

Guidance Policies for issued Parking, Bus Lane and Moving Traffic 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 fine from us (parking, bus lane or moving traffic contraventions) 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 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, considering 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, bus lane or moving traffic 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>	<p>411 (no sign, just DKM), 464 (Western Bank voucher bay after early implementation of 2023 policy)</p> <p>Alert (#099), 337, 463</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>	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 Letter # 411 (no sign, just DKM) 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</p> <p>Alert (#121)</p> <p># 411 amended for BB / loading if DKM but no sign</p> <p># 465 and # 466:</p> <p>Amend custom alert for city centre CPZ if it can be demonstrated the driver may have travelled more than 1km (from 6 or more streets) after passing the zone entry</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)
					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
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>Standard</p> <p>Letters 61, 27, 192, 198, 280 RPZ and permit holders beyond this point first time strike deactivated for PCNs issued after 31/12/2023.</p> <p># Letter 064, #241 - motorists not</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)
				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>understanding clearway on side street point signs, sub zones within Broomhill area [first offence]</p> <p>Whilst we have special authorisation 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 –</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>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 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</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>paybyphone only bays (not in driver publications)</p> <p>Shared use bay signs do not say period on no return (is on machines 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</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>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 (following key adjudication case)</p> <p>Add one time strike for BB holders in 20 min bay on Norfolk Street (DfT authorised sign)</p>
8	Driver had paid for parking using cashless payment	The cashless payment system shows that there was a valid paid-for period covering the right vehicle and location.	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</p>	<p>Standard</p> <p>Custom letter 327</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)
		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.		the PCN had been issued / the transaction had not been completed. A PCN has previously been cancelled if a minor error was made inputting the vehicle registration number or for selecting the wrong location code.	
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 	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>under a licence issued by a Local Authority</p> <ul style="list-style-type: none"> • 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 the National Health Service for medical reasons • 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</p>	<p>Job sheet</p> <p>Job sheet</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)
		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 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>	<p>Standard</p> <p>Alert (#128, 129, 130, 139)</p> <p>Letters (#114 & 115, 257)</p> <p>Letters #258 & 259</p> <p>Standard (resident),</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)
		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.			Letter #256 (other VPP)
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

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
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>	
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>	Letter (#093)
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</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>	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		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 elsewhere whilst the key was collected].		The vehicle was left unattended on a 'no stopping' or 'no loading' restriction whilst the driver went to get keys to unlock a gate.	
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>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>	

	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>Vehicle recovery/repair record from a recognised vehicle roadside assistance scheme.</p> <p>Confirmatory letter from the Royal Automobile Club (RAC), Automobile Association (AA) or similar motoring organisation.</p>	The Civil Enforcement Officer notes contradict the claim being made	
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)	<p>There is no supporting evidence or the vehicle is not moved within 24 hours.</p> <p>The vehicle should not have been parked at the location in the first place (for example on double yellow lines)</p>	
18	Driver claims they were dropping off or picking up a passenger.	The Civil Enforcement Officer notes suggest such activity was taking place.		The Civil Enforcement Officer's notes contradict the claim or suggest the vehicle was there for longer than necessary. In most circumstances the driver	

	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>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.</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>	<p>should remain with the vehicle (unless elderly, disabled, or young children are involved).</p> <p>The vehicle is parked on a 'no stopping' restriction, including bus stops*, or crossing controlled areas.</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 		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	

	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"> • contravention • amount payable 		<p>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 separate to the PCN representations and appeals procedure.</i></p>	
20	The driver was an on-duty Council Officer, member or Government official	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		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)
		<p>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.		
21	The driver was attending court	<p>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.</p>	Supporting evidence from the defendant's legal representative of a custodial sentence being given.	<p>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.</p> <p>Payment can be made for a full day, or extended using payment by mobile phone.</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)
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. <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>	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
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.	Standard (other) – suspensions Alert (# 100) for Amey temp signs
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.	No evidence of the arrest is supplied. 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).	Standard & Alert (#101)
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

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
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 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.		<p>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)</p> <p>The vehicle is a private (non liveried) vehicle being used to carry out work.</p>	<p>Use standard ‘utility company’ option</p> <p>Letter (#104) for contravention 48 & 99</p> <p>Letter (#105) if non liveried vehicle</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)
30	The vehicle is a utility vehicle	<p>The vehicle is a liveried vehicle being used to carry out repairs or install pipes, cables or other apparatus.</p> <p>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 must be displayed in the vehicle.</p>	Job sheet	<p>The vehicle is a private (non liveried) vehicle</p> <p>The vehicle is parked on a crossing controlled area but could have been left at an alternative suitable location.</p> <p>For works to premises, such as routine servicing or repairs, or installation of lines or systems.</p> <p>The Civil Enforcement Officer's notes indicate no activity was taking place and no supporting evidence is supplied.</p>	<p>Standard</p> <p>Letter (#104) for contravention 99</p> <p>Letter (#105) if non liveried vehicle / works being done in premises not on the highway</p>
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>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
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 example, it was being used to load / unload where permitted		If the vehicle was parked where a PCN may be issued instantly (for example on a 'no stopping' or 'no loading' restriction) There is no reason to suggest that the vehicle was legitimately waiting on another restriction type	Standard
35	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)
36	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	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)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
			and / or photographs of the keeper's vehicle (with the registration plate showing)		
37	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
38	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) -

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
					see FD00086-1608 / FD00090-2203
39	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)
40	<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</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)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		supply was being switched off.			
41	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)
42	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 evidence from their employer that they were executing a warrant.	<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)
43	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; 		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)

	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"> not an option to pay by phone at that location 			
44	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
45	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 and payment had been received.		<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>	Standard Alert (#116)
46	Driver has parked there before without being issued a PCN.	<p>There is evidence that the restrictions were implemented after the vehicle had been parked.</p> <p>The Council has started enforcing for a restriction where PCNs have previously not been issued before and there is no evidence of warning</p>	Proof that the driver was away over the period between the sign(s) being placed and the PCN being issued.	<p>The driver lives in a newly implemented permit zone – information is sent to residents in advance.</p> <p>The driver has been fortunate to have not received any PCNs before.</p>	Standard Letter (#117)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		notices having been issued for a period prior to enforcement.			
47	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)
48	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)
49	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
50	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		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)

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
		minutes of the start / end time of a restriction.			
51	Other vehicles did not receive a PCN	There is any procedural error was made issuing the PCN.		If the restriction is correctly signed.	Standard
52	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)
53	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.	Standard Alert (#137)
54	A Fixed Penalty Notice (FPN) had been issued by the police for the same contravention.	There is evidence a FPN was issued to the same vehicle for the same contravention on that date		No evidence of a FPN, or it relates to a different contravention, or another date	
55	Always drive that route	No warning notice was issued for the first contravention for a moving traffic contravention within the first 6 months of CCTV enforcement going live at the location		If the restriction is correctly signed.	

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
56	Route was blocked exiting a box junction	The vehicle only stopped in the box junction if turning right due to oncoming traffic, or whilst waiting behind other vehicles also waiting to turn right.		The vehicle entered the box junction before the exit road/lane was clear	
57	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)
58	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>

	Your reason for appeal	We may accept this if...	Evidence required	Common examples of when we may reject it	Office Use Only (Response Master)
59	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.	
60	Cannot afford to pay	<p>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.</p> <p>For customers identified as vulnerable, further discretion on payment timescales may be considered and / or support to direct customers to debt advice including how to get Breathing Space.</p>		<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	Office Use Only (Response Master)
61	Should have got a warning instead of a PCN	Postal warning notices had been issued to the vehicle but had been sent to a previous owner / lease company who did not share this information and the contravention took place within the warning notice period for that site.		If the PCN was issued after a warning notice period for that restriction	First strike configuration