

# **CIVIL PARKING ENFORCEMENT**

**Guidance policies for the enforcement and cancellation of  
Penalty Charge Notices**

**Policies set out in this document provide guidance only.**

**Each case will be considered on its own merits, taking into  
account all of the evidence available and the exceptionality  
of the circumstances.**

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# **Policies for the Enforcement and Cancellation of Penalty Charge Notices**

## **INTRODUCTION**

The Council has agreed the following policy guidance in respect of Civil Parking Enforcement. The policies in this document are intended to inform the public and provide guidance to council employees working in the enforcement of parking regulations.

This is consistent with current best practice and aims to provide clarity, consistency and transparency within the enforcement process and compliance with the aspirations of the Traffic Penalty Tribunal and the Local Government Ombudsman.

What is important about these policies is that they represent a foundation upon which fairness and discretion can be applied. The importance of flexibility in these matters has been recognised by the courts and, as a consequence, decisions made by councils must not be fettered by being unduly formulaic.

The policies address the following:

- **Observation times for Civil Enforcement Officers**
- **The statutory grounds upon which representations may be made**
- **Mitigating circumstances**
- **The acceptance or rejection of representations**

It is important to recognise that each case will be considered on its own merits,

Matters of proportionality, objectivity, fairness and reasonableness should be paramount.

These policies will be subject to ongoing review.

## STANDARD CONTRAVENTION CODES AND OBSERVATION TIMES

ON STREET CONTRAVENTIONS			
Code	Observation	Contravention Name (Long Legal Description)	Comments
01	5 min	Parked in a restricted street during prescribed hours	
02	0 min	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	
12	5 min	Parked in a resident or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge	
16	0 min	Parked in a permit space or zone without clearly displaying a valid permit	
18	0 min	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	
19	0 min 10 mins (grace)	Parked in a residents or shared use parking place or zone either displaying an invalid permit or voucher or pay and display ticket, or after the expiry of paid for time	
21	0 min	Parked wholly or partly in a suspended bay or space	
22	0 min	Re-parked in the same parking place or zone within ** hour of leaving	
23	0 min	Parked in a parking place or area not designated for that class of vehicle	
24	0 min	Not parked correctly within the markings of the bay or space	
25	10 min	Parked in a loading place during restricted hours without loading	
26	0 min	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	
27	0 min	Parked in a special enforcement area adjacent to a dropped footway	
30	10 min (grace)	Parked for longer than permitted	
40	0 min	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	
45	0 min	Stopped on a taxi rank	
46	0 min	Stopped where prohibited (on a red route or clearway)	
47	0 min	Stopped on a restricted bus stop or stand	
48	0 min	Stopped in a restricted area outside a school when prohibited	
49	0 min	Parked wholly or partly on a cycle track or lane	
55	0 min	A commercial vehicle parked in a restricted street in contravention of an overnight waiting ban	
56	0 min	Parked in contravention of a commercial vehicle waiting restriction	
61	0 min	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	
62	0 min	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	
63	0 min	Parked with engine running where prohibited	

64	0 min	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	
65	0 min	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	
66	0 min	Parked on a verge, central reservation or footway comprised in an urban road	
99	0 min	Stopped on a pedestrian crossing or crossing area marked by zigzags	

OFF STREET CONTRAVENTION CODES			
Code	Observation	Contravention Name (Long Legal Description)	Comments
70	10 min	Parked in a loading place or bay during restricted hours without loading	
71	0 min	Parked in an electric vehicles' charging place during restricted hours without charging	
73	10 min	Parked without payment of the parking charge	
74	0 min	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	
80	10 min (grace)	Parked for longer than the maximum period permitted	
81	0 min	Parked in a restricted area in a car park	
82	10 min (grace)	Parked after the expiry of paid for time	
83	10 min	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	
84	0 min	Parked with additional payment made to extend the stay beyond time first purchased	
85	0 min	Parked in a permit bay without clearly displaying a valid permit	
86	0 min	Parked beyond the bay markings	
87	0 min	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	
89	0 min	Vehicle parked exceeds maximum weight or height or length permitted in the area	
91	0 min	Parked in a car park or area not designated for that class of vehicle	
92	0 min	Parked causing an obstruction	
93	0 min	Parked in car park when closed	
95	0 min	Parked in a parking place for a purpose other than that designated	
96	0 min	Parked with engine running where prohibited	

An 'instant' PCN may always be issued in circumstances where the Civil Enforcement Officer (CEO) has evidence, other than a period of observation, which supports the action of issuing the PCN without observing the vehicle for the minimum periods indicated.

## EXEMPTIONS

Exemptions to parking contraventions are contained in the Traffic Regulation Orders and will vary according to each Council's Orders. Exemptions are intended to allow necessary activities to take place whilst still controlling parking. More information can be found in the PCN Processing Manual.

The below exemptions are found in Wokingham's Traffic Orders and apply to waiting restrictions:

(1) Vehicles are permitted to wait in any of the roads, lengths of roads or on the sides of Road for so long as may be necessary to enable:

- (a) a person to board or alight from the vehicle;
- (b) goods to be loaded on to or unloaded from the vehicle;
- (c) the vehicle, if it cannot conveniently be used for such purpose in any other road, to be used in connection with any of the following operations, namely:-
  - (i) building, industrial or demolition operations;
  - (ii) the removal of any obstruction to traffic;
  - (iii) the maintenance, improvement or reconstruction of the said lengths or sides of road; and
  - (iv) the laying, erection, alteration or repair in, or in land adjacent to the said lengths or sides of road of any sewer or of any main, pipe or apparatus for the supply of gas, water or electricity or of any telecommunications apparatus as defined in the Telecommunications Act 1984;
- (d) the vehicle, if it cannot be conveniently be used for such purposes in any other road, to be used in the service of a local authority, or water authority in pursuance of statutory powers or duties;
- (e) the vehicle of a universal service provider (as defined in Section 4(3) and (4) of the Postal Services Act 2000) to be used for the purposes of delivering and/or collecting mail (Royal Mail);
- (f) the vehicle to wait at or near to any premises situated on or adjacent to the said lengths or sides of road for so long as such waiting by that vehicle is reasonably necessary in connection with any wedding or funeral; or
- (g) to enable the vehicle to be used for fire brigade, ambulance or police purposes;
- (h) a vehicle to wait as long as it may be necessary to enable it to be used in the provision of a local service within the meaning of the Transport Act 1985 (Bus Service);

The below exemptions are found in Wokingham's Traffic Orders and apply to parking places:

(1) Any vehicle may wait anywhere on the Carriageway in a Parking Place (unless the use of the Parking Place has been suspended) for so long as may be necessary:

- (a) to enable a person to board or alight from the vehicle;
- (b) if the vehicle is waiting owing to the driver being prevented from proceeding by circumstances outside of their control or to such waiting being necessary in order to avoid an accident;
- (c) if the vehicle is a vehicle used for police, fire brigade or ambulance purposes, or a vehicle to be used in the service of a local authority, or water authority which in pursuance of statutory powers or duties;
- (d) to enable it to be used in connection with the removal of any obstruction to traffic;
- (e) for the vehicle of a universal services provider mail to be used for the purpose of delivering and/or collecting as defined in Section 4(3) and (4) of the Postal Services Act

2000;

(f) to enable it to be used in connection with the maintenance improvement or reconstruction of the road of which the Parking Place forms a part

(g) to enable goods to be loaded on to or unloaded from the vehicle;

(h) if the vehicle is being used by a legally qualified general medical practitioner, a health visitor or a midwife when visiting premises near to the Parking Place to attend to a patient;

(i) if the vehicle is being used by a Carer when visiting premises near to the Parking Place to provide care in the home for a resident provided that the vehicle is left in a Parking Place identified on the Plans as a Parking Place for residents Permit Holders and a Carer's Permit is displayed on the vehicle in the relevant position;

(j) in connection with a wedding or funeral at or near premises situated near or adjacent to the Parking Place.

(k) in connection with the laying, erection, alteration or repair in, or in land adjacent or near to the Parking Place, or any sewer or of any main, pipe or apparatus for the supply of gas, water, or electricity or of any Telecommunications System.

## **SCHOOL PERMIT INFORMATION**

Wokingham's school permits are presently handwritten permits and valid for the following schools and car parks:

Westcott School permit is valid in Easthampstead Road (East) and Denmark Street car parks:

- 08.30 – 09.00
- 14.55 – 15.35
- Monday to Friday during term time only.

St Teresa Primary School permit is valid in Easthampstead Road (East) and Denmark Street car parks:

- 07.55 – 08.55
- 15.05 – 15.35
- Monday to Friday during term time only.

Westende School permit is valid in Easthampstead Road (East) and Denmark Street car parks:

- 08.25 – 08.55
- 15.10 – 15.40
- Monday to Friday during term time only.

Beechwood School permit is valid in Headley Road, Lytham Road (East) and Lytham Road (West) car parks:

- 08.30 – 09.00
- 15.05 – 15.35
- Monday to Friday during term time only.

## STATUTORY GROUNDS TO MAKE REPRESENTATIONS

### Important note:

The following policy takes into consideration the nine Statutory Grounds for making representations, however in accordance with a directive issued by the Local Government Ombudsman, full consideration will be given and account taken of all representations received, whether or not they fall within the description of "Statutory Grounds". It is for this reason that a tenth Ground (mitigation) encompassing any other information the motorist or owner/keeper would like the Council to consider has been included.

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>S1 The contravention did not occur:</b>	
<b>S1.1 where the motorist claims he/she was loading/unloading</b>	
On a waiting prohibition or in a controlled bay: If evidence is available or provided to show: 1. Goods being delivered or collected were heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from 'legal' parking place. 2. Loading/unloading activity was adjacent to the premises concerned. 3. Loading/unloading activity was timely (includes checking goods and paperwork, but not delayed by unrelated activity [Source – Traffic Orders, decided cases e.g. Jane Packer Flowers]. If in the course of business, including commercial delivery/collections, couriers, multi drop parcel carriers, removal services etc.	On restrictions banning loading and unloading. On school zig-zag markings; on bus stop clearways; on disabled bays; on Taxi ranks; in Police bays where loading is prohibited; in car parks (except when depositing materials in recycling bins) if a valid pay and display ticket was not purchased first.
<b>S01.2 where the motorist claims that a parking pay &amp; display machine was faulty</b>	
If service records confirm a fault or that the machine had been taken out of service at the time of the contravention. If there is reasonable doubt because evidence not available to confirm that a machine was working at the time (test ticket) and there was not another ticket machine nearby which was operating correctly	If there was another ticket machine nearby that was working correctly at the time. If there is no record of the machine being faulty or taken out of service. If there is reasonable doubt because evidence confirms that other visitors had been able to purchase tickets during the relevant period.
<b>S1.3 where motorist claims that the restriction is not clearly signed or marked</b>	
If signs and/or markings are missing or unclear. If signs and markings are inconsistent with each other and/or Traffic Order or legislation (TSRGD 2016).	If site visit records or photographs establish that signs and/or markings are correct and consistent with each other and the Traffic Regulation Order.

<b>S1.4 where the motorist claims that snow, foliage, fallen leaves or flooding covered the signs or markings</b>	
If it can be established that such conditions prevailed and it is likely that signs and markings were obscured as claimed and there was no alternative indication of the restriction.	If it can be established that such conditions did not cause lines and signs to be obscured as claimed. If the CEO's notes photographic evidence etc. directly contradict the motorist's version of events. If any reasonable alternative indication of the restriction was available to the motorist. If the location of the contravention was unlikely to be subject to the natural conditions described by the motorist, i.e. it was under cover.
<b>S1.5 where motorist was carrying out building works</b>	
If evidence confirms that the motorist was simply loading/unloading (see policy S1.1, above). If valid dispensation to park at the location in question had been issued and was on display in the vehicle. If works are of a statutory nature or are exempt from restrictions by a Traffic Order or legislation. If it can be proven that works were an emergency.	In all other circumstances, unless other compelling reasons are raised.
<b>S1.6 where motorist claims that PCN was not served (i.e. PCN not found attached to vehicle or handed to driver)</b>	
If the CEO's evidence confirms that the vehicle drove away before a PCN could be served, and not identified as a VDA i.e. PCN not handed to the driver or fixed to the vehicle.	If the CEO's evidence or photographs confirm that a PCN was correctly served, i.e. handed to the motorist or fixed to their vehicle. May allow discounted rate to be applied.
<b>S1.7 where the motorist claims that their vehicle was not parked in the location at the time and on the date alleged on the PCN which was issued</b>	
Following consideration of all available evidence available. If the motorist provides a copy of their log book and the vehicle details differ. If confirmation is received from the police that the VRM has been 'cloned'.	If the motorist does not provide a copy of their log book, as requested. Or If the details of the log book are the same as noted by the CEO. Or If there is no evidence or if the evidence presented does not support the claim or is inconclusive.
<b>S1.8 where motorist claims that a valid authorisation to park, had been issued</b>	
If records show that the motorist holds a valid authorisation to park.	If the motorist cannot provide a copy of the valid authorisation to park or if there is no record of any issue of the authorisation. If the motorist did not park in accordance with the authorisation requirements.

<b>S1.9 where the motorist claims that a pay and display ticket or phone payment was purchased and displayed</b>	
<p>If evidence shows that the pay and display ticket or payment by phone has been purchased and displayed correctly.</p> <p>Where a valid ticket is supplied for the time period. Note: we have a policy of one cancellation where a motorist fails to correctly display a pay and display ticket.</p>	<p>In all other circumstances, unless compelling reasons are raised.</p>
<b>S1.10 where the motorist claims that their vehicle had broken down</b>	
<p>If the motorist is able to provide evidence of a breakdown, i.e. proof of vehicle recovery or a bill of sale for repair or parts.</p>	<p>If the motorist is unable to provide evidence of any kind that their vehicle had broken down. If the cause of the vehicle “breaking down” was due to negligence on the part of the motorist, i.e. the vehicle had not been properly maintained, had run out of petrol or water or a similar reason. If the CEO’s notes contradict the motorist’s version of events.</p>
<b>S1.11 where the motorist is a Blue Badge holder/transporting a Blue Badge holder and they did not have their Blue Badge and/or clock on display or could not be read or had expired</b>	
<p>If evidence shows that the blue badge had been displayed correctly for the use on an appropriate restriction.</p> <p>Where a valid blue badge. Note: we have a policy of one cancellation where a motorist fails to correctly display a blue badge.</p>	<p>In all other circumstances, unless compelling reasons are raised.</p>
<b>S1.12 where the motorist claims that they were attending an emergency or another vehicle that had broken down</b>	
<p>If the motorist is able to provide reasonable proof of the emergency, i.e. a credible report of an accident or incident, or that they were attending to another vehicle that had broken down.</p>	<p>If the motorist is unable to provide evidence of any kind that they were attending an emergency or another vehicle which had broken down. If the CEO’s notes contradict the motorist’s version of events, i.e. the motorist was not seen attending an emergency or another vehicle which was broken down.</p>
<b>S1.13 where the vehicle in question was on police, fire brigade or ambulance duties</b>	
<p>If a senior officer of the service concerned supports the representations and there is no reason to doubt that the vehicle was engaged on operational activities.</p>	<p>In all other circumstances, unless compelling reasons are raised.</p>

<b>S1.14 where the motorist stopped to drop off someone</b>	
If the circumstances are seen by the CEO. If in exceptional circumstances and subject to observations times, the motorist had to escort a passenger (child, elderly or disabled person) to home, or school.	If motorist was parked/stopped on school keep clear markings, pedestrian crossing or bus stop clearway.
<b>S1.15 where the motorist was delayed in returning to their vehicle and parking time purchased or maximum stay had expired</b>	
If supported by appropriate evidence, the motorist's representations claims that the delay in returning to the vehicle was caused by circumstances that were entirely unforeseen, unavoidable and exceptional. If the motorist was unable to drive, since parking the vehicle. The motorist had been detained and/or charged by the police.	If the delay described by the motorist was entirely avoidable, i.e. queuing in a shop, waiting in Doctors surgery. If the motorist simply underestimated the time needed and could have reasonably purchased more time, i.e. when conducting business, shopping or commuting. If the motorist was unable to drive since parking due to excess alcohol in the body.
<b>S1.16 where the motorist received a Fixed Penalty Notice (FPN) from a police officer or traffic warden when parked in the same location</b>	
To prevent 'double jeopardy', if confirmation provided by the police that proceedings for a criminal offence in connection with the same parking/waiting incident have been instituted (pedestrian crossing).	In all other circumstances, unless compelling reasons are raised.
<b>S1.17 where motorist states they were in police custody when PCN issued</b>	
If proof (from the Police) has been provided that the police had instructed the motorist to leave the vehicle. If the time of arrest (proof required from the Police) provides confirmation that motorist was legally parked and was unable to move vehicle before the restriction started.	If no proof provided If vehicle could have been legally parked before arrest.

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<b>S2 The penalty exceeded the relevant amount</b>	
If the PCN and/or Notice to Owner showed the incorrect amount of penalty charge, i.e. the wrong penalty charge band or contravention code used.	If the PCN or Notice to Owner showed the correct amount of penalty charge or the correct contravention code was used.

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>S3 The Traffic Order was invalid</b>	
<p>If the Traffic Regulation Order which prescribes the restrictions that the vehicle was parked in contravention of was either not constructed correctly, i.e. is ultra vires, or was not made correctly, i.e. not consulted on properly.</p> <p>If the restrictions conflict with what is prescribed in the TRO.</p>	<p>If the Traffic Regulation Order which prescribes the restrictions that the vehicle was parked in contravention or was constructed and made correctly If the motorist merely considers the restrictions to be unfair.</p>

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>S4 The motorist was not the owner/keeper of the vehicle at the time of the contravention:</b>	
<b>S4.1 where the current registered keeper claims that the vehicle was disposed of before the contravention occurred</b>	
<p>If the current registered keeper is able to provide proof that the vehicle was disposed of before the contravention, i.e. a bill of sale, registration documents, insurance documents or a letter from the DVLA; and/or if the current registered keeper is able to provide the full name and address of the person to whom they disposed of the vehicle.</p> <p>ACTION - send a Notice of Acceptance to the person who made the representation and then send a new Notice to Owner to the person named by the current registered keeper.</p>	<p>If the current registered keeper is unable to prove that they disposed of the vehicle before the contravention nor provide the name and address of the person to whom they disposed of the vehicle If the person named by the current registered keeper as the person to whom they disposed of the vehicle, either does not exist, cannot be traced or is for some other reason not considered to be bona fide.</p>
<b>S4.2 where the current registered keeper claims that the vehicle was purchased after the contravention occurred</b>	
<p>If the current registered keeper is able to provide proof that the vehicle was purchased after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or If the current registered keeper is able to provide the full name and address of the person from whom they purchased the vehicle.</p> <p>ACTION - send a Notice of Acceptance to the person who made the representation and then send a new Notice to Owner to the person named by the current registered keeper.</p>	<p>If the current registered keeper is unable to prove that they neither purchased the vehicle after the contravention nor provide the name and address of the person from whom they bought the vehicle. If the person named by the current registered keeper as the person to whom they disposed of the vehicle, either does not exist, cannot be traced or is for some other reason not considered to be bona fide.</p>

<b>S4.3 where the current registered keeper claims that a contracted third party was responsible for the vehicle at the time of the contravention</b>	
Only when a hire agreement exists (see policy S6, below).	In all other circumstances because the registered keeper is always liable, including where the vehicle was left in the care of a garage.
<b>S4.4 where the motorist claims that they never owned the vehicle</b>	
If the DVLA confirm that the motorist was not the registered keeper at the time of the contravention.	If the DVLA confirms that the motorist was the registered keeper of the vehicle at the time of the contravention. If the previous registered keeper provides proof that the motorist bought the vehicle before the contravention, or the subsequent registered keeper provides proof that the motorist sold the vehicle after the contravention. If the motorist is proven to have hired the vehicle for the day on which the contravention occurred and signed an agreement to take responsibility for PCNs incurred, subject to the time of hire (see policy S6, below).

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<b>S5 the vehicle had been taken without owner's consent</b>	
<b>S5.1 where the current registered keeper claims that the vehicle had been stolen</b>	
If the registered keeper provides a valid police crime report reference number and confirmed by the police.	If the current registered keeper is unable to provide any proof of theft. If the police crime report reference number provided by the current registered keeper does not exist or it does not match the theft or date of the theft alleged.
<b>S5.2 where the current registered keeper claims that the vehicle was driven by a third party (i.e. a friend, relative or estranged partner)</b>	
In no circumstance, unless compelling reasons are raised.	In all circumstances because the registered keeper is always liable, except when a hire agreement exists (see policy S6, below).

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>S6 the owner is a hire company and have supplied the name of the hirer</b>	
<p>If the hire company are able to provide proof that the vehicle was hired at the time of the contravention, i.e. a signed agreement If the hire company are able to provide the full name and address of the person to whom they hired the vehicle. This is related to where the vehicle was on hire for 6 months or less.</p> <p>Where a vehicle is on hire for more than 6 months the hire/lease firm just need to provide confirmation of the vehicle and the length the vehicle has been on hire/leased.</p> <p>ACTION - send a Notice of Acceptance to the hirer firm making the representation and then send a new Notice to Owner to the person named by the hire company.</p>	<p>If the hire company are unable to prove that they hired out the vehicle on the date of the contravention nor provide the name and address of the person to whom they hired the vehicle. If the person named by the hire company as the person to whom they hired the vehicle, without proof, either does not exist, cannot be traced or denies responsibility for the contravention. If the vehicle was being as a courtesy car without an agreement signed to accept responsibility for Penalty Charge Notices issued.</p>

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>S7 Where the motorist is claiming procedural impropriety</b>	
<b>S7.1 where the motorist is claiming that the Council has not followed the correct statutory process</b>	
<p>If it found that statutory documents have been sent out before or after statutory timescales. If it found that the statutory documentation wording is incorrect as stated by legislation. If it is found that the Council have not provided a reasoned response to received correspondence.</p>	<p>If it found that the statutory process has been followed correctly by the Council.</p>
<b>S7.2 where the motorist is claiming that the CEO collected incorrect evidence at the time of the contravention</b>	
<p>If it found that the statutory evidence collected by the CEO at the time of the contravention was incorrect, this includes:</p> <ul style="list-style-type: none"> <li>• VRM</li> <li>• Contravention description</li> <li>• Time and Date of contravention</li> <li>• Location</li> </ul>	<p>If it is found that the statutory evidence collected was correct. Note: vehicle make and colour is only advisory evidence and therefore if incorrect does not require the Council to cancel the PCN.</p>

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>S8 Already Paid</b>	
If it is found that the PCN has already been paid. If payment evidence is provided.	In all other circumstances, unless other compelling reasons are raised.

## MITIGATING CIRCUMSTANCES

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>MC1 where the motorist claims to have become unwell while driving or whilst parked</b>	
If the motorist provides proof of a medical condition, temporary or permanent, that is consistent with the conditions described. When the notes made by the CEO support the motorist's representations.	If the motorist cannot provide some proof of a medical condition, temporary or permanent, consistent with the conditions described. Or where other evidence contradicts the motorists' claim.
<b>MC2 where the motorist claims to be a doctor, nurse, health visitor attending a patient</b>	
If the motorist concerned produces evidence that they were responding to an urgent medical call and there was no nearby legal parking place.	If motorist was not attending a patient in urgent circumstances or if there were legal parking spaces nearby. If motorist was parked outside their practice or other place of work for any reason other than to collect supplies for an urgent call. If motorist was parked in an area which does not correspond with claims made in representations, i.e. far from patients property, say, in a car park.
<b>MC3 where the motorist stopped to use the toilet</b>	
On production of medical evidence confirming a relevant medical condition and in support of the circumstances described.	In all other circumstances, unless compelling reasons are raised.
<b>MC4 where the motorist stopped to collect (prescribed) medication from a chemist</b>	
Only in the most grave, urgent and exceptional of circumstances and the use of a 'legal' parking place would have caused an unacceptable delay.	In all other circumstances, unless compelling reasons are raised.
<b>MC5 where the motorist was a patient visiting a doctor's surgery</b>	
If the motorist can provide a letter from a doctor to confirm that the visit was very urgent and that they were unable to walk from the nearest legal parking space.	If the motorist was not the patient but only driving the vehicle carrying the patient. If the motorist was attending a pre-arranged, non-urgent appointment. If the motorist could reasonably have been expected to parked legally elsewhere.

<b>MC6 where the motorist claims to have been recently bereaved</b>	
If no evidence exists to the contrary, taking into account the sensitivity of this issue on first occasion.	Only if there is a significant reason to doubt the sincerity of representations, i.e. the CEO's notes indicating that the motorist was going about a normal day, say, shopping or working, or the bereavement considered to be a long time ago.
<b>MC7 where the motorist "fed" a meter or pay &amp; display machine by buying subsequent time to park in the same place or returned to the same place within a specified and prohibited time period</b>	
In no circumstance, unless compelling reasons are raised.	
<b>MC8 where the motorist left the vehicle parked without a valid ticket on display to obtain change.</b>	
In no circumstance, unless compelling reasons are raised.	
<b>MC9 where the motorist claims to have been unaware of charges or restriction in the car park relating to vehicle's class or weight.</b>	
If reference to restrictions on tariff board(s) are incorrect or missing.	In all other circumstances, unless compelling reasons are raised.
<b>MC10 where the motorist claims to have been unaware of recent rise in tariff</b>	
If statutory notices were not erected in accordance with procedural regulations. If revised tariff is not on tariff board(s).	If statutory notices were erected in accordance with procedural regulations and tariff board(s) were correct.
<b>MC11 where the motorist had parked with one or more wheels outside of a marked bay</b>	
Only in the most exceptional of circumstances that were outside the motorists control and are supported evidence.	When clear and incontrovertible supporting evidence is available.
<b>MC12 where the motorist was displaying an expired authorisation to park, i.e. waiver, parking place suspension, season ticket, residents permit, business permit or visitors permit</b>	
If the renewal of the authorisation was delayed by the Council's administrative processes. If it can be established that other reasonably unforeseen circumstances delayed the renewal of an authorisation to park, e.g. sickness on the part of the applicant or a postal dispute/delays (supported by appropriate evidence).	In the event of more than one vehicle registration included on season ticket or permit, subsequent production of the season ticket will not necessarily cause automatic cancellation of the PCN as the season ticket may have been used on the other vehicle.

<b>MC13 where the motorist is parked in contravention of a waiting/parking prohibition whilst displaying a resident's visitor permit.</b>	
In no circumstance, unless compelling reasons are raised.	
<b>MC14 where the motorist is a new resident within a controlled parking zone and had parked in a residents bay without displaying a valid residents permit</b>	
In no circumstance, unless compelling reasons are raised.	
<b>MC15 where the motorist assumed that they were entitled to "a period of grace" before the PCN was issued</b>	
In no circumstance, unless compelling reasons are raised.	
<b>MC16 where the motorist claims they were attending a funeral</b>	
If no evidence exists to the contrary, taking into account the sensitivity of this issue. Subject to concurrence with policy MC6.	Only if there is a significant reason to doubt the sincerity of the representations.
<b>MC17 where the motorist claims to have put money into the wrong ticket machine</b>	
If it is agreed that the position of the ticket machine used by the motorist is likely to cause confusion.	If the ticket machine used by the motorist is positioned in such a place that confusion is not likely. If the motorist has had representations accepted for a similar contravention previously.
<b>MC18 where the motorist has made an error with the VRM or location code when paying by phone</b>	
If it is another car park within the Borough or when signage at car parks does not clearly show location or phone provider	
<b>MC19 where the motorist claims to have been collecting or depositing monies at a bank</b>	
If the procedure explained in the motorist's representations is consistent with the allowance for loading and unloading, see Policy S1.1, above or If specific arrangements have been agreed.	In all other circumstances, unless compelling reasons are raised.
<b>MC20 where the motorist claims to have been unaware of a temporary parking restriction or special event restriction</b>	
If the motorist claims that there was no indication of the restriction, and the CEOs notes/photographs do not confirm that appropriate signing was in place. If the process followed to make the temporary order was defective in some way.	If the CEOs notes/photographs confirm that the vehicle was parked in an area restricted by the Temporary Order or Notice, and that appropriate signing was in place and clearly visible.

<b>MC21 where the registered keeper liable for payment of the PCN is expected to be absent for a long period of time, e.g. is living abroad or is in prison</b>	
	In all other circumstances, unless compelling reasons are raised.
<b>MC22 where the registered keeper liable for payment of the PCN is said to have died</b>	
Where the circumstances can be confirmed (by sensitive enquiry).	Only if there is a significant evidence to doubt the sincerity of the representations.
<b>MC23 where motorist was unaware of the Overnight Prohibition of certain class of vehicle, including overnight camping</b>	
If motorist are not exempt and provide evidence that the vehicle was not being used to sleep in.	In all other circumstances, unless compelling reasons are raised.
<b>MC24 where motorist states they were visiting a friend or relative in urgent circumstances</b>	
If due to an emergency the parking contravention could not be avoided due to the exceptional nature of the incident.	If motorist has already received a PCN, which has been cancelled for the same reason. If the CEO's evidence provides significant reason to doubt sincerity of representation.
<b>MC25 where motorist claims there was no legal place to park</b>	
In no circumstance, unless compelling reasons are raised.	
<b>MC26 where motorist claims they were parked on private property</b>	
If land search maps confirm location is private property & not subject of the relevant Traffic Regulation Order. If there is insufficient evidence to establish location of vehicle.	In all other circumstances, unless compelling reasons are raised.
<b>MC27 where motorist had parked while asking directions / opening gates to private property</b>	
If evidence provided by the CEO does not contradict representations.	In all other circumstances, unless compelling reasons are raised.
<b>MC28 where motorist stopped to answer mobile phone</b>	
In no circumstance, unless compelling reasons are raised.	
<b>MC29 where motorist states they were unaware of enforcement on Bank/Public holidays</b>	
In no circumstance, unless compelling reasons are raised.	

<b>MC30 where motorist states that restriction was marked after the vehicle had been parked</b>	
If records confirm that signing/lining/ placement of cones or suspension notices was likely to have taken place after the vehicle parked.	If there is evidence to show that markings were already in place at the time of parking.