2).

A vehicle parked at 3pm on Tuesday would have to pay to park (see section 3.3 for details of these restrictions).

A vehicle parked at 7pm on Tuesday would not be subject to any restrictions.



4. Clearways

4.1 24 hour carriageway clearway

Contravention code	Contravention Description	Summary	Observation period
46	Stopped where prohibited (on a red route or clearway).	The contravention occurs when a vehicle waits on the carriageway of a clearway – indicated by no stopping signs.	0 minutes

Sign required: Yes

Lines Required: No

Clearway no stopping signs should be at the start of the restriction (except for dual carriageways); smaller repeater signs are recommended at approximately 60 seconds travelling distance for the average road speed.



The end of restriction is shown by the clearway sign combined with an "End" sign.



End

4.2 24-hour footway / verge parking clearway

Contravention code	Contravention Description	Summary	Observation period
46	Stopped where prohibited (on a red route or clearway).	The contravention occurs when a vehicle waits on a verge or footway that has no stopping signs.	0 minutes

Sign required: Yes

Lines Required: No



5 Other footway parking

5.1 Heavy goods vehicle restrictions

Contravention code	Contravention Description	Summary	Observation period
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land in between two carriageways.	Vehicles over 7.5 tonnes (including any trailer) must not park on a verge, pavement or any land situated between carriageways ²⁰ , unless	3 minutes

²⁰ section 19 of the Road Traffic Act 1988

		with police permission, or the vehicle is attended and being used for loading / unloading.	
--	--	--	--

Sign required: No

Lines Required: No



5.2 Zones prohibiting footway and verge parking

Contravention code	Contravention Description	Summary	Observation period
62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway.	Applied if a vehicle is parked on a footway or verge in a zone with a signed footway parking restrictions	3 minutes

Sign required: Yes

Lines Required: No

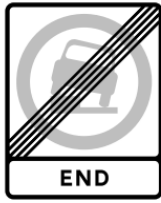
Sign at the zone entry



Repeater signs in the area:

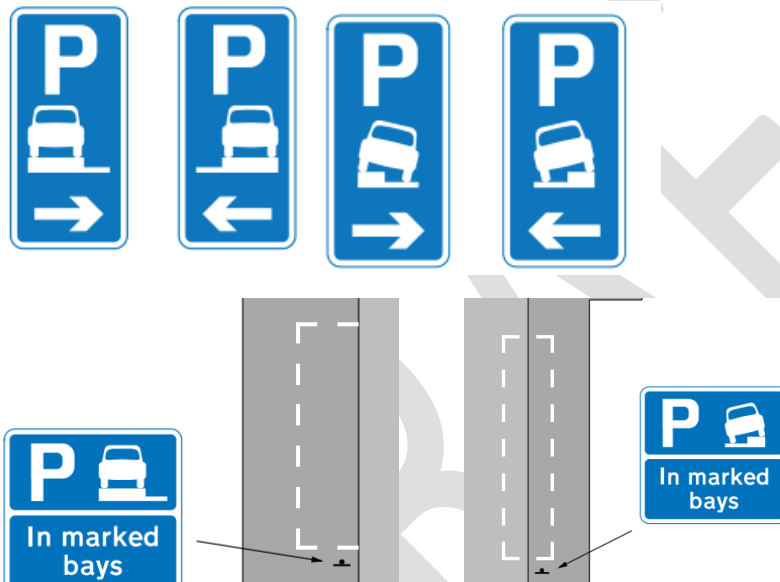


Sign at the end of the zone

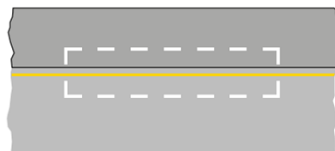


5.3 Permitted footway parking

Some streets with restrictions that apply to vehicles parked on the footway may have signs provided to indicate that footway parking is allowed on some sections of that street, or within marked bays. Examples of such signage is shown below:



Penalty Charge Notices would not be issued to vehicles where there are such signed restrictions, unless the vehicle is a heavy goods vehicle (see 5.1), or the signed bay has other restrictions that apply. The example below shows peak time waiting restrictions and free limited waiting 10am – 4pm Monday to Saturday. The waiting restriction rules would apply to a vehicle parked at 9am on a Monday (free limited waiting bay rules would apply in this case).



6. Other parking restrictions

6.1 Taxi clearways – also no stopping except police or ambulances

Contravention code	Contravention Description	Summary	Observation period
45	Stopped on a taxi rank	<p>A contravention occurs when a vehicle that is not a public hire taxi (with a hackney carriage licence plate on the vehicle) is seen to be parked in a taxi rank which has a no stopping restriction.</p> <p>Private hire vehicles are not permitted to park on a taxi rank and should be enforced against the same as any other vehicle. Taxis and private hire vehicles may be distinguished from each other by the information contained on the plates attached to the rear of the vehicle.</p>	0 minutes

Sign required: Yes



Lines Required: Yes



The thick clearway marking parallel to the kerb and the "TAXIS" legend are omitted if the restriction applies where there is shared use parking (e.g. pay and display at certain times and no stopping except taxis at other times)

6.2 Bus stop clearways

Contravention code	Contravention Description	Summary	Observation period
47	Stopped on a restricted bus stop or stand	<p>A contravention occurs when a vehicle (other than a bus) is seen to be parked on a restricted bus stop or bus stand.</p> <p>Buses can only stop on a bus stop to pick up or drop off passengers, to change drivers or for up to 2 minutes to regulate the service. Buses may stop for longer at a bus stand.</p>	0 minutes

Sign required: Yes

Lines Required: Yes



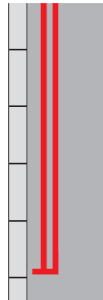
6.3 Red routes

Contravention code	Contravention Description	Summary	Observation period
46	Stopped where prohibited (on a red route or clearway).	The contravention occurs when a vehicle stops on the carriageway, or on the verge / footway where a red route is signed.	0 minutes

Red route stopping restrictions applies from the white line at the centre of the road to the first building line, whether that be a garden wall or the wall of a building. Highway is regarded as a way over which members of the public have a right to pass and repass. Even if the land is unadopted or privately owned, if it is still highway (i.e. all members of the public still have a right to pass over this section of land) the restriction still applies).

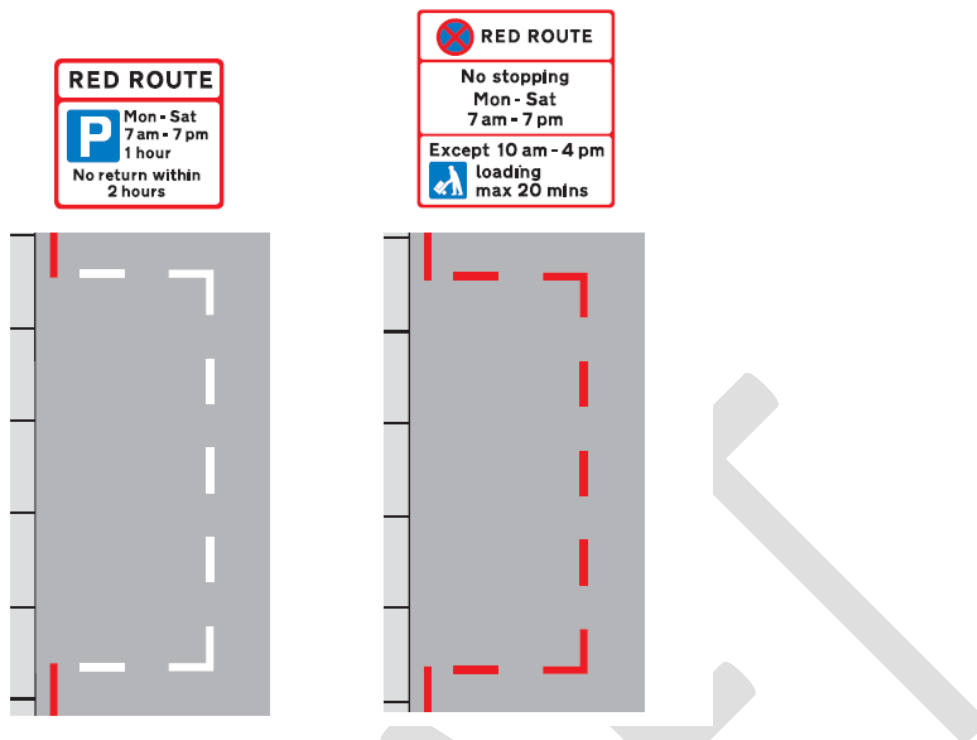
Sign required: Yes

Lines Required: Yes



Red routes may also have marked bays:

- white bays indicate permitted waiting (as shown on the sign) applies at all times the red route is in operation
- red bays indicate the waiting permitted as shown on the sign only applies during specified times



PCNs issued to vehicles in bays during the times that they apply should use the contravention cod for that bay type.

For example:

- a vehicle in the white bay at 1pm that has parked for more than 2 hours (allowing for grace period and if not exempt from the time limit) should be issued a code 30 PCN.
- a vehicle parked in the red bay at 11am that is not seen to be loading (or otherwise exempt) should be issued a code 25 PCN.
- a non-exempt vehicle parked in the red bay at 8am would be issued a code 46 PCN.

Bus stop clearways on red routes

- If marked by thick red clear way marking and 'RED ROUTE No stopping except buses' sign, no vehicles other than buses can stop to pick up / set down passengers.



- If marked by red route double or single lines, the following boarding and alighting concessions below would apply:
 - ❖ licensed taxis may stop to allow a passenger to board or alight
 - ❖ A vehicle may stop to allow a Blue Badge holder to board or alight (the badge should be displayed for this to be permitted).

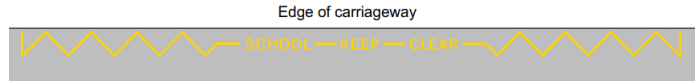


6.3 No stopping on entrance markings – schools, ambulances

Contravention code	Contravention Description	Summary	Observation period
48	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited.	A contravention occurs when a vehicle is seen to be parked on a signed "School Keep Clear" restriction during prescribed hours, or if parked on such a restriction outside a fire, police or ambulance station	0 minutes

Sign required: Yes

Lines Required: Yes



If outside a fire, police, or ambulance station the legend just says "KEEP CLEAR"

6.4 Parked more than 50cm from the edge of the carriageway ('double parking')

Contravention code	Contravention Description	Summary	Observation period
26	Parked in a special enforcement area more than 50cm from the edge of a carriageway and not within a designated parking space.	The contravention occurs when a vehicle waits more than 50cm from the edge of the carriageway (usually denoted by the kerb but may be a boundary such as a wall). This does not apply if the vehicle is parked fully within a designated parking place (such as a signed bay for limited waiting)	3 minutes

Sign required: No

Lines Required: No

6.5 Parked in front of a kerb that is dropped, or a section of road that has been raised to be level with a footway, cycle track or verge

Contravention code	Contravention Description	Summary	Observation period
27	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway.	The contravention occurs when a vehicle waits in the carriageway adjacent to a section of footway that has been lowered to meet the	3 minutes

		<p>carriageway / verge / cycle track.</p> <p>Often this will be in front of a driveway but can also be on pedestrian or cycle routes that facilitate access for users.</p> <p>The contravention would not occur if the vehicle is parked fully within a designated parking place (such as signed bays for limited waiting).</p> <p>If PCN would not be issued if a vehicle is parked adjacent to a dropped kerb outside residential premises by or with the consent (but not consent given for reward) of the occupier of the premises. This exemption is not applicable for shared driveways.</p>	
28	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	<p>The contravention occurs when a vehicle waits in the carriageway adjacent to a section of footway that has been raised to meet the carriageway / verge / cycle track.</p> <p>The contravention would not occur if the vehicle is parked fully within a designated parking place (such as signed bays for limited waiting).</p>	

Sign required: No

Lines Required: No

No regulatory markings required, but enforcement to be carried out at locations with an advisory 'H marking' in place, or tactile paving



6.6 Bay suspensions and temporary parking restrictions

Contravention code	Contravention Description	Summary	Observation period
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	The contravention occurs when a vehicle is seen to be parked or loading/unloading where a temporary loading ban is in place for roadworks for example as signed by ref GT50/151/0024	0 minutes
21	Parked wholly or partly in a suspended bay or space.	The contravention occurs when a vehicle is parked in a bay at a time when a parking bay suspension is in effect.	0 minutes

Temporary no waiting and no loading restrictions (roadworks, traffic management and events)

Sign Required: Yes

Lines Required: No



Sign ref GT50/151/0024

The date(s) – with or without the year, time of day and location should show in the white panel; the reason, location, reference may be added

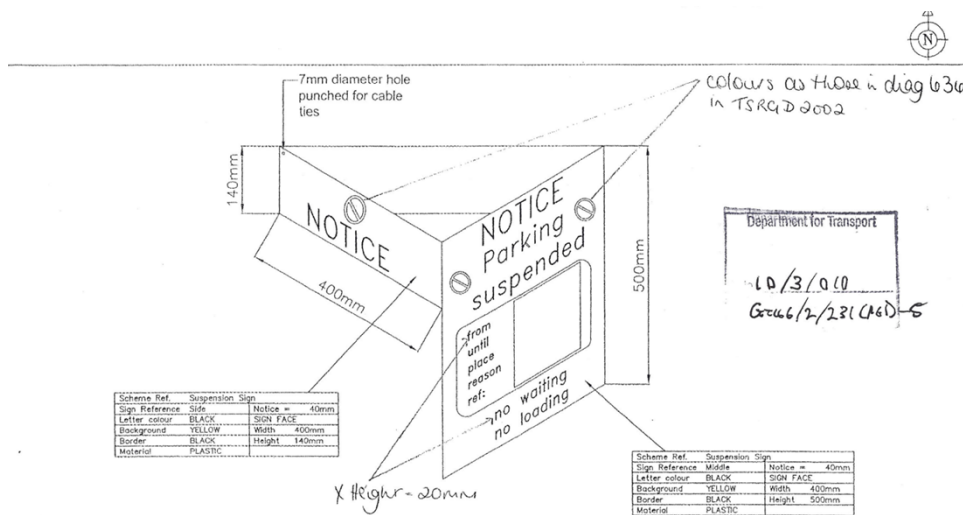
Parking bay suspensions

Sign required: Yes

The suspension notice should be placed on the same post(s) as the sign(s) denoting the restrictions that normally apply when the bay is not suspended.

Bay Markings Required: Yes

The same markings that apply to the bay when the suspension is not in place



Sign ref GT46/2/231



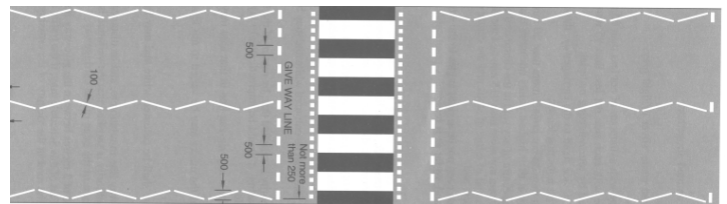
The parking suspension details are shown on the middle inset panel

6.7 Pedestrian crossings, or crossing areas marked by zigzags

Contravention code	Contravention Description	Summary	Observation period
99	Stopped on a pedestrian crossing or crossing marked by zig zags	The contravention occurs when a vehicle	0 minutes

Sign required: No

Lines Required: Yes



6.8 Cycle lanes and tracks

A cycle track is a right of way for pedal cycles, with or without a right of way on foot. This can include footways that have been converted as a route for cyclists too.

A cycle lane is part of the carriageway and is marked by a white line (solid line for mandatory cycle lanes). Parking in a mandatory cycle lane dealt with is a contravention under waiting and loading restrictions above.

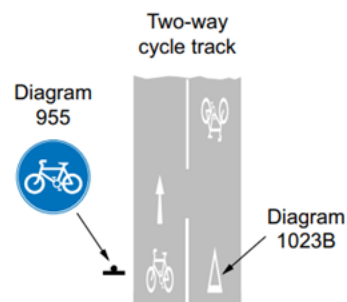
Parking in an advisory cycle lane without yellow lines is not a contravention.

Contravention code	Contravention Description	Summary	Observation period
49	Parked wholly or partly on a cycle track or lane	A contravention occurs when a vehicle waits on a cycle track.	0 minutes

Sign required: Yes



Lines Required: Yes



Car park restrictions



Pay & Display or Pay by Phone

Ebenezer Street • Car Park

Income raised from this car park directly supports the daily maintenance of this car park. Thank you for your support

PAYMENTS - Coin and card payments can be made. Overpayment accepted, no change given.

PAY BY PHONE - See information panel on the pay and display machine.

PAY AND DISPLAY OR PAY BY PHONE HOURS 8.00am - 8.30pm. All days payable.

THE BLUE BADGE SCHEME - **PARK FREE** on display of badge in any parking bay (without time limit). You cannot park with a badge in any other area of the car park.

MOTORCYCLES - Solo Motorcycles may **PARK FREE** in any parking bays (except disabled bays).

ELECTRIC VEHICLES - Bays restricted 24 hours a day. Any vehicle in an electric bay must be charging. Refer to additional information signs for tariff details. During pay and display hours a valid pay and display ticket or cashless parking session must be obtained (except motorcycles and Blue Badge holders).

VEHICLE WEIGHT - Not to exceed more than 3.5 tonne.

CONDITIONS OF USE AND CODE OF CONDUCT

A Penalty Charge Notice may be issued if you:

- Park for longer than permitted
- Leave a vehicle parked after the expiry of your pay and display ticket or cashless parking session
- Do not park properly in a marked bay (parking is restricted in all other areas of the car park)
- Park where double yellow lines or areas hatched in yellow indicate a prohibition of waiting
- Park within a disabled parking bay without displaying a valid blue badge
- Park in a manner that causes obstruction
- Park within the car park or parking bay marked as closed or reserved unless authorised by SCC
- Park a vehicle that exceeds 3,500 Kilograms gross vehicle weight or has a trailer attached
- If machine is out of order you must pay by phone or the nearest machine for the location
- Park in an area not designated for that class of vehicle, vehicles in electric bays must be actively charging and during pay and display hours must have a valid pay and display ticket or cashless parking session

It is an offence to sleep overnight in a parked vehicle.

TO REPORT ANY MACHINE FAULTS, please contact Parking Services on 0114 273 6255

Sheffield City Council, Parking Services is committed to ensuring as far as possible, the safety, security and convenience of their patrons, vehicles and possessions.

CRIMESTOPPERS Tel: 0800 555 111 • **Please be aware this car park is not lit**

Parking Services • Tel: 0114 273 6255 • www.sheffield.gov.uk



Parking Services operate a number of restricted car parks. The team are also contracted to enforce some car parks for Parks and Countryside Service, Housing Services and Sheffield Hallam University.

Car park restriction signage may include;

- Signs at the entrance to the car park
- Information boards within the car park
- Signs adjacent to bays or parking areas
- Logos or legends within bays – for example, disabled parking or electric vehicle
- Double yellow lines or hatching; in some car parks the information boards specify parking is restricted anywhere except marked bays
- Temporary suspension signs (similar to on street bay suspension signs)
- Temporary car park closed signs

Blue badge holders

The exemptions that apply on street do not also apply in car parks. Badge holders should check signage in car parks for the parking rules. For example, whether a permit has to be displayed too.

Blue badge holders are not allowed to park on yellow lines in car parks.

Loading

Loading exemptions do not apply in car parks, including yellow lines. Observations to see if a vehicle is being loaded or unloaded would only be carried out if the vehicle is parked in a signed loading bay or area.

Contravention code	Contravention Description	Summary	Observation period
70	Parked in a loading place or bay during restricted hours without loading	The contravention occurs when a vehicle waits in a restricted car park loading bay, or a signed loading area without loading or unloading seen to be taking place.	3 minutes
71	Parked in an electric vehicles' charging place during restricted hours without charging	A contravention occurs when a vehicle is seen parked in a car park electric charging bay without actively charging.	0 minutes
73	Parked without payment of the parking charge	<p>When a vehicle is parked without either clearly displaying a valid pay & display ticket or purchasing parking time using pay by phone in an area of a car park where drivers must pay to park.</p> <p>This would also apply if a driver obtained a free parking ticket at locations where these are available but then used more free sessions instead of paying to park.</p> <p><i>*NOTE* if the option to pay by mobile phone / web based payment systems is not available at the location and drivers can only park using pay and display tickets, contravention 83 must be used;</i></p>	0 minutes - but if the CEO can see there is a queue at the pay and display machine, observations may be allowed to see if the driver is one of the motorists in the process of buying a ticket.

Contravention code	Contravention Description	Summary	Observation period
		83 should also be used if the vehicle is parked with an obscured pay & display ticket	
78	Parked wholly or partly in a suspended bay or space	The contravention occurs when a vehicle is parked in a car park bay or space at a time when the bay or space has a signed suspension is in effect.	0 minutes
80	Parked for longer than permitted	A contravention occurs when a vehicle is seen to be parked where it may not originally have been in contravention of a restriction, but it has stayed for longer than any time limit specified on the car park signs (or for longer than permitted for time restricted permits that may be used in such bays).	No observation period is required after the motorist has exceeded the maximum stay, but 10 minutes grace period should be allowed. This may be based on evidence of the duration of the paid for session, or other logs made by the CEO recording when the vehicle had been observed.
81	Parked in a restricted area in an off-street car park or housing estate	This contravention occurs if the vehicle is parked on double yellow lines or hatched areas in the car park. The information boards in some car parks also specify parking is restricted in all areas except marked bays	0 minutes
82	Parked after the expiry of paid for time	This contravention occurs when a vehicle is parked in a pay and display bay or area in a car park after the expiry of the pay & display ticket or the expiry of the phone payment service.	0 minutes A 10 minute grace period applies after the pay & display ticket or the virtual payment system has expired. A PCN should not be issued in this period.

Contravention code	Contravention Description	Summary	Observation period
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	<p>When a vehicle is parked without clearly displaying a valid pay and display ticket or voucher in a car park bay or area where these may be used. For example, with a pay and display that is obscured or upside down.</p> <p><i>*NOTE*</i> if the option to pay by phone is available but no pay and display ticket can be seen, contravention 73 should be used</p>	0 minutes – but if the CEO can see there is a queue at the pay and display machine observations, may be allowed to see if the driver is one of the motorists in the process of buying a ticket.
84	Parked with payment made to extend the stay beyond initial time	Signs or information boards would need to indicate a requirement to buy a ticket at the time or parking and that additional payment is not allowed.	0 minutes
85	Parked without a valid virtual permit or clearly displaying a valid physical permit where required	<p>The contravention occurs if a vehicle is parked in a car park for permit holders but does not have a valid permit displayed, or a valid virtual permit.</p> <p>Some permit restricted car parks have disabled bays. Blue badge holders need to also display a permit and may be issued a PCN for code 85 if they have a blue badge but do not have a valid permit.</p>	5 minutes – to allow for a permit to be collected (for example visitor permits in housing car parks)
86	Not parked correctly within the markings of a bay or space	<p>The contravention occurs if the vehicle has marked partially in a bay or across two bays.</p> <p>At least one full wheel must be outside the parking space or bay and</p>	0 minutes

Contravention code	Contravention Description	Summary	Observation period
		at least one wheel should be within the bay markings.	
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	The contravention occurs if the vehicle is parked in a designated disabled bay but does not not have a valid blue badge displayed.	0 minutes
89	Vehicle parked exceeds maximum weight or height or length permitted	The contravention occurs if the vehicle exceeds the maximum size or weight as specified on signs in the car park.	0 minutes
90	Re-parked in the same car park within one hour (or other after leaving	The contravention occurs when a vehicle is seen to be re-parked in a car park within 1 hour (or other specified time) of leaving. Signs in the car park should state a period of no return.	0 minutes
91	Parked in a car park or area not designated for that class of vehicle	Information on the pay and display machines or other signs in the car park may state permitted vehicle information. The contravention occurs if a vehicle such as a car parks in a motorcycle bay. Code 71 would apply if a vehicle other than an electric vehicle on charge parks in an electric vehicles' charging place.	0 minutes
92	Parked causing an obstruction	Code 81 should be applied instead if the vehicle is parked on yellow lines, in a hatched area, or if signs say all areas except marked bays are restricted.	0 minutes

Contravention code	Contravention Description	Summary	Observation period
		This contravention would apply if signs do not indicate the latter applies and a vehicle is parked where it may stop another vehicle from passing through channels to access bays, or through the entrance / exit within the car park	
93	Parked in car park when closed	This contravention is used if temporary signs displayed in the car park state the car park (or section where the vehicle is parked is closed)	0 minutes
94	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required		0 minutes

Bus lane restrictions

Bus gate contraventions occur if the vehicle travels fully past the point of entry (the restriction sign):



CCTV footage should capture vehicle travelling into the bus gate (passed the restriction signs) and proceeding through the restricted area.

Bus lane contraventions occur if the vehicle travels along a separate lane that has been designated for buses (and other permitted / authorised traffic):



When to enforce

1. Non – exempt vehicles enters and proceeds into a bus gate
2. Non-exempt vehicles not allowed in the bus lane travels more than 4 car lengths (20m) within bus lane
3. Vehicle straddles bus lane and adjacent carriageway (see below)
4. Vehicle gains unfair advantage over **more than** one queued vehicle
5. Vehicle obstructs / delays exempted vehicle

When not to enforce

1. Vehicle marginally crosses over the start or end of the bus lane (clipping)
2. Vehicle is permitted / authorised
3. Vehicle is exempted – see table
4. Activity is exempted – see table
5. Bus lane is not in operation

Straddling

A PCN should not be issued to vehicles temporarily straddling the bus lanes **prior to turning left**, unless one of the following applies:

- Vehicle has blocked the bus lane by doing so
- Vehicle has travelled more than 4 car lengths
- Vehicle has gained some advantage over other vehicles

If a VRM is not clear from the footage / is partially obscured and cannot be read in full it should not be guessed; no PCN should be issued.

Permitted Vehicles

The restriction signs show symbols for what vehicles are permitted in the bus lane or gate. This may vary by location.

- **Bus - vehicle with 10 or more seats**



If it is not clear that a vehicle has the required number of seats (for example in the case of minibuses) a PCN should be issued. The keeper will have opportunity to send evidence (vehicle registration document showing the number of seats) after being sent a PCN. If such evidence is sent the vehicle will be added to the exemption list.

- **Taxi**

taxi

This refers to Hackney Carriages, not PHVs. These should be on the exempt list.

- **Pedal cycle**



- **(Solo) 'Motorcycle:**



A two-wheeled vehicle propelled by mechanical power and not having a sidecar or trailer attached thereto.

Authorised vehicles

authorised vehicles



- **Private Hire Vehicles (PHVs)**
These must be on the exemption list (drivers of vehicles not on the current list will need to provide proof if they are sent a PCN)
- **NHS vehicles**
Vehicles with suitable side markings, as approved by Sheffield City Council, carrying persons on behalf of the National Health Service for medical reasons.
These must be on the exemption list (drivers of vehicles not on the current list will need to provide proof if they are sent a PCN)
- **Local Authority Vehicles**
Vehicles with suitable side markings, as approved by Sheffield City Council, being operated on behalf of a Local Authority for educational or care reasons.
These must be on the exemption list (drivers of vehicles not on the current list will need to provide proof if they are sent a PCN)
- A permit to drive through the bus or tram gate at Langsett Road (outbound only) is available for residents of the following roads:
 - Rudyard Road
 - Rudyard Mews
 - Treswell Crescent
 - Rider Road
 - Haggard Road
 - Kipling Road

Such permits must be applied for and issued before the bus gate is used.

General exemptions

1. During the first and last 5 minutes of bus lane (or bus gate) controlled hours (grace period)
2. Footage shows that a police officer may have dealt with the matter on-street
3. Vehicle being used for passenger drop-off (and does not proceed along the bus lane before / after pulling over for this purpose)
4. Vehicle only crosses over the bus lane through a gap in the solid white line at a junction
5. Vehicle only crosses over the bus lane to a point opposite, where this point is a footway crossing or vehicular access way; or in order to leave such a point
6. Vehicle enters or stops in the bus lane to avoid an accident
7. Vehicle is required to enter or stop within bus lane by law or in accordance with restrictions or requirements indicated by traffic signs
8. Vehicle enters or stops within bus lane with permission or at the direction of a police constable in uniform
9. Turning left (does not include driving down the bus lane in advance of this)
10. Crossing the bus lane to get to or from an adjacent road – or to an access to premises

Exemptions summary – by Vehicle type or Activity

Blue light emergency service vehicles	Exempt
Vehicles removing traffic obstructions	Exempt if removing the obstruction within the bus lane / gate when observed
Royal Mail vehicles	Exempt from enforcement if collecting mail from Post Box within bus lane, collecting mail from adjacent buildings, or delivering to adjacent buildings. Where not collecting or delivering mail, treat as car – i.e. not exempt.
Local Authority refuse collection vehicles	Exempt while collecting refuse within the bus lane - otherwise treat as car.
Roadsweepers	Exempt from enforcement while road-sweeping - otherwise treat as car.
Maintenance vehicles - Gas, Water, Electricity, Telecommunications	Exempt only if undertaking maintenance within the bus lane - otherwise treat as car.
Maintenance vehicles - Highway, Street, Bus Stop, Tram & track	Exempt only if undertaking maintenance within the bus lane - otherwise treat as car.
Maintenance vehicles, Sewage, Drainage, Pipe Works	Exempt only if undertaking maintenance within the bus lane - otherwise treat as car.

Note – where exemptions for **activities** in Bus Lanes apply, the vehicle must clearly be seen to be carrying out the activity and not travelling through the bus lane to reach the destination for the activity / not just travelling to another location to carry out the activity.

Appendix B – Persistent Evaders and Dangerous / Obstructive Parking Policy

Motorists who receive a Penalty Charge Notice (PCN) for contravening parking or bus lane restrictions have opportunity to either pay or appeal the charge. The party liable to make payment is the owner of the vehicle and in accordance with relevant regulations enquiries are made with the DVLA to obtain details of the registered keeper (who is legally presumed to be the owner). The keeper would be sent three statutory documents at different stages of the PCN, each of which explains the options available, including how to pay and what will happen if the document is ignored. As a final resort a warrant is obtained for unpaid PCNs and referred to enforcement agents for collection. This can result in the keeper being traced but often warrants are returned at this stage as the keeper cannot be found.

The local authority incurs costs for pursuing unpaid PCNs including a court registration fee for each case that is registered as a debt at the Traffic Enforcement Centre (before a warrant may be issued).

For some vehicles the DVLA fail to return any current keeper information, for example if the previous keeper says they sold the vehicle but they do not know full details of the buyer and the new owner then fails to inform DVLA of their details.

Department for Transport statutory guidance defines a 'persistent evader' as having three or more unpaid PCNs per vehicle, which have not had appeals made against them within the timescales allowed by the regulations, or which following the rejection of an appeal have then remained unpaid.

This guidance recommends that local authorities adopt strong enforcement policy against persistent evaders, with the removal of the vehicle as a beneficial option as the keeper of the vehicle then has to provide evidence of where they live at the time of collection.

Sheffield City Council policy is to remove the vehicles of persistent evaders to prevent abuse of parking restrictions by drivers who may otherwise ignore these. The vehicles of persistent evaders who have committed a parking contravention in a designated parking place cannot be removed until at least 15 minutes have elapsed following the issue of a PCN.

In circumstances where a parking contravention has occurred outside of a designated parking place, the removal of the vehicle can take place immediately

after the issue of a PCN. Sheffield City Council policy is to remove vehicles which are causing the most serious impact on traffic flow or road safety.

The priority for the removal of vehicles is as follows:

- a) Vehicles parked in contravention of a restrictive parking regulation (such as on a yellow line, zig zag lines for a school keep clear marking / a road crossing, or bus stop clearway) in a manner that is causing obstruction to traffic flow, or danger to other road users (including pedestrians, or in a restricted cycleway)
- b) Vehicles contravening a signed temporary Traffic Regulation Order (TTRO) preventing waiting and loading to enable works to take place on the highway or nearby
- c) Persistent evaders parked where parking is restricted
- d) Persistent evaders parked in a parking place in contravention of a restriction
- e) Non permitted vehicles parked in a disabled bay

In accordance with statutory guidance vehicles displaying a valid Blue Badge or diplomatic vehicles with a registration plate that is personalised or marked with a D would be relocated rather than removed. Diplomatic vehicles with an X plate may be removed if they are a persistent evader.

For special events where a signed TTRO has been implemented vehicles may be relocated rather than removed to the pound after a PCN has been issued.

Guidance Policies for issued Parking and Bus Lane PCNs and Appeals

Policies contained in this document are for guidance only. Cases will be considered on individual merit taking into consideration all available evidence.

DRAFT

INTRODUCTION

When you receive a parking fine from us (or for using a bus lane/gate) you may want to appeal it. But how do we decide whether that challenge is successful or not?

We call these fines Penalty Charge Notices (PCNs). This document explains how decisions are made when we deal with representations and appeals against parking and bus lane (PCNs).

Whilst every effort has been made to keep this document reader-friendly, we will refer to legal wording when we have to.

It is impossible to provide in this document, specific guidelines to cover all circumstances and policies may be reviewed. However, we will consider all cases, on their individual merits, taking into account the particular circumstances before reaching a decision.

ABOUT THE APPEAL PROCESS

Challenges should be made in writing. Instructions of how to do this will be with the PCN documents. Having it in writing helps us to keep a record of the whole process.

All correspondence received and sent by us will be sent to the Traffic Penalty Tribunal (TPT) if an appeal is made.

We discount payments for PCNs if they are made promptly. The law allows 14 days from the service of the PCN for it to be paid at half the rate of the full charge. However, the law allows 21 days if it is a parking or bus lane PCN issued by post after CCTV evidence has been used to record the contravention.

If a written appeal is received, the case is placed on hold at its current rate until a full written response is sent. We do reoffer 14 days to pay the discounted amount if the appeal was received within the legal discount period, but the PCN is upheld.

If the PCN is disputed again (after this initial decision) it is unlikely that the discounted rate will be reoffered.

If the full balance due is paid, this closes the case and the option to challenge the PCN is lost. Payment is regarded as acceptance of liability for the PCN.

To preserve the integrity of the appeal procedure, it is managed and carried out by trained processing staff in on behalf of Parking Services. No undue external pressure shall be brought by either members of the Council or other senior officers, to unduly influence the decisions by virtue of their position alone.

Council officers / members should also use the appeal process if they consider a PCN has been incorrectly issued.

There are three stages at which a PCN may be appealed:

1. An 'informal challenge' can be made against parking PCNs that have been handed to the driver or fixed to the vehicle, (before we have served a Notice to Owner (NtO) to the registered keeper). Only one informal challenge will be responded to unless the driver has supplied further information requested in the response we sent.
2. 'Formal representations' can be submitted once a NtO or a postal PCN has been served to the keeper/hirer of the vehicle.
3. If a formal representation is rejected the keeper/hirer may appeal against this to an independent adjudicator at the Traffic Penalty Tribunal (TPT). Tribunal decisions are final and binding on both parties

The regulations set timescales of 28 days for formal representations or an appeal to the TPT to be made. Failure to do so (or to make full payment of the amount owed) may result in the PCN being progressed through the enforcement process.

In general terms the Council's enforcement policy is to work in accordance with the Statutory and Operational Guidance which has been issued by the Department for Transport. The following principles are central to the Council's enforcement policy: -

- Informal written (or e-mail) challenges will be dealt with where possible within 14 days of receipt. However, there may be occasions when peaks of workload mean that this is not possible. An acknowledgement is sent by email for online appeals. We aim to publish information online about current response times.
- Where an informal challenge has been received by the Council within 14 days of the issue date of the Penalty Charge Notice, this will effectively "freeze" the discount period. If the challenge is rejected, the Council will accept the discounted payment for a period of 14 days from the date of service of its letter of rejection.
- Formal representations in response to postal Penalty Charge Notices or Notices To Owner will be dealt with in accordance with the time scale specified by Department for Transport Statutory Guidance, which is within 56 days of receipt. Every effort

will be made to respond within 14 to 21 days, but the Department for Transport Statutory Guidance allows local authorities 56 days to respond.

- The legislation allows the owner of a vehicle 28 days from the date of receipt of a Penalty Charge Notice or a Notice to Owner, to pay or make representations. Councils may ignore any representations which are made after this period. Sheffield City Council will allow a few days flexibility with regard to this deadline provided that the person making representations provides a valid reason for any delay. However, any representations which are made more than 7 days beyond the normal deadline will not be considered, unless there are severe and genuine extenuating circumstances.
- A Postal Penalty Charge Notice or a Notice To Owner gives details of the grounds on which representations and appeals may be made. However, Sheffield City Council will consider other genuine and compelling circumstances. In these cases, the particular facts of the case will be taken into consideration. However, this document includes guidance in relation to circumstances that will not normally justify cancellation of a Penalty Charge.

Although we have a discretionary power to cancel a PCN at any point throughout the enforcement process it is unlikely late appeals will be considered unless there are exceptional circumstances why it has not been made in time, or if it is evident that there has been a procedural impropriety or error with the PCN.

After the time allowed for representations or an appeal to be made has ended, a Charge Certificate may be issued. This increases the full penalty charge by 50%. At this time, it is too late to dispute the PCN. If payment is not made within 14 days, the charge may be registered as a debt at the Traffic Enforcement Centre (TEC).

At this stage, it is possible for the keeper/hirer to make a witness statement if they lost the opportunity to make a dispute or pay the PCN because they hadn't received a NtO/postal PCN, a response to a formal representation, or an appeal decision. For bus lane contraventions prior to 31 May 2022, a statutory declaration may be filed to TEC if the original bus lane PCN document was not received or representations or an appeal to TPT was made but no decision was received.

After debt registration as a last resort if the PCN has not been paid or successfully appealed, a warrant would be applied for and passed to enforcement agents to collect the charge owed. Enforcement agents would add their own fees too. The keeper / hirer could still apply to TEC to make a late witness statement (or statutory declaration) at this stage, but valid reasons must be provided why this was not done in the initial time allowed after the debt registration).

We aim to

- Treat everyone fairly and with common sense
- Sympathetically consider compelling circumstances and individual circumstances (looking at the evidence to support cases). We recognise the Chief Adjudicator's comments in the Traffic Penalty Tribunal's (TPT's) Annual report which says Councils have an express duty to consider "compelling circumstances"...and to exercise discretion having regard to the appropriate considerations

Sheffield City Council's main objective is to enforce parking (and some moving traffic) restrictions in a fair, consistent and transparent manner. Enforcement is carried out in accordance with the provisions of the Traffic Management Act 2004 and associated guidance provided by the Department for Transport. Also, observations by the Chief Adjudicator in the Annual Reports of the Traffic Penalty Tribunal will be taken into consideration.

REASONS FOR APPEALING A PCN

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
1	A valid pay and display ticket had been obtained	<p>A valid ticket is produced covering the relevant period and location if it is a first time contravention by the individual/vehicle concerned).</p> <p>The ticket has been bought from a nearby alternative machine because the nearest machine was not working, or it is confusing which the appropriate machine is.</p>	Pay and display ticket.	<p>The person receiving a PCN had received one in the past for failing to correctly display a pay and display ticket.</p> <p>The ticket was not valid for the time or place the vehicle was parked (e.g. had expired, was for a different location, the vehicle was parked in a permit holders' only bay).</p> <p>Multiple free sessions had been obtained instead of making payment to park for longer.</p> <p>The Civil Enforcement Officer's evidence contradicts the claim.</p> <p>The motorist has failed to attempt to display the ticket.</p>
2	A Blue Badge was displayed in the vehicle and the vehicle was being used for the benefit of the badge holder.	<p>No previous similar contravention has occurred and</p> <ul style="list-style-type: none"> the vehicle is parked where Blue Badge concessions apply 	A copy of the Blue Badge which would have been valid at the time the PCN was issued (or that had expired in the last 14 days	<p>A PCN has previously been cancelled for failing to display the badge / timer disc properly.</p> <p>The holder has failed to attempt to display the badge.</p> <p>The vehicle is parked on a restriction (such as 'no stopping', 'no loading', bays reserved for specific</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		<ul style="list-style-type: none"> a valid badge was displayed but the holder forgot to display the timer disc in a time limited disabled bay or on a waiting restriction <p>If the Blue Badge displayed had expired in the last 14 days prior to the PCN being issued.</p>		<p>users) where Blue Badge concessions do not apply - https://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england</p> <p>The vehicle has been parked for longer than permitted with the Blue Badge displayed.</p> <p>The badge is displayed when the vehicle is not being used to transport the badge holder. It is not permitted to use the badge for any other purpose (e.g. shopping for the disabled person when they, themselves are not being transported in the vehicle).</p>
3	The vehicle was being driven by someone else	<p>A hire company provides evidence that the vehicle was on hire to another party when the contravention occurred</p> <p>It is evident that the vehicle was subject to a long term lease</p> <p>The vehicle had been reported stolen prior to the contravention</p>	<p>A signed hire agreement that complies with the Road Traffic (Owner Liability) Regulations 2000</p> <p>A valid police crime reference number and police station it was reported to which verifies that the vehicle had been taken without the</p>	<p>The vehicle had been lent to a friend / relative / acquaintance, etc. (including if they were given general access to the keys)</p> <p>The vehicle was in a repair garage (this is a civil matter between the keeper and the garage)</p> <p>The keeper is unable to provide any proof of theft, or the information held by the police does not match the claim, or the time of the alleged theft / the report of the theft was after the PCN had been issued.</p> <p>The vehicle was being used as a courtesy car without an agreement signed to accept responsibility for PCNs</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
			owner's consent before the PCN was issued	
4	The vehicle was being used for loading / unloading	<p>The vehicle is waiting where loading is permitted and either the goods being delivered/collected were heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from a 'legal' parking place.</p> <p>The delivery / collection is part of the operations of a commercial delivery business (e.g. couriers)</p>	Job sheet / delivery note (timed / dated and describing goods)	<p>Evidence contradicts the claim or suggests the vehicle was parked there for longer than necessary for this activity.</p> <p>The vehicle is waiting where loading is not permitted: e.g. on school zigzag markings, on crossing controlled areas, on clearways, on bus stop clearways; on no stopping taxi ranks, on Police bays where loading is prohibited, in car parks.</p>
5	The keeper was not aware a parking PCN had been issued until receiving a Notice to Owner.	There is insufficient evidence that the PCN was served correctly.		The Civil Enforcement Officer's evidence suggests the PCN was correctly served. In such circumstances, we <i>may</i> offer 14 days from the rejection notice being served for the discount to be paid. We would not if there is a history of such claims or if the PCN was handed to the driver.
6	If the driver claims the restriction signs / lines were missing, obscured, or in poor condition	There were exceptional weather conditions (e.g. a period of heavy snow), causing vehicles to be necessarily abandoned.		<p>It was still evident that a restriction was in place despite snow or leaves.</p> <p>Short lengths of missing line(s) or a missing termination mark will not invalidate PCNs where it is obvious that a restriction is in place.</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		<p>The gap in a yellow line is at least a vehicle length and no part of the vehicle was on the visible line.</p> <p>A sign is missing or obscured such that it could not be read and there is no other sign in reasonable distance from the vehicle.</p>		<p>Claims that there were no signs next to markings which do not need time plates.</p> <p>A sign can be easily read or is only marginally obscured but it is still reasonable that it could have been read and understood.</p>
7	The driver made a mistake / did not understand the restrictions	We may make some allowance in a limited number of circumstances if the restriction is not indicated in the Highway Code or Know Your Traffic Signs		<p>Commonly used sign(s) were used - in accordance with Department for Transport (DfT) regulations / authorisations. Information for motorists about signs can be found in DfT publications such as the Highway Code, and / or Know Your Traffic Signs. Drivers should keep up to date with such information.</p> <p>If the vehicle is parked in front of a dropped kerb (the Highway Code tells drivers not to park where the kerb has been lowered to help wheelchair users and powered mobility vehicles, or in front of an entrance to a property)</p> <p>If your vehicle is double parked – (the Highway Code tells drivers a vehicle should not be left where it causes any unnecessary obstruction of the road).</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
8	Driver had paid for parking using cashless payment	<p>The cashless payment system shows that there was a valid paid-for period covering the right vehicle and location.</p> <p>A minor error was made inputting the vehicle registration number (for example one or two wrong digits or letters), selecting the wrong location code or vehicle from own account and no previous similar contravention has occurred.</p>	Evidence of the cashless payment session	<p>The vehicle is parked where pay and display / cashless payment cannot be used (for example on a yellow line).</p> <p>The paid for session was for a different vehicle not on drivers account / had expired / been bought after the PCN had been issued / the transaction had not been completed.</p> <p>A PCN has previously been cancelled if a minor error was made inputting the vehicle registration number or for selecting the wrong location code.</p>
9	Ownership of the vehicle is denied	The full name and address of who did own the vehicle is provided, ideally with proof.	Proof of change ownership (e.g. sales receipt)	<p>An incomplete name and address of the alleged owner is provided.</p> <p>A person that has been nominated as the owner denies ownership and insufficient proof has been provided.</p>
10	The vehicle is authorised to travel in a bus lane or bus gate	<p>The vehicle:</p> <ul style="list-style-type: none"> • has at least 10 seats (9 or more passenger seats plus the driver) • is a taxi • is a Private Hire Vehicle with suitable 	<p>Vehicle registration document</p> <p>Taxi licence PHV licence</p>	The vehicle is not an authorised vehicle, or required evidence is not provided

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		allow all the above can travel through		
11	There was a valid permit for the vehicle.	<p>No previous similar contravention has occurred and</p> <ul style="list-style-type: none"> the vehicle is parked where the permit would have been valid there was a valid permit for the vehicle, but the holder forgot to display the timer disc (if required for the permit type / location). <p>An annual permit for the vehicle had expired in the last 14 days prior to the PCN being issued.</p> <p>A virtual permit had expired without the driver realising (and had subsequently been promptly renewed)</p> <p>A minor error (for example one or two wrong digits or letters), was made inputting the vehicle</p>	<p>A copy of the relevant permit (valid at the time of contravention) – if the permit is a paper permit</p> <p>(proof does not need to be sent for vehicle specific virtual resident, resident carer, organisational carer/medical, green or business permits – these permits will be checked on the Council's permit records)</p>	<p>A PCN has previously been cancelled for failing to display a permit / timer disc properly.</p> <p>The holder has failed to attempt to display the permit promptly after parking.</p> <p>The vehicle is parked on a restriction where the permit does not provide concessions (such as on a yellow line, in a pay and display only bay, or in a different zone).</p> <p>The vehicle has been parked for longer than permitted, or the time set has been altered (if time limits apply for the permit type)</p> <p>The Civil Enforcement Officer's evidence contradicts the claim.</p> <p>If a daily use permit has not been correctly validated</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		registration number for a virtual permit and no previous similar contravention has occurred.		
12	Driver claims they were unaware of a bus lane or gate – including saying they were following satnav directions	<p>Evidence shows there was a problem with the sign(s) – e.g. a required restriction sign was missing.</p> <p>The bus lane/gate had been temporarily suspended due to works or an event in the area.</p> <p>Some discretion for multiple PCNs may be exercised (first time offenders) if the mistake was not realised until receiving the first bus lane PCN through the post</p>		The bus lane / gate is correctly signed
13	It was a bank holiday or Sunday	<p>The street signs say “except bank holidays”</p> <p>Street signs indicate that restrictions apply only on days exclusive of Sundays (e.g. Mon – Sat)</p>		The sign(s) do not indicate that bank holidays are excluded – e.g. a sign which says restrictions that apply Monday to Friday will apply on a bank holiday Monday.

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
				Street signs do not specify days of the week (if no days are specified the restriction applies everyday including Sundays and bank holidays)
14	Driver claims they were going to a bank	The vehicle was a secure cash van (operated by companies licenced under the Private Security Industry Act) and was required to park in close proximity to business premises in order to affect the safe delivery or collection of cash.	Representation from the Security Company confirming such an activity at the time, with a copy of the licence	<p>It is a member of the public taking money / to from the bank. In such circumstances, nearby restrictions should be complied with.</p> <p>A vehicle was parked for longer than necessary.</p> <p>Security vans involved in the delivery of mail or other such low value items are expected to comply with parking restrictions.</p>
15	Driver claims that they were gaining access to their private or commercial property	<p>The vehicle had been stopped only to open a gate and proceeded directly on to the private property.</p> <p>A driver had to collect a key to unlock a gate that prevented access allowance may be made for this (no longer than five minutes), provided the restriction is not 'no stopping' or 'no loading'; [in these the vehicle should have been parked</p>		<p>Evidence provided by the Civil Enforcement Officer contradicts the claim / suggests the vehicle was parked there for longer than necessary for this activity.</p> <p>The access to the property was blocked preventing the driver from gaining entry</p> <p>The vehicle was left unattended on a 'no stopping' or 'no loading' restriction whilst the driver went to get keys to unlock a gate.</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		elsewhere whilst the key was collected].		
16	Vehicle had broken down	Vehicle breakdown was unavoidable, can be evidenced and the vehicle was moved within 24 hours	<p>Garage receipt on headed paper, completed in full and indicating a repair of the fault within a reasonable time of the contravention.</p> <p>Till receipt for purchase of relevant spare parts purchased on or soon after the date of the contravention.</p> <p>Vehicle recovery/repair record from a recognised vehicle roadside assistance scheme.</p> <p>Confirmatory letter from the</p>	<p>No evidence of breakdown is provided.</p> <p>It is probable that the vehicle was left in contravention of the restriction prior to the breakdown occurring.</p> <p>The vehicle had not been recovered within 24 hours.</p> <p>Claims of flat battery if it is alleged that the vehicle was bump/jump started but there is no evidence of new parts which could cause a flat battery (e.g. alternator, solenoid) or of a new battery.</p> <p>It seems the vehicle had 'broken down' due to negligence of the driver – e.g. it ran out of petrol or the vehicle had overheated due to lack of water (unless there is evidence of a mechanical / electrical fault).</p> <p>The Civil Enforcement Officer notes contradict the claim being made</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
			Royal Automobile Club (RAC), Automobile Association (AA) or similar motoring organisation.	
17	Claim that car keys had been lost, stolen or locked in the vehicle	The claim can be evidenced and the vehicle was moved within 24 hours.	Supporting evidence (for example from the police, or a vehicle recovery organisation)	There is no supporting evidence or the vehicle is not moved within 24 hours. The vehicle should not have been parked at the location in the first place (for example on double yellow lines)
18	Driver claims they were dropping off or picking up a passenger.	The Civil Enforcement Officer notes suggest such activity was taking place. Special consideration will be given to taxis or Private Hire Vehicles that will need a small amount of additional time to announce their arrival and accept payment.	Evidence that the vehicle is a licenced PHV or taxi and a computerised record of the fare.	The Civil Enforcement Officer's notes contradict the claim or suggest the vehicle was there for longer than necessary. In most circumstances the driver should remain with the vehicle (unless elderly, disabled, or young children are involved). The vehicle is parked on a 'no stopping' restriction, including bus stops*, or crossing controlled areas.

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		<p>* If a taxi (not a Private Hire Vehicle) was stationary in a bus stop only for so long as is reasonably necessary for a passenger to board or alight with their luggage</p>	<p>Evidence that the vehicle is a licenced taxi and a computerised record of the fare.</p>	
19	<p>The Civil Enforcement Officer made a mistake or was rude</p>	<p>The PCN does not comply with the regulations, such as stating the wrong:</p> <ul style="list-style-type: none"> • vehicle registration • contravention • amount payable 		<p>There is a discrepancy over the vehicle colour / make, or the location stated on the PCN. The PCN will be upheld if the evidence (such as photographs linked to the PCN / GPS information from the handheld) satisfies the investigating officer that there were restrictions relevant to the contravention code recorded by the Civil Enforcement Officer. There is no regulatory requirement for the location of the alleged contravention to be specified on a parking PCN.</p> <p>The time of the PCN is disputed - the handhelds have integrated clocks and the time stated on PCNs printed from these cannot be altered.</p> <p>The keeper's name is misspelt on a document (they should contact the DVLA to correct information held on their records).</p> <p><i>Complaints against any officer's conduct should be made using our complaint procedure. This is</i></p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
				<i>separate to the PCN representations and appeals procedure.</i>
20	The driver was an on-duty Council Officer, member or Government official	<p>Local Authority vehicle (or contractor) was parked only to carry out statutory duties (i.e. refuse collection, street cleansing, highway maintenance), or whilst carrying out duties that require the vehicle to be in close proximity (i.e. verge grass cutting), including Enforcement vehicles.</p> <p>Vehicles involved in exceptional activities, such as surveillance by Customs & Excise or the Benefits Agency.</p>	Supporting written statement from the relevant Service Manager or Executive Director.	The vehicle was not one being used for statutory duties and the officer thought they did not have to comply with parking regulations.
21	The driver was attending court	A defendant is given a custodial sentence and as a direct result, is unable to remove his / her vehicle from a pay and display bay or Council car	Supporting evidence from the defendant's legal representative of a custodial sentence being given.	Someone attending court (e.g. as witness, jury member, or defendant) overstayed the time they paid for - the length or timing of any court hearing or trial cannot be guaranteed.

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		Park that the vehicle had been correctly parked in. We would expect that the vehicle will be removed as soon as is reasonably possible (48 hours), by the defendant's family, friends or legal representatives.		Payment can be made for a full day, or extended using payment by mobile phone.
22	<p>A dentist / doctor appointment took longer than anticipated.</p> <p>A meeting or other appointment ran late.</p> <p>Other activities (e.g., shopping) took longer than planned.</p>	There is evidence of an exceptional medical emergency that led to an unforeseen delay which prevented the driver from returning to their vehicle.	Evidence from medical professional or organisation	<p>An appointment/meeting overran or was longer than expected (motorists should be aware it is not unusual for dentists / doctors' appointments to take longer than anticipated).</p> <p>The delay was not due to events such as unforeseen medical emergencies - allowance should be made for general delays which are a part of normal life.</p>
23	We had issued a 'dispensation' allowing the vehicle to park at a location where parking is not normally allowed.	There is a valid dispensation issued to the vehicle for the time / place / reason.	Our systems will be checked for dispensation information.	<p>We believe the vehicle was not being used for the purpose that the dispensation was agreed for. Dispensations are only granted if the vehicle is being used as a workshop - needing to use equipment directly from the vehicle as part of the work being carried out at an adjacent property.</p> <p><i>In general where tools, equipment or materials are required, these items should be unloaded into the relevant premises and the vehicle should then be parked legally elsewhere.</i></p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
				<p>A different vehicle to that the dispensation was issued for was being used.</p> <p>A PCN has previously been cancelled for failing to correctly display a dispensation.</p>
24	Driver was not aware of a temporary parking suspension or parking restriction	There is evidence that the vehicle was already parked when the signs were placed and had not moved.	Proof that the driver was away over the period between the signs being placed and the PCN being issued.	There is evidence that the signs were already in place prior to the vehicle being parked.
25	Driver of a vehicle was arrested and as a direct result left the vehicle in contravention of a parking restriction.	There is evidence that the driver had been taken into custody prior to the PCN being issued and was either being detained or there had not been reasonable time to safely move the vehicle after release.	Evidence of the relevant custody number, officer and police station.	<p>No evidence of the arrest is supplied.</p> <p>Evidence suggests the vehicle was not left at the location as a result of being taken into custody,</p> <p>After release the vehicle was not moved within a reasonable period (12 hours).</p>
26	Health care professional claims to have been attending an emergency duty.	The driver is a medic, it was a genuine emergency call out and there are valid reasons why the driver could not have parked legally (for example displaying a valid medical permit to attend).	Explanation and evidence of the emergency and proof that the driver is a medical professional.	<p>The vehicle is parked near a place of work (e.g. a hospital or surgery)</p> <p><i>Regular or programmed visits or routine home visits will not be considered an emergency. For permit zones, medical and carer permits are available and should be correctly displayed. In other areas pay and display / limited waiting bays should be used.</i></p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
27	The vehicle is an emergency service vehicle / unmarked police car.	If a senior officer of the fire brigade, ambulance or police service supports the representations and there is no reason to doubt that the vehicle was carrying out operational activities.	Supporting letter from senior officer (Inspector or higher for police)	There is evidence that suggests the vehicle was not being used for operational duties, including if the vehicle is parked outside a police station, or court.
28	The driver is an estate agent or landlord visiting a property.			<i>Estate agents / landlords are not exempt from any restrictions and should park using a valid permit or by making appropriate payment to park.</i>
29	The vehicle was a Post Office vehicle being used to collect postal packets.	There is evidence that the vehicle was a marked Post Office vehicle being used solely for this activity.		Evidence provided by the Civil Enforcement Officer contradicts the claim / suggests the vehicle was parked there for longer than necessary for this activity, or if the vehicle is stopped on zigzag markings (crossings, or school keep clears) The vehicle is a private (non liveried) vehicle being used to carry out work.
30	The vehicle is a utility vehicle	The vehicle is a liveried vehicle being used to carry out repairs or install pipes, cables or other apparatus. The vehicle is on an emergency call and is actually involved in the emergency work – a board showing the address and the nature of the work	Job sheet	The vehicle is a private (non liveried) vehicle The vehicle is parked on a crossing controlled area but could have been left at an alternative suitable location. For works to premises, such as routine servicing or repairs, or installation of lines or systems. The Civil Enforcement Officer's notes indicate no activity was taking place and no supporting evidence is supplied.

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		must be displayed in the vehicle.		
31	The vehicle was parked on the footway or off the highway (including claims that this is private property)	There was not either a signed waiting / loading restriction on the adjacent carriageway, or other signs specific to an off road parking ban.		<p>The vehicle was parked on a section of highway where a waiting, loading restriction, or red route restriction is marked in the adjacent carriageway. <i>Such restrictions apply from the centre of the road to the highway boundary on the side of the road that the marking is on (including footways, verges and other areas of land off the main carriageway). The highway boundary is usually a fence / wall / hedge / building line.</i></p> <p>There are specific signed restrictions showing a footway or verge parking restriction applies.</p>
32	Could not find anywhere else to park	There was any pre-existing agreement in place to allow certain drivers to park elsewhere.	Evidence of any agreement	The restriction is correctly signed.
33	Went to get change for the pay & display machine			The law does not allow time for drivers to get change to obtain a pay and display ticket
34	Only stopped for a few minutes	The vehicle was stopped for a reason that would otherwise exempt it from waiting there – for example, it was being used to load / unload where permitted		<p>If the vehicle was parked where a PCN may be issued instantly (for example on a 'no stopping' or 'no loading' restriction)</p> <p>There is no reason to suggest that the vehicle was legitimately waiting on another restriction type</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
34	The vehicle was not fully on the restriction	Less than one wheel was on the restriction.		If at least one wheel was on the restriction.
35	It was not their vehicle. For example, the wrong registration number was recorded on the PCN, their vehicle has been cloned / was elsewhere at the time of the contravention.	Further checks show that the incorrect vehicle registration was recorded on the PCN. There is supporting evidence that the vehicle appears to have been cloned.	Copy of the vehicle registration document, evidence from the police which supports the claim and / or photographs of the keeper's vehicle (with the registration plate showing)	The PCN has been issued to a vehicle showing the same registration number and there is no evidence that it has been cloned.
36	The fine is too expensive.	The PCN shows the wrong amount has been charged for the contravention.		The amount charged is correct in accordance with Secretary of State guidelines. Currently these are £50 or £70 for lower / higher level parking contraventions and £70 for bus lane contraventions. The charge is subject to a legal discount period and surcharges allowed under the relevant regulations.
37	The restriction is no longer necessary / it was a quiet street	There is no longer a valid Traffic Regulation Order for the restriction (if one is required)		The restriction is correctly signed and has a valid Traffic Regulation Order (if required).
38	Driver was attending a funeral / wedding, or place of worship.	A PCN was issued to an official hearse, or an official car dropping off the bride / groom and the		Other vehicles being used to travel in to attend a funeral / wedding / place of worship.

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		vehicle was not parked where stopping is prohibited		
39	<p>Vehicle was being used by a glazier company for an emergency repair.</p> <p>The vehicle was being used to deliver or collect hazardous chemicals/substances</p> <p>The vehicle was being used by a plumber, electrician or gas engineer</p>	<p>It was an emergency and there was no other safe place for the vehicle to be parked to transport glass.</p> <p>There is evidence of loading / unloading witnessed by the CEO and the vehicle is marked to show it may contain hazardous materials.</p> <p>It was an emergency and there was no other safe place for the vehicle to be parked whilst the mains supply was being switched off.</p>	Job sheet	Evidence provided by the Civil Enforcement Officer contradicts the claim, or suggests the vehicle was parked there for longer than necessary for this activity (for example it remained there after mains had been turned off).
40	The driver was involved in / attending a medical emergency	These will be judged on individual merits based on whether it was unforeseen and prevented the driver from moving their vehicle.	Independent evidence of an accident or incident.	There is no supporting evidence, it is reasonable the vehicle could have been parked elsewhere, or the Civil Enforcement Officer's evidence contradicts the claim
41	Civil Enforcement Agent (bailiff) performing duties.	The agent is executing a warrant (court orders for the collection of money and/or goods)	The driver is a registered Civil Enforcement Agent with supporting	<i>Other activities such as serving a summons or a warrant (not enforcing it) do not count. In such circumstances the agent would be expected to comply with parking restrictions.</i>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
			evidence from their employer that they were executing a warrant.	
42	The pay and display machine was not working	<p>It is confirmed that the nearest machine was not working at the time of parking and there was</p> <ul style="list-style-type: none"> • no alternative working machine in the same car park or street that could have been used; • not an option to pay by phone at that location 		<p>Transaction reports, engineers' fault logs or enforcement notes / records do not indicate that there was a fault with the machine at the time. Checks may also be made on the PCN database to see if other drivers had experienced similar problems.</p> <p>Another nearby pay and display machine could have been used.</p> <p>Pay by phone was available at the location</p>
43	The PCN has already been paid	There is evidence that the correct balance was paid within statutory time limits (or any extended payment period offered by the Council).	Bank/card statement and last four digits of the card number A Post Office or Paypoint receipt	There is no proof that a valid payment for the correct amount was received in time, or if it is apparent that the payment was for a different case.
44	A permit had been applied for (including a replacement for a change of vehicle registration).	The permit is vehicle specific and Council records show that an application had been made and correct proof		<p>A complete application (including payment has not been made), or if the application is not specifically for the vehicle the PCN has been issued to.</p> <p>The vehicle is parked where a permit is not valid (including in a different zone)</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		and payment had been received.		
45	Driver has parked there before without being issued a PCN.	There is evidence that the restrictions were implemented after the vehicle had been parked. The Council has started enforcing for a restriction where PCNs have previously not been issued before and there is no evidence of warning notices having been issued for a period prior to enforcement.	Proof that the driver was away over the period between the sign(s) being placed and the PCN being issued.	The driver lives in a newly implemented permit zone – information is sent to residents in advance. The driver has been fortunate to have not received any PCNs before.
46	Driver given permission to park there by police or a CEO	The officer's badge number is supplied and the officer verifies the advice given.	Letter from police station / officer's details.	This cannot be verified or somebody other than a police officer / CEO had given permission.
47	Pregnancy/mothers and fathers with young children.	The delay was short / caused by a minor medical emergency.	Medical evidence to support claim.	There is evidence that the same person has made similar claims in the past, or the Civil Enforcement Officer's evidence contradicts the claim.
48	The driver needed to park to use the toilet.	It was the result of a medical condition that can be proved.	Medical evidence to support claim.	It was not due to a medical condition. There is evidence the same person has made similar claims in the past, or the Civil Enforcement Officer's evidence contradicts the claim.

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
49	The Civil Enforcement Officer should have allowed a grace period before issuing a PCN.	A PCN (issued after 1 April 2015) has been issued within 10 minutes after the expiry time of a pay and display ticket, or within 10 minutes of a limited stay period ending. For other restrictions (e.g. on yellow lines) if A PCN was issued within 5 minutes of the start / end time of a restriction.		A pay and display ticket expired more than 10 minutes prior to the PCN being issued, or the vehicle had stayed longer than the 10-minute grace period in a limited waiting bay The PCN was issued more than 5 minutes from the start / end time of other restrictions.
50	Other vehicles did not receive a PCN	There is any procedural error was made issuing the PCN.		If the restriction is correctly signed.
51	The vehicle entered the bus lane to turn left.	The vehicle has only clipped the end of the bus lane (if a first time contravention)		Vehicles should not enter the bus lane until moving beyond the end of bus lane sign(s). Footage will be reviewed to see where the vehicle moved into the bus lane.
52	The vehicle entered the bus lane to avoid an obstruction, a collision, or to let an emergency vehicle pass.	CCTV footage verifies the vehicle did only enter the bus lane for this purpose and then continued the journey in the correct lane after taking evasive action.		There is no evidence of an obstruction, oncoming vehicle or emergency vehicle, or if the vehicle that the PCN has been issued to continued its journey in the bus lane when it was no longer necessary.
53	Bill of Rights claim			<i>It has been decided at High Court that the Bill of Rights does not apply to PCN disputes</i>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
54	More than one PCN was issued for the same contravention	<p>More than one PCN has been issued for a parking contravention within 24 hours.</p> <p><i>If evidence suggests the driver has not returned / moved the vehicle the driver would still be liable for one of the PCNs; if the vehicle had been moved both may need to be paid.</i></p> <p>A duplicate PCN has been logged for a contravention observed using CCTV (if the date and time are the same).</p>		<p>A vehicle has been left parked on a restriction over consecutive days and there is more than a 24 hour period between PCNs.</p> <p><i>Note: in some situations vehicles may be removed; the issue of PCN should not be regarded as grounds to leave a vehicle parked</i></p> <p>It appears that the driver has parked at the same location on separate occasions within a 24 hour period.</p> <p>Separate bus lane contraventions have occurred – for example, the driver went through a bus lane or gate and then re-entered it (or another nearby bus lane / gate) shortly afterwards on their journey.</p>
	Keeper's name misspelt on PCN documents			Names and addresses are in most cases, obtained from the DVLA and are supplied to DVLA by the keepers themselves. It is the keeper's responsibility to update DVLA with any changes or corrections.
	Cannot afford to pay	The keeper / hirer is responsible for paying PCNs. There are set timescales for payment of PCNs, but an additional month may be allowed for cases at the full rate. Debt advice will be shared about support services		<p>To qualify for the discount payment this should be made within the statutory discount period.</p> <p>Payment terms for cases at enforcement agent stage would need to be discussed with the relevant agent.</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it
		and schemes such as Breathing Space.		

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Guidance Policies for issued Parking and Bus Lane PCNs and Appeals

Policies contained in this document are for guidance only. Cases will be considered on individual merit taking into consideration all available evidence.

INTRODUCTION

When you receive a parking fine from us (or for using a bus lane/gate) you may want to appeal it. But how do we decide whether that challenge is successful or not?

We call these fines Penalty Charge Notices (PCNs). This document explains how decisions are made when we deal with representations and appeals against parking and bus lane (PCNs).

Whilst every effort has been made to keep this document reader-friendly, we will refer to legal wording when we have to.

It is impossible to provide in this document, specific guidelines to cover all circumstances and policies may be reviewed. However, we will consider all cases, on their individual merits, taking into account the particular circumstances before reaching a decision.

ABOUT THE APPEAL PROCESS

Challenges should be made in writing. Instructions of how to do this will be with the PCN documents. Having it in writing helps us to keep a record of the whole process.

All correspondence received and sent by us will be sent to the Traffic Penalty Tribunal (TPT) if an appeal is made.

We discount payments for PCNs if they are made promptly. The law allows 14 days from the service of the PCN for it to be paid at half the rate of the full charge. However, the law allows 21 days if it is a parking or bus lane PCN issued by post after CCTV evidence has been used to record the contravention.

If a written appeal is received, the case is placed on hold at its current rate until a full written response is sent. We do reoffer 14 days to pay the discounted amount if the appeal was received within the legal discount period, but the PCN is upheld.

If the PCN is disputed again (after this initial decision) it is unlikely that the discounted rate will be reoffered.

If the full balance due is paid, this closes the case and the option to challenge the PCN is lost. Payment is regarded as acceptance of liability for the PCN.

To preserve the integrity of the appeal procedure, it is managed and carried out by trained processing staff in on behalf of Parking Services. No undue external pressure shall be brought by either members of the Council or other senior officers, to unduly influence the decisions by virtue of their position alone.

Council officers / members should also use the appeal process if they consider a PCN has been incorrectly issued.

There are three stages at which a PCN may be appealed:

1. An 'informal challenge' can be made against parking PCNs that have been handed to the driver or fixed to the vehicle, (before we have served a Notice to Owner (NtO) to the registered keeper). Only one informal challenge will be responded to unless the driver has supplied further information requested in the response we sent.
2. 'Formal representations' can be submitted once a NtO or a postal PCN has been served to the keeper/hirer of the vehicle.
3. If a formal representation is rejected the keeper/hirer may appeal against this to an independent adjudicator at the Traffic Penalty Tribunal (TPT). Tribunal decisions are final and binding on both parties

The regulations set timescales of 28 days for formal representations or an appeal to the TPT to be made. Failure to do so (or to make full payment of the amount owed) may result in the PCN being progressed through the enforcement process.

In general terms the Council's enforcement policy is to work in accordance with the Statutory and Operational Guidance which has been issued by the Department for Transport. The following principles are central to the Council's enforcement policy: -

- Informal written (or e-mail) challenges will be dealt with where possible within 14 days of receipt. However, there may be occasions when peaks of workload mean that this is not possible. An acknowledgement is sent by email for online appeals. We aim to publish information online about current response times.
- Where an informal challenge has been received by the Council within 14 days of the issue date of the Penalty Charge Notice, this will effectively "freeze" the discount period. If the challenge is rejected, the Council will accept the discounted payment for a period of 14 days from the date of service of its letter of rejection.
- Formal representations in response to postal Penalty Charge Notices or Notices To Owner will be dealt with in accordance with the time scale specified by Department for Transport Statutory Guidance, which is within 56 days of receipt. Every effort

will be made to respond within 14 to 21 days, but the Department for Transport Statutory Guidance allows local authorities 56 days to respond.

- The legislation allows the owner of a vehicle 28 days from the date of receipt of a Penalty Charge Notice or a Notice to Owner, to pay or make representations. Councils may ignore any representations which are made after this period. Sheffield City Council will allow a few days flexibility with regard to this deadline provided that the person making representations provides a valid reason for any delay. However, any representations which are made more than 7 days beyond the normal deadline will not be considered, unless there are severe and genuine extenuating circumstances.
- A Postal Penalty Charge Notice or a Notice To Owner gives details of the grounds on which representations and appeals may be made. However, Sheffield City Council will consider other genuine and compelling circumstances. In these cases, the particular facts of the case will be taken into consideration. However, this document includes guidance in relation to circumstances that will not normally justify cancellation of a Penalty Charge.

Although we have a discretionary power to cancel a PCN at any point throughout the enforcement process it is unlikely late appeals will be considered unless there are exceptional circumstances why it has not been made in time, or if it is evident that there has been a procedural impropriety or error with the PCN.

After the time allowed for representations or an appeal to be made has ended, a Charge Certificate may be issued. This increases the full penalty charge by 50%. At this time, it is too late to dispute the PCN. If payment is not made within 14 days, the charge may be registered as a debt at the Traffic Enforcement Centre (TEC).

At this stage, it is possible for the keeper/hirer to make a witness statement if they lost the opportunity to make a dispute or pay the PCN because they hadn't received a NtO/postal PCN, a response to a formal representation, or an appeal decision. For bus lane contraventions prior to 31 May 2022, a statutory declaration may be filed to TEC if the original bus lane PCN document was not received or representations or an appeal to TPT was made but no decision was received.

After debt registration as a last resort if the PCN has not been paid or successfully appealed, a warrant would be applied for and passed to enforcement agents to collect the charge owed. Enforcement agents would add their own fees too. The keeper / hirer could still apply to TEC to make a late witness statement (or statutory declaration) at this stage, but valid reasons must be provided why this was not done in the initial time allowed after the debt registration).

We aim to

- Treat everyone fairly and with common sense
- Sympathetically consider compelling circumstances and individual circumstances (looking at the evidence to support cases). We recognise the Chief Adjudicator's comments in the Traffic Penalty Tribunal's (TPT's) Annual report which says Councils have an express duty to consider "compelling circumstances"...and to exercise discretion having regard to the appropriate considerations

Sheffield City Council's main objective is to enforce parking (and some moving traffic) restrictions in a fair, consistent and transparent manner. Enforcement is carried out in accordance with the provisions of the Traffic Management Act 2004 and associated guidance provided by the Department for Transport. Also, observations by the Chief Adjudicator in the Annual Reports of the Traffic Penalty Tribunal will be taken into consideration.

REASONS FOR APPEALING A PCN

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
1	A valid pay and display ticket had been obtained	<p>A valid ticket is produced covering the relevant period and location if it is a first time contravention by the individual/vehicle concerned).</p> <p>The ticket has been bought from a nearby alternative machine because the nearest machine was not working, or it is confusing which the appropriate machine is.</p>	Pay and display ticket.	<p>The person receiving a PCN had received one in the past for failing to correctly display a pay and display ticket.</p> <p>The ticket was not valid for the time or place the vehicle was parked (e.g. had expired, was for a different location, the vehicle was parked in a permit holders' only bay).</p> <p>Multiple free sessions had been obtained instead of making payment to park for longer.</p> <p>The Civil Enforcement Officer's evidence contradicts the claim.</p> <p>The motorist has failed to attempt to display the ticket.</p>	<p>Standard Alert (#041)</p> <p>Letters (#066 & 147)</p> <p>Paragraph #127</p>
2	A Blue Badge was displayed in the vehicle and the vehicle was being used for the	No previous similar contravention has occurred and	A copy of the Blue Badge which would have been valid at the time the PCN was issued (or that had	<p>A PCN has previously been cancelled for failing to display the badge / timer disc properly.</p> <p>The holder has failed to attempt to display the badge.</p>	<p>Standard Letters (#086,087, 088, 122, 215 -223</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
	benefit of the badge holder.	<ul style="list-style-type: none"> the vehicle is parked where Blue Badge concessions apply a valid badge was displayed but the holder forgot to display the timer disc in a time limited disabled bay or on a waiting restriction <p>If the Blue Badge displayed had expired in the last 14 days prior to the PCN being issued.</p>	expired in the last 14 days	<p>The vehicle is parked on a restriction (such as 'no stopping', 'no loading', bays reserved for specific users) where Blue Badge concessions do not apply - https://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england</p> <p>The vehicle has been parked for longer than permitted with the Blue Badge displayed.</p> <p>The badge is displayed when the vehicle is not being used to transport the badge holder. It is not permitted to use the badge for any other purpose (e.g. shopping for the disabled person when they, themselves are not being transported in the vehicle).</p>	Alert (#099)
3	The vehicle was being driven by someone else	<p>A hire company provides evidence that the vehicle was on hire to another party when the contravention occurred</p> <p>It is evident that the vehicle was subject to a long term lease</p>	A signed hire agreement that complies with the Road Traffic (Owner Liability) Regulations 2000	<p>The vehicle had been lent to a friend / relative / acquaintance, etc. (including if they were given general access to the keys)</p> <p>The vehicle was in a repair garage (this is a civil matter between the keeper and the garage)</p> <p>The keeper is unable to provide any proof of theft, or the information held by the police does not match the claim, or the time of the alleged theft /</p>	Standard Alert #190

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		The vehicle had been reported stolen prior to the contravention	A valid police crime reference number and police station it was reported to which verifies that the vehicle had been taken without the owner's consent before the PCN was issued	the report of the theft was after the PCN had been issued. The vehicle was being used as a courtesy car without an agreement signed to accept responsibility for PCNs	
4	The vehicle was being used for loading / unloading	The vehicle is waiting where loading is permitted and either the goods being delivered/collected were heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from a 'legal' parking place. The delivery / collection is part of the operations of a commercial delivery business (e.g. couriers)	Job sheet / delivery note (timed / dated and describing goods)	Evidence contradicts the claim or suggests the vehicle was parked there for longer than necessary for this activity. The vehicle is waiting where loading is not permitted: e.g. on school zigzag markings, on crossing controlled areas, on clearways, on bus stop clearways; on no stopping taxi ranks, on Police bays where loading is prohibited, in car parks.	Standard Alert (#135)
5	The keeper was not aware a parking PCN had been issued until	There is insufficient evidence that the PCN was served correctly.		The Civil Enforcement Officer's evidence suggests the PCN was correctly served. In such circumstances, we <i>may</i> offer 14 days from the rejection notice	Standard Alert (#112)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
	receiving a Notice to Owner.			being served for the discount to be paid. We would not if there is a history of such claims or if the PCN was handed to the driver.	
6	If the driver claims the restriction signs / lines were missing, obscured, or in poor condition	<p>There were exceptional weather conditions (e.g. a period of heavy snow), causing vehicles to be necessarily abandoned.</p> <p>The gap in a yellow line is at least a vehicle length and no part of the vehicle was on the visible line.</p> <p>A sign is missing or obscured such that it could not be read and there is no other sign in reasonable distance from the vehicle.</p>		<p>It was still evident that a restriction was in place despite snow or leaves.</p> <p>Short lengths of missing line(s) or a missing termination mark will not invalidate PCNs where it is obvious that a restriction is in place.</p> <p>Claims that there were no signs next to markings which do not need time plates.</p> <p>A sign can be easily read or is only marginally obscured but it is still reasonable that it could have been read and understood.</p>	<p>Standard Alert (#121)</p> <p>Add a custom letter for no loading at any time restrictions that allows a first strike for no loading at any time if there are just DKM (KYTS says there is always a plate – for bays KYTS says for bays signs will normally be there but does</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
					<p>not say they will always be there</p> <p>Add a custom alert for city centre CPZ if it can be demonstrated the driver may have travelled more than 6 or more streets from passing the zone entry sign to where they parked on a single yellow line if driver says they did not understand the restriction (first strike) – see appeal decision FD00338-2210</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
7	The driver made a mistake / did not understand the restrictions	We may make some allowance in a limited number of circumstances if the restriction is not indicated in the Highway Code or Know Your Traffic Signs		<p>Commonly used sign(s) were used - in accordance with Department for Transport (DfT) regulations / authorisations. Information for motorists about signs can be found in DfT publications such as the Highway Code, and / or Know Your Traffic Signs. Drivers should keep up to date with such information.</p> <p>If the vehicle is parked in front of a dropped kerb (the Highway Code tells drivers not to park where the kerb has been lowered to help wheelchair users and powered mobility vehicles, or in front of an entrance to a property)</p> <p>If your vehicle is double parked – (the Highway Code tells drivers a vehicle should not be left where it causes any unnecessary obstruction of the road).</p>	<p>Standard</p> <p>Letters (# 027, 061 & 064, 174, 192) are unique to motorists not understanding RPZ, clearway on side street and permit holders beyond this point signs, sub zones within Broomhill area [first offence] deactivate for permit holders beyond this point and RPZs as this type of signage is in Highway Code / KYTS. Whilst we have special authorisation</p>

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					for suspension and temporary roadworks / events signs, KYTS does refer to portable signs for temporary restrictions; however, in other circumstances if restrictions are new or changed we would issue warning notices – create a custom letter to allow first time strike for first time PCN if the driver says they did not see the sign / realise the temporary

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					<p>restriction was there (for suspensions to be applied if they had parked in accordance with the normal restrictions for that bay, e.g. had a permit)</p> <p>Add first time strike for double parked and on street EV bays and paybyphone only bays (not in driver publications)</p> <p>Shared use bay signs do not say period on no return (is on machines)</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
					<p>instead) - if driver did not realise information on machine (and it is not shown on the sign) allow a first strike cancellation</p> <p>On 24 hour clearways without road markings continue to exercise discretion if the driver parked on the junction of a side road before the End sign and thought because there were no road markings it was not restricted</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
					(following key adjudication case) Add one time strike for BB holders in 20 min bay on Norfolk Street (DfT authorised sign)
8	Driver had paid for parking using cashless payment	<p>The cashless payment system shows that there was a valid paid-for period covering the right vehicle and location.</p> <p>A minor error was made inputting the vehicle registration number (for example one or two wrong digits or letters), selecting the wrong location code or vehicle from own account and no previous similar contravention has occurred.</p>	Evidence of the cashless payment session	<p>The vehicle is parked where pay and display / cashless payment cannot be used (for example on a yellow line).</p> <p>The paid for session was for a different vehicle not on drivers account / had expired / been bought after the PCN had been issued / the transaction had not been completed.</p> <p>A PCN has previously been cancelled if a minor error was made inputting the vehicle registration number or for selecting the wrong location code.</p>	Standard Custom letter 327

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
9	Ownership of the vehicle is denied	The full name and address of who did own the vehicle is provided, ideally with proof.	Proof of change ownership (e.g. sales receipt)	An incomplete name and address of the alleged owner is provided. A person that has been nominated as the owner denies ownership and insufficient proof has been provided.	Standard Alert #186 and #416
10	The vehicle is authorised to travel in a bus lane or bus gate	The vehicle: <ul style="list-style-type: none"> • has at least 10 seats (9 or more passenger seats plus the driver) • is a taxi • is a Private Hire Vehicle with suitable side markings, as approved by Sheffield City Council, operating under a licence issued by a Local Authority • is a motorcycle [bus lanes only, not bus gates] • has suitable side markings, as approved by Sheffield City Council and is carrying persons on behalf of 	Vehicle registration document Taxi licence PHV licence	The vehicle is not an authorised vehicle, or required evidence is not provided	Standard Alerts (# 053, 123, 124 & 125)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		<p>the National Health Service for medical reasons</p> <ul style="list-style-type: none"> • has suitable side markings, as approved by Sheffield City Council being operated on behalf of a Local Authority for educational or care reasons. <p>The above is subject to the signed restrictions for the bus lane or gate showing what vehicles are permitted – some may not allow all the above can travel through</p>	<p>Job sheet</p> <p>Job sheet</p>		
11	There was a valid permit for the vehicle.	<p>No previous similar contravention has occurred and</p> <ul style="list-style-type: none"> • the vehicle is parked where the permit would have been valid 	<p>A copy of the relevant permit (valid at the time of contravention) – if the permit is a paper permit</p> <p>(proof does not need to be sent for vehicle</p>	<p>A PCN has previously been cancelled for failing to display a permit / timer disc properly.</p> <p>The holder has failed to attempt to display the permit promptly after parking.</p> <p>The vehicle is parked on a restriction where the permit does not provide concessions (such as on a</p>	<p>Standard</p> <p>Alert (#128, 129, 130, 139)</p> <p>Letters (#114 & 115, 257)</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		<ul style="list-style-type: none"> there was a valid permit for the vehicle, but the holder forgot to display the timer disc (if required for the permit type / location). <p>An annual permit for the vehicle had expired in the last 14 days prior to the PCN being issued.</p> <p>A virtual permit had expired without the driver realising (and had subsequently been promptly renewed)</p> <p>A minor error (for example one or two wrong digits or letters), was made inputting the vehicle registration number for a virtual permit and no previous similar contravention has occurred.</p>	<p>specific virtual resident, resident carer, organisational carer/medical, green or business permits – these permits will be checked on the Council’s permit records)</p>	<p>yellow line, in a pay and display only bay, or in a different zone).</p> <p>The vehicle has been parked for longer than permitted, or the time set has been altered (if time limits apply for the permit type)</p> <p>The Civil Enforcement Officer’s evidence contradicts the claim.</p> <p>If a daily use permit has not been correctly validated</p>	<p>Letters #258 & 259</p> <p>Standard (resident), Letter #256 (other VPP)</p>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
12	Driver claims they were unaware of a bus lane or gate – including saying they were following satnav directions	<p>Evidence shows there was a problem with the sign(s) – e.g. a required restriction sign was missing.</p> <p>The bus lane/gate had been temporarily suspended due to works or an event in the area.</p> <p>Some discretion for multiple PCNs may be exercised (first time offenders) if the mistake was not realised until receiving the first bus lane PCN through the post</p>		The bus lane / gate is correctly signed	Paragraph (#078); letter (#079); letter 264; letter # 265
13	It was a bank holiday or Sunday	<p>The street signs say “except bank holidays”</p> <p>Street signs indicate that restrictions apply only on days exclusive of Sundays (e.g. Mon – Sat)</p>		<p>The sign(s) do not indicate that bank holidays are excluded – e.g. a sign which says restrictions that apply Monday to Friday will apply on a bank holiday Monday.</p> <p>Street signs do not specify days of the week (if no days are specified the restriction applies everyday including Sundays and bank holidays)</p>	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
14	Driver claims they were going to a bank	The vehicle was a secure cash van (operated by companies licenced under the Private Security Industry Act) and was required to park in close proximity to business premises in order to affect the safe delivery or collection of cash.	Representation from the Security Company confirming such an activity at the time, with a copy of the licence	It is a member of the public taking money / to from the bank. In such circumstances, nearby restrictions should be complied with. A vehicle was parked for longer than necessary. Security vans involved in the delivery of mail or other such low value items are expected to comply with parking restrictions.	Letter (#093)
15	Driver claims that they were gaining access to their private or commercial property	The vehicle had been stopped only to open a gate and proceeded directly on to the private property. A driver had to collect a key to unlock a gate that prevented access allowance may be made for this (no longer than five minutes), provided the restriction is not 'no stopping' or 'no loading'; [in these the vehicle should have been parked		Evidence provided by the Civil Enforcement Officer contradicts the claim / suggests the vehicle was parked there for longer than necessary for this activity. The access to the property was blocked preventing the driver from gaining entry The vehicle was left unattended on a 'no stopping' or 'no loading' restriction whilst the driver went to get keys to unlock a gate.	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		elsewhere whilst the key was collected].			
16	Vehicle had broken down	Vehicle breakdown was unavoidable, can be evidenced and the vehicle was moved within 24 hours	<p>Garage receipt on headed paper, completed in full and indicating a repair of the fault within a reasonable time of the contravention.</p> <p>Till receipt for purchase of relevant spare parts purchased on or soon after the date of the contravention.</p> <p>Vehicle recovery/repair record from a recognised vehicle roadside assistance scheme.</p>	<p>No evidence of breakdown is provided.</p> <p>It is probable that the vehicle was left in contravention of the restriction prior to the breakdown occurring.</p> <p>The vehicle had not been recovered within 24 hours.</p> <p>Claims of flat battery if it is alleged that the vehicle was bump/jump started but there is no evidence of new parts which could cause a flat battery (e.g. alternator, solenoid) or of a new battery.</p> <p>It seems the vehicle had 'broken down' due to negligence of the driver – e.g. it ran out of petrol or the vehicle had overheated due to lack of water (unless there is evidence of a mechanical / electrical fault).</p> <p>The Civil Enforcement Officer notes contradict the claim being made</p>	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
			Confirmatory letter from the Royal Automobile Club (RAC), Automobile Association (AA) or similar motoring organisation.		
17	Claim that car keys had been lost, stolen or locked in the vehicle	The claim can be evidenced and the vehicle was moved within 24 hours.	Supporting evidence (for example from the police, or a vehicle recovery organisation)	There is no supporting evidence or the vehicle is not moved within 24 hours. The vehicle should not have been parked at the location in the first place (for example on double yellow lines)	
18	Driver claims they were dropping off or picking up a passenger.	The Civil Enforcement Officer notes suggest such activity was taking place. Special consideration will be given to taxis or Private		The Civil Enforcement Officer's notes contradict the claim or suggest the vehicle was there for longer than necessary. In most circumstances the driver should remain with the vehicle (unless elderly, disabled, or young children are involved). The vehicle is parked on a 'no stopping' restriction, including bus stops*, or crossing controlled areas.	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		<p>Hire Vehicles that will need a small amount of additional time to announce their arrival and accept payment.</p> <p>* If a taxi (not a Private Hire Vehicle) was stationary in a bus stop only for so long as is reasonably necessary for a passenger to board or alight with their luggage</p>	<p>Evidence that the vehicle is a licenced PHV or taxi and a computerised record of the fare.</p> <p>Evidence that the vehicle is a licenced taxi and a computerised record of the fare.</p>		
19	The Civil Enforcement Officer made a mistake or was rude	<p>The PCN does not comply with the regulations, such as stating the wrong:</p> <ul style="list-style-type: none"> • vehicle registration • contravention • amount payable 		<p>There is a discrepancy over the vehicle colour / make, or the location stated on the PCN. The PCN will be upheld if the evidence (such as photographs linked to the PCN / GPS information from the handheld) satisfies the investigating officer that there were restrictions relevant to the contravention code recorded by the Civil Enforcement Officer. There is no regulatory requirement for the location of the alleged contravention to be specified on a parking PCN.</p> <p>The time of the PCN is disputed - the handhelds have integrated clocks and the time stated on PCNs printed from these cannot be altered.</p>	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
				<p>The keeper's name is misspelt on a document (they should contact the DVLA to correct information held on their records).</p> <p><i>Complaints against any officer's conduct should be made using our complaint procedure. This is separate to the PCN representations and appeals procedure.</i></p>	
20	The driver was an on-duty Council Officer, member or Government official	<p>Local Authority vehicle (or contractor) was parked only to carry out statutory duties (i.e. refuse collection, street cleansing, highway maintenance), or whilst carrying out duties that require the vehicle to be in close proximity (i.e. verge grass cutting), including Enforcement vehicles.</p> <p>Vehicles involved in exceptional activities, such as surveillance by Customs & Excise or the Benefits Agency.</p>	Supporting written statement from the relevant Service Manager or Executive Director.	The vehicle was not one being used for statutory duties and the officer thought they did not have to comply with parking regulations.	Standard Letter (# 103) statutory duties

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
21	The driver was attending court	A defendant is given a custodial sentence and as a direct result, is unable to remove his / her vehicle from a pay and display bay or Council car Park that the vehicle had been correctly parked in. We would expect that the vehicle will be removed as soon as is reasonably possible (48 hours), by the defendant's family, friends or legal representatives.	Supporting evidence from the defendant's legal representative of a custodial sentence being given.	Someone attending court (e.g. as witness, jury member, or defendant) overstayed the time they paid for - the length or timing of any court hearing or trial cannot be guaranteed. Payment can be made for a full day, or extended using payment by mobile phone.	
22	A dentist / doctor appointment took longer than anticipated. A meeting or other appointment ran late.	There is evidence of an exceptional medical emergency that led to an unforeseen delay which prevented the driver from returning to their vehicle.	Evidence from medical professional or organisation	An appointment/meeting overran or was longer than expected (motorists should be aware it is not unusual for dentists / doctors' appointments to take longer than anticipated). The delay was not due to events such as unforeseen medical emergencies - allowance should be made for general delays which are a part of normal life.	

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	Other activities (e.g., shopping) took longer than planned.				
23	We had issued a 'dispensation' allowing the vehicle to park at a location where parking is not normally allowed.	There is a valid dispensation issued to the vehicle for the time / place / reason.	Our systems will be checked for dispensation information.	<p>We believe the vehicle was not being used for the purpose that the dispensation was agreed for. Dispensations are only granted if the vehicle is being used as a workshop - needing to use equipment directly from the vehicle as part of the work being carried out at an adjacent property. <i>In general where tools, equipment or materials are required, these items should be unloaded into the relevant premises and the vehicle should then be parked legally elsewhere.</i></p> <p>A different vehicle to that the dispensation was issued for was being used. A PCN has previously been cancelled for failing to correctly display a dispensation.</p>	
24	Driver was not aware of a temporary parking suspension or parking restriction	There is evidence that the vehicle was already parked when the signs were placed and had not moved.	Proof that the driver was away over the period between the signs being placed and the PCN being issued.	There is evidence that the signs were already in place prior to the vehicle being parked.	<p>Standard (other) – suspensions</p> <p>Alert (# 100) for Amey temp signs</p>
25	Driver of a vehicle was arrested and as a direct	There is evidence that the driver had been taken into	Evidence of the relevant custody	No evidence of the arrest is supplied.	Standard & Alert (#101)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
	result left the vehicle in contravention of a parking restriction.	custody prior to the PCN being issued and was either being detained or there had not been reasonable time to safely move the vehicle after release.	number, officer and police station.	Evidence suggests the vehicle was not left at the location as a result of being taken into custody, After release the vehicle was not moved within a reasonable period (12 hours).	
26	Health care professional claims to have been attending an emergency duty.	The driver is a medic, it was a genuine emergency call out and there are valid reasons why the driver could not have parked legally (for example displaying a valid medical permit to attend).	Explanation and evidence of the emergency and proof that the driver is a medical professional.	The vehicle is parked near a place of work (e.g. a hospital or surgery) <i>Regular or programmed visits or routine home visits will not be considered an emergency. For permit zones, medical and carer permits are available and should be correctly displayed. In other areas pay and display / limited waiting bays should be used.</i>	Standard (Health Emergency Badge) Also Custom letter (# 102) for permit bays
27	The vehicle is an emergency service vehicle / unmarked police car.	If a senior officer of the fire brigade, ambulance or police service supports the representations and there is no reason to doubt that the vehicle was carrying out operational activities.	Supporting letter from senior officer (Inspector or higher for police)	There is evidence that suggests the vehicle was not being used for operational duties, including if the vehicle is parked outside a police station, or court.	Standard
28	The driver is an estate agent or landlord visiting a property.			<i>Estate agents / landlords are not exempt from any restrictions and should park using a valid permit or by making appropriate payment to park.</i>	No specific settings – there are standard

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					options such as 'only a few minutes'
29	The vehicle was a Post Office vehicle being used to collect postal packets.	There is evidence that the vehicle was a marked Post Office vehicle being used solely for this activity.		Evidence provided by the Civil Enforcement Officer contradicts the claim / suggests the vehicle was parked there for longer than necessary for this activity, or if the vehicle is stopped on zigzag markings (crossings, or school keep clears) The vehicle is a private (non liveried) vehicle being used to carry out work.	Use standard 'utility company' option Letter (#104) for contravention 48 & 99 Letter (#105) if non liveried vehicle
30	The vehicle is a utility vehicle	The vehicle is a liveried vehicle being used to carry out repairs or install pipes, cables or other apparatus. The vehicle is on an emergency call and is actually involved in the emergency work – a board showing the address and the nature of the work	Job sheet	The vehicle is a private (non liveried) vehicle The vehicle is parked on a crossing controlled area but could have been left at an alternative suitable location. For works to premises, such as routine servicing or repairs, or installation of lines or systems.	Standard Letter (#104) for contravention 99 Letter (#105) if non liveried vehicle / works being done in

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		must be displayed in the vehicle.		The Civil Enforcement Officer's notes indicate no activity was taking place and no supporting evidence is supplied.	premises not on the highway
31	The vehicle was parked on the footway or off the highway (including claims that this is private property)	There was not either a signed waiting / loading restriction on the adjacent carriageway, or other signs specific to an off road parking ban.		<p>The vehicle was parked on a section of highway where a waiting, loading restriction, or red route restriction is marked in the adjacent carriageway. <i>Such restrictions apply from the centre of the road to the highway boundary on the side of the road that the marking is on (including footways, verges and other areas of land off the main carriageway). The highway boundary is usually a fence / wall / hedge / building line.</i></p> <p>There are specific signed restrictions showing a footway or verge parking restriction applies.</p>	<p>Standard</p> <p>Paragraph (#60)</p> <p>Alert (#106) – explains when restrictions to footway apply</p>
32	Could not find anywhere else to park	There was any pre-existing agreement in place to allow certain drivers to park elsewhere.	Evidence of any agreement	The restriction is correctly signed.	Standard
33	Went to get change for the pay & display machine			The law does not allow time for drivers to get change to obtain a pay and display ticket	Standard
34	Only stopped for a few minutes	The vehicle was stopped for a reason that would otherwise exempt it from waiting there – for		If the vehicle was parked where a PCN may be issued instantly (for example on a 'no stopping' or 'no loading' restriction)	Standard

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		example, it was being used to load / unload where permitted		There is no reason to suggest that the vehicle was legitimately waiting on another restriction type	
34	The vehicle was not fully on the restriction	Less than one wheel was on the restriction.		If at least one wheel was on the restriction.	Paragraph (#131) Letter (#132)
35	It was not their vehicle. For example, the wrong registration number was recorded on the PCN, their vehicle has been cloned / was elsewhere at the time of the contravention.	Further checks show that the incorrect vehicle registration was recorded on the PCN. There is supporting evidence that the vehicle appears to have been cloned.	Copy of the vehicle registration document, evidence from the police which supports the claim and / or photographs of the keeper's vehicle (with the registration plate showing)	The PCN has been issued to a vehicle showing the same registration number and there is no evidence that it has been cloned.	Standard Alert (#120 & 141)
36	The fine is too expensive.	The PCN shows the wrong amount has been charged for the contravention.		The amount charged is correct in accordance with Secretary of State guidelines. Currently these are £50 or £70 for lower / higher level parking contraventions and £70 for bus lane contraventions. The charge is subject to a legal discount period and surcharges allowed under the relevant regulations.	Standard

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
37	The restriction is no longer necessary / it was a quiet street	There is no longer a valid Traffic Regulation Order for the restriction (if one is required)		The restriction is correctly signed and has a valid Traffic Regulation Order (if required).	Standard Paragraph (#107) Add first strike letter to allow discretion to be exercised for first time offenders in 24 hour bus lanes (if the vehicle travelled in at a time when buses are not scheduled) - see FD00086-1608 / FD00090-2203
38	Driver was attending a funeral / wedding, or place of worship.	A PCN was issued to an official hearse, or an official car dropping off the bride / groom and the vehicle was not parked where stopping is prohibited		Other vehicles being used to travel in to attend a funeral / wedding / place of worship.	Letter (#007 – parking; #417 bus lanes)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
39	<p>Vehicle was being used by a glazier company for an emergency repair.</p> <p>The vehicle was being used to deliver or collect hazardous chemicals/substances</p> <p>The vehicle was being used by a plumber, electrician or gas engineer</p>	<p>It was an emergency and there was no other safe place for the vehicle to be parked to transport glass.</p> <p>There is evidence of loading / unloading witnessed by the CEO and the vehicle is marked to show it may contain hazardous materials.</p> <p>It was an emergency and there was no other safe place for the vehicle to be parked whilst the mains supply was being switched off.</p>	Job sheet	Evidence provided by the Civil Enforcement Officer contradicts the claim, or suggests the vehicle was parked there for longer than necessary for this activity (for example it remained there after mains had been turned off).	Alert (#109)
40	The driver was involved in / attending a medical emergency	These will be judged on individual merits based on whether it was unforeseen and prevented the driver from moving their vehicle.	Independent evidence of an accident or incident.	There is no supporting evidence, it is reasonable the vehicle could have been parked elsewhere, or the Civil Enforcement Officer's evidence contradicts the claim	Alert (#110)
41	Civil Enforcement Agent (bailiff) performing duties.	The agent is executing a warrant (court orders for the collection of money and/or goods)	The driver is a registered Civil Enforcement Agent with supporting	<i>Other activities such as serving a summons or a warrant (not enforcing it) do not count. In such circumstances the agent would be expected to comply with parking restrictions.</i>	Alert (#092)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
			evidence from their employer that they were executing a warrant.		
42	The pay and display machine was not working	It is confirmed that the nearest machine was not working at the time of parking and there was <ul style="list-style-type: none"> no alternative working machine in the same car park or street that could have been used; not an option to pay by phone at that location 		Transaction reports, engineers' fault logs or enforcement notes / records do not indicate that there was a fault with the machine at the time. Checks may also be made on the PCN database to see if other drivers had experienced similar problems. Another nearby pay and display machine could have been used. Pay by phone was available at the location	Standard Alert (#111)
43	The PCN has already been paid	There is evidence that the correct balance was paid within statutory time limits (or any extended payment period offered by the Council).	Bank/card statement and last four digits of the card number A Post Office or Paypoint receipt	There is no proof that a valid payment for the correct amount was received in time, or if it is apparent that the payment was for a different case.	Standard
44	A permit had been applied for (including a replacement for a	The permit is vehicle specific and Council records show that an		A complete application (including payment has not been made), or if the application is not specifically for the vehicle the PCN has been issued to.	Standard Alert (#116)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
	change of vehicle registration).	application had been made and correct proof and payment had been received.		The vehicle is parked where a permit is not valid (including in a different zone)	
45	Driver has parked there before without being issued a PCN.	There is evidence that the restrictions were implemented after the vehicle had been parked. The Council has started enforcing for a restriction where PCNs have previously not been issued before and there is no evidence of warning notices having been issued for a period prior to enforcement.	Proof that the driver was away over the period between the sign(s) being placed and the PCN being issued.	The driver lives in a newly implemented permit zone – information is sent to residents in advance. The driver has been fortunate to have not received any PCNs before.	Standard Letter (#117)
46	Driver given permission to park there by police or a CEO	The officer's badge number is supplied and the officer verifies the advice given.	Letter from police station / officer's details.	This cannot be verified or somebody other than a police officer / CEO had given permission.	Standard Alert (#118)
47	Pregnancy/mothers and fathers with young children.	The delay was short / caused by a minor medical emergency.	Medical evidence to support claim.	There is evidence that the same person has made similar claims in the past, or the Civil Enforcement Officer's evidence contradicts the claim.	Standard Alert (#119)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
48	The driver needed to park to use the toilet.	It was the result of a medical condition that can be proved.	Medical evidence to support claim.	It was not due to a medical condition. There is evidence the same person has made similar claims in the past, or the Civil Enforcement Officer's evidence contradicts the claim.	Standard
49	The Civil Enforcement Officer should have allowed a grace period before issuing a PCN.	A PCN (issued after 1 April 2015) has been issued within 10 minutes after the expiry time of a pay and display ticket, or within 10 minutes of a limited stay period ending. For other restrictions (e.g. on yellow lines) if A PCN was issued within 5 minutes of the start / end time of a restriction.		A pay and display ticket expired more than 10 minutes prior to the PCN being issued, or the vehicle had stayed longer than the 10-minute grace period in a limited waiting bay The PCN was issued more than 5 minutes from the start / end time of other restrictions.	Standard (Letter #126)
50	Other vehicles did not receive a PCN	There is any procedural error was made issuing the PCN.		If the restriction is correctly signed.	Standard
51	The vehicle entered the bus lane to turn left.	The vehicle has only clipped the end of the bus lane (if a first time contravention)		Vehicles should not enter the bus lane until moving beyond the end of bus lane sign(s). Footage will be reviewed to see where the vehicle moved into the bus lane.	Letter (#134) Alert (#137)
52	The vehicle entered the bus lane to avoid an	CCTV footage verifies the vehicle did only enter the		There is no evidence of an obstruction, oncoming vehicle or emergency vehicle, or if the vehicle that	Standard

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
	obstruction, a collision, or to let an emergency vehicle pass.	bus lane for this purpose and then continued the journey in the correct lane after taking evasive action.		the PCN has been issued to continued its journey in the bus lane when it was no longer necessary.	Alert (#137)
53	Bill of Rights claim			<i>It has been decided at High Court that the Bill of Rights does not apply to PCN disputes</i>	Paragraphs (#044 & 047)
54	More than one PCN was issued for the same contravention	<p>More than one PCN has been issued for a parking contravention within 24 hours.</p> <p><i>If evidence suggests the driver has not returned / moved the vehicle the driver would still be liable for one of the PCNs; if the vehicle had been moved both may need to be paid.</i></p> <p>A duplicate PCN has been logged for a contravention observed using CCTV (if the date and time are the same).</p>		<p>A vehicle has been left parked on a restriction over consecutive days and there is more than a 24 hour period between PCNs.</p> <p><i>Note: in some situations vehicles may be removed; the issue of PCN should not be regarded as grounds to leave a vehicle parked</i></p> <p>It appears that the driver has parked at the same location on separate occasions within a 24 hour period.</p> <p>Separate bus lane contraventions have occurred – for example, the driver went through a bus lane or gate and then re-entered it (or another nearby bus lane / gate) shortly afterwards on their journey.</p>	<p>Alert (#080)</p> <p>Paragraph (#136)</p>
	Keeper's name misspelt on PCN documents			Names and addresses are in most cases, obtained from the DVLA and are supplied to DVLA by the keepers themselves. It is the keeper's responsibility to update DVLA with any changes or corrections.	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
	Cannot afford to pay	The keeper / hirer is responsible for paying PCNs. There are set timescales for payment of PCNs, but an additional month may be allowed for cases at the full rate. Debt advice will be shared about support services and schemes such as Breathing Space.		To qualify for the discount payment this should be made within the statutory discount period. Payment terms for cases at enforcement agent stage would need to be discussed with the relevant agent.	

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PART A - Initial Impact Assessment

Proposal Name: Parking and Bus Lane Enforcement Policy

EIA ID: 2302

EIA Author: Emma Barker (Place - Parking Services)

Proposal Outline: The council's Parking Services team currently carries out enforcement of parking and bus lane restrictions. On behalf of Parking Services, appeals against Penalty Charge Notices (PCNs) issued as a result of this enforcement are considered by the notice processing team in the Hub. Department for Transport guidance sets out a general overview of how enforcement should be conducted and states that there should be fair procedures for making appeals. SCC would aim to treat motorists fairly and consistently and to provide a transparent published policy outlining policy on enforcement and appeals. The proposed policy is to update the previous policy in line with current government guidance and regulations.

Proposal Type: Non-Budget

Year Of Proposal: 23/24

Lead Director for proposal: Ajman Ali

Service Area: Parking Services

EIA Start Date: 8/17/2023

Lead Equality Objective: Understanding Communities

Equality Lead Officer:

Decision Type

Committees:

Policy Committees

- Transport, Regeneration & Climate

Portfolio

Primary Portfolio:

Neighbourhood Services

EIA is cross portfolio:

No

EIA is joint with another organisation:

No

Overview of Impact

Overview Summery:

The council's Parking Services team currently carries out enforcement of parking and bus lane restrictions. On behalf of Parking Services, appeals against Penalty Charge Notices (PCNs) issued as a result of this enforcement are considered by the notice processing team in the Hub. Department for Transport guidance sets out a general overview of how enforcement should be conducted and states that there should be fair procedures for making appeals. SCC would aim to treat motorists fairly and consistently and to provide a transparent published policy outlining policy on enforcement and appeals. The proposed policy is to update the previous policy in line with current government guidance and regulations. The key benefits are effectively enabling delivery of the intended reasons why restrictions have been introduced by the Transport team by improved compliance (enforcement) and changes to the appeals policy (which also serves to educate). Restrictions impact on a cross range of groups but highlighted potential positive improvements could be to health and disability.

Impacted characteristics:

- Disability
- Health
- Partners

Consultation and other engagement

Cumulative Impact

Does the proposal have a cumulative impact: No

Impact areas:

Initial Sign-Off

Full impact assessment required: No

Review Date: 8/17/2023

Action Plan & Supporting Evidence

Outline of action plan:

Action plan evidence: Dropped kerb and double parking consultation results

Changes made as a result of action plan:

Mitigation

Significant risk after mitigation measures: No

Outline of impact and risks:

Review Date

Review Date: 8/17/2023