Consideration of challenges for on-street parking contravention Penalty Charge Notices (PCNs) issued under the Traffic Management Act 2004

Document scope

This document sets out the City of London’s general policy in regard to challenges to PCNs from motorists or vehicle owners. The document seeks to identify common scenarios and City specific issues and does not seek to act as a comprehensive list. This document is by not binding to officers as the regulations set out that each case must be considered on its own merit. These scenarios act as guidelines only and the full Civil Enforcement Officer (CEO) evidence must be considered first to ensure that the PCN has established that a contravention has occurred and the PCN has been issued correctly. Once the prima facie evidence test has been applied then the material evidence of the person(s) challenging the PCN should be considered against that evidence. These guidelines will be subject to review where on-street circumstances change or there is persistent behaviour from a person or company which suggests that the veracity of their evidence and/or statements is questionable.

Authority to cancel PCNs

Any officer with an access level giving authority on the back office processing system to cancel PCNs can cancel a PCN except if there are more than 5 PCNs involved or if they know the person. In both these cases a member of management should approve the cancellation. If the person involved is known to management then the Divisional Director should be informed of the decision.
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City of London Badge Holders
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1st Contravention

Check ownership of a valid badge is provided through either a copy submitted in evidence or full reference in the CEO’s notes/photographs. **Check that the vehicle has not committed one of the five contraventions listed below.**

If clear that the vehicle was been used for the benefit of the holder of a valid badge then cancel the PCN, include leaflets and provide an explanation of the validity of the European Badge. Provide details of Red Badge, if relevant.

If no proof of a valid badge is provided, but there are grounds to cancel, write requesting a copy of the badge.

If the PCN was issued as the vehicle was parked for obstructive offence as below…

- 62 contravention (parked on the footway)
- 02 contravention (loading ban)
- 47 contravention (bus stop/lane)
- 99 contravention (pedestrian crossing)
- 21 contravention (suspended bay)*

…enforce as they would not be permitted to park in that manner within the local authority which issued the badge. If there is exceptional mitigation* then the case can be referred to a manager for decision. *In the area around St Bartholomew’s Hospital additional discretion may be applied by the person dealing with the letter without referral in relation to 21 contraventions.

Information Sheet One (DD), should be sent out in all cases, which gives details of the Red Badge scheme, how to appeal and also about dispensation permits.

Subsequent Contraventions

If last contravention was less than one year ago or if for the same contravention as previously and warning/leaflets were issued, enforce. If more than one year then caution and cancel, including leaflets with the reply. Mitigation may be included in the letter, this should be taken into consideration and may suggest that caution and cancel is the correct route, even if the last contravention has taken place within the last year.

In the case of a vehicle parked in the vicinity of St Bartholomew’s Hospital, if the motorist states that they are attending the hospital and provides evidence to this effect, even if this is not 1st contravention, cancel.

If there are more than two contraventions in any 12-month period enforce. Cases where, for example, a vehicle receives 2 PCNs on consecutive days we should evaluate the case on the information given. Our payment machines, for example, do not currently advise that national scheme is not accepted however it does indicate that free parking for one hour is allowed after paid for time, which suggests that there is a difference in usage of the badge. The actual receipt of a PCN should indicate to the driver that a contravention has occurred.
Also, as badges are not vehicle specific you could check to see if any other PCNs for the same person are on the system against a different vehicle.

**City of London Badge Holders (red badges)**

Where a City of London badge holder is issued with a PCN as the badge is not properly displayed, and proof that the badge is valid is provided, then we should cancel 1st contravention provided they were parked in an area where the badge entitled them to park. As with European Blue badge holders, no PCNs will be withdrawn where the vehicle is parked on a loading ban, footway, bus stop/lane etc. If no proof of a badge is provided then this information can be verified by the contact centre.

**Loading/Unloading**

**01 contravention (restricted street - yellow lines)**

Check the CEO's notes and any case memos (e.g. was loading observed? was the driver seen? etc.). If appropriate, respond and ask for delivery proof if not already provided. If supplied and in order (time/date/location) cancel, if not then enforce subject to the considerations below:

**Over 40 minutes**

Enforce and advise that exceptional loading requires them to apply for a parking dispensation.

**Delivery proof wrong date/location**

Locations may not be the street the vehicle is seen in but should be within reasonable distance.

Enforce if long constant observation carried out, 10 minutes or over, during which no un/loading is seen then enforce, unless the type of delivery justifies the vehicle being unattended for an extended period – a delivery note would be needed in support of such a claim. If it is a delivery to the 12th floor of an adjacent building then it is likely that the vehicle may be unattended for some period, some companies also carry out multiple deliveries where they have several customers in the same area. If it is delivery to, for example, a florist with access from ground level then un/loading should be seen. If the vehicle is a double glazing vehicle and no un/loading is seen then enforce and add information on how to obtain a dispensation permit.

**02 contravention (loading ban)**

Enforce generally, except if a claim is made that access was trying to be obtained to premises that has barrier access. In such circumstances a check will need to be made of the location to verify the existence of such a device at the site (unless clear independent, i.e. not the driver, evidence of same is provided).
Taxis waiting for passengers - if these are within 0-4 minutes of first observed time then we should cancel. If over 4 minutes then we should enforce stating we believe they were parking rather than waiting for passenger en route.

05 contravention (time expired – payment parking bays)

Enforce as cannot pay for 30 minutes and then start loading. Similar to 01 – Allowed 40 minutes to load/unload without payment.

06 contravention (no ticket displayed – payment parking bays)

Similar to 01 – Allowed 40 minutes to load/unload without payment.

07 contravention (additional payment – payment parking bays)

Enforce if paid to extend the stay then likely has had 40 minutes to load.

15 contravention (no residents permit)

Enforce – no loading/unloading permitted from bay

16 contravention (no valid permit – defined by suffix)

Enforce – no loading/unloading permitted from bay

20 contravention (same as 01 – loading gap marked by yellow line)

Similar to 01 – Allowed 40 minutes to load/unload

21 contravention (suspended bay)

Enforce. No parking allowed in a suspended bay, unless a valid dispensation is held to park in the bay in question. In which case a copy should be requested or checked on the Traffic Management database if permit number known, and if in order and 1st PCN, caution for non-display of dispensation and cancel.

22 contravention (re-parked within bay with a restricted return time)

Enforce – No exemption on return to bay

23 contravention (wrong class of vehicle)

Enforce. This would be a lorry parked on a payment parking bay or a car in a coach bay

24 contravention (not within bay markings)

Similar to 01 – Allowed 40 minutes to load/unload without payment provided that they could not have reasonably parked else to load.
27 contravention (dropped kerbs)

Enforce. Dropped kerbs and raised carriageways (28) are only enforceable outside of the CPZ times. The dropped kerb should have a mirror dropped kerb (twin) on the other side of the road or when positioned at a junction have a mirrored dropped kerb (twin) at a diagonal angle.

Dropped kerbs and raised carriageways within the CPZ times are only enforceable with a 01 contravention and will be subject to loading/unloading exemptions (see 01 contravention sub header).

28 contravention (raised carriageways)

All raised carriageways have now been marked with double yellow lines, so PCNs should only be issued for a 01 contravention. See 01 for procedure.

30 contravention (parked beyond maximum stay period)

Enforce has exceeded loading period

40 contravention (disabled bay)

Other than loading/unloading passengers - Enforce.

41 (diplomatic bay) contravention
42 (police bay) contravention
45 (taxi rank) contravention
47 (bus stop/stand) contravention
55 (overnight waiting ban – commercial vehicles) contravention

Enforce – no loading/unloading permitted from these bays

61/62 contravention (footway parking)

Enforce, except where the location is a narrow street and parking on the road would cause an obstruction. This is provided that there are no kerb chevrons in place and that the delivery is actually in the street where the vehicle is parked and the vehicle could not reasonably have parked elsewhere. The vehicle must also not be left unattended. Delivery proof is required and if these criteria are met then caution and cancel.

99 contravention (pedestrian crossing)

Enforce no provision for loading/unloading

Payment Tickets (P&D)

05 contravention (parked after the expiry of paid for time)

Enforce.
06 contravention (parked without the payment of the initial charge)

A motorist may claim that they were displaying a valid ticket, but the CEO did not see it or it may be that the ticket was face down or fell off the dashboard. A motorist may also claim that money was lost in the machine or the available machines were all out of order.

If the payment ticket is displayed face down. Enforce*.

If the payment ticket receipt details only are visible. Enforce**.

If no payment ticket is visible (normally accompanied by a statement that it fell down in the vehicle). Enforce.

* If the driver returns whilst CEO issuing PCN and demonstrates that the payment ticket was valid then you have the discretion to cancel or enforce the PCN on your own judgement. If a driver advised that they paid by mobile phone or paid via an app then check the records for their phone number. If they have made a simple but obvious error with their number plate (e.g. TO1LET rather than T01LET or ABC123 rather than ABC132). If they have paid for entirely the wrong vehicle then enforce as if may be a company with two vehicles parked at the location who have only paid for one.

07 contravention (parked with additional payment made)

Enforce. The only exception being when two payment tickets have been purchased one after another and both must be noted as displayed by the issuing CEO. The serial numbers must be sequential showing they have been purchased one after another and the total time purchased must cover the time parked (and not take the driver over the maximum stay period in the particular). Only cancel on the first occasion and warn.

Cashless payment – the system will permit them to extend their stay up to the maximum period provided they renew prior to the expiry of the 1st session. If they wait for the session to expire then it will not allow them to extend and they will have to move to another area (e.g. street) and pay there.

09 contravention (parked displaying multiple payment tickets)

Enforce. The only exception being when two payment tickets have been purchased one after another and both must be noted as displayed by the issuing CEO. The serial numbers must be sequential showing they have been purchased one after another and the total time purchased must cover the time parked (and not take the driver over the maximum stay period in the particular). Only cancel on the first occasion and warn.

22 contravention (re-parked within one hour)
Enforce. Stated on payment machines or conditions of use plate and therefore the motorist has been warned. The current pay by phone system will not allow them to do this.

24 contravention (not parked correctly within the markings of a bay)

Enforce.

30 contravention (parked for longer than permitted)

Enforce. Stated on payment machine plate and therefore the motorist have been warned.

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05 contravention (parked after the expiry of paid for time)

Enforce.

06 contravention (parked without the payment of the initial charge)

The cashless payment system clearly asks the payee to confirm all details which includes vehicle registration number, location, amount of time etc. before purchasing their stay, if any of these details are incorrectly entered the payment is not valid and therefore would not show on the handheld unit used by the CEO.

However, if a customer had made a small mistake such as entering a registration number incorrectly by on digit i.e. AB13CDE instead of AB12CDE or similar then we will cancel and caution the first PCN.

Some streets in the City are serviced by only one machine therefore the location number can be used for any street in the City – cancel.

07 contravention (parked with additional payment made)

If parking time is extended but there is a two minutes gap from expiration time due to signal issues etc. then we should cancel and caution.

22 contravention (re-parked within one hour)

Enforce. Stated on payment machines/conditions of use plate and therefore the motorist has been warned.

24 contravention (not parked correctly within the markings of a bay)

Enforce.

30 contravention (parked for longer than permitted)
Enforce. Stated on payment machine plate/conditions of use and therefore the motorist have been warned.

| Suspended Bays (payment parking bays, solo motorcycles, disabled bays) |

21 contravention (parked on a suspended bay)

Further exceptions apply in the case of disabled bays and motorcycle bays as the person in receipt of the PCN may have been parked prior to the suspension taking place and would not necessarily have checked the vehicle before the commencement of regulations. If such a claim is made then the Suspension records should be checked to verify the situation and, if the records support the claim, cancel and warn that vehicle should be regularly checked whilst parked on the highway.

If the driver was the person for who the bay was suspended then, confirm the validity of the dispensation notice and cancel 1st offence and warn for future re: non-display.

| Mitigating Circumstances |

These are too numerous to list but the City wish to have a firm but fair enforcement policy. Circumstances need to be judged in the light of the following factors:

- Was the situation an emergency?
- Were the circumstances related to the contravention?
- Were there other options?
- Were the circumstances unforeseeable?
- Did the circumstances require urgent attention?
- Has the vehicle/driver claimed similar mitigation before?

If in any doubt discuss with a member of management so consistency can be maintained and these guidelines extended. Where people who have passed away since the issue of the PCN then we should cancel. If no Death Certificate is supplied then a member of management should be consulted first. If the PCN occurred after the date of death, then the current ownership of the vehicle should be ascertained.

| Moved Motorcycles/Mopeds |

Where a driver states that they parked in a solo motorcycle bay but returned to find the vehicle moved by a third party and a PCN. If this is the first offence against the registration mark then cancel notice and warn about future offences. Subsequent offences enforce.

| Glazing Companies |
Claims will be received that the job that is being carried out is an emergency. They should be advised that a dispensation is required. Although Street Management states that 3 days notice is required for the issue of a dispensation, in emergency circumstances this can be waived. There is a charge for each dispensation. Enforce unless there is evidence, from CEO notes, that loading/unloading was taking place and at a place where this is permitted. The principle is that glazing firms should not be carrying large pieces of glass over great distances and that it will normally take both operatives to secure glass in place. Therefore the CEO should see the activity.

**Statutory Undertakers**

A list of Statutory Undertakers can be found on the following link **

A HAUC Board is used and this permits a vehicle to wait while work is taking place on street. The board must indicate the street in which the work is taking place and the works should be seen to be taking place by the CEO. If a CEO observes a vehicle which does not appear to comply then a PCN will issued, if proof is later supplied that works were taking place then cancel.

Other works, that is those not taking place on street for example in/on an adjacent building, require a dispensation and they would pay as with any other company. The normal dispensation rules apply and it must be displayed and the vehicle should be returned to within each 10-minute period. If a copy of a valid dispensation is provided then caution and cancel on 1st offence, if not enforce. Advice should be given, when necessary, to obtain a dispensation when required.

We will NOT accept HAUC Boards If:

1. Displayed on a private Vehicle
2. Displayed in a BT Van
3. If not displayed with all the relevant data inputted into the correct fields on the form, e.g. date, location.
4. If no street works is taking place on the public highway (vehicle adjacent to works).
5. If the vehicles are parked on suspended bays, zig zags, dropped kerbs, footways & bus stops, chevrons should be issued a PCN.

However we will have to use a little discretion when it comes to the cross rail works in the Liverpool Street area as a lot of these works will be carried out behind hoarding (include the whole of Finsbury Circus).

**Emergency Works**

When a plumber, electrician or gas engineer (not a Statutory Undertaker) claims that the work in which they were engaged was an emergency. Proof must be provided that this was a genuine emergency. The definition of an emergency for these purposes is a situation where lives or health or property could be at risk. In most cases 10 minutes should be reasonable time for a
plumber, electrician or gas engineer to enter and secure the property and turn off the water, electricity or gas supply.

If the situation is not accepted as an emergency then enforce and advise that a dispensation should be obtained in future.

Drainage Company - If a drain clearing operation can be fore-planned, but maybe not knowing whether the water jetting equipment will necessarily be needed then a parking dispensation would allow the vehicle to be located close by. In an emergency situation, where it is stated that there was no time to obtain a dispensation, the City would expect the vehicle to either be actively engaged in the jetting activity, or to be parked within the restricted street regulations until it became necessary to use the vehicle-borne equipment. If it were necessary to use the jetting equipment, which involves running pipes across the public footpath, the vehicle would need to be attended at all times. If proof provided and water jetting equipment was seen in operation then we would cancel.

**St Bartholomew’s Hospital**

*The general principle is to be sympathetic on the first occasion. If the vehicle was left against loading restrictions, in a disabled bay or otherwise causing an obstruction a firmer stance could be adopted.*

For all contraventions ask the motorist for confirmation from the hospital as to the nature of their visit. If we can be satisfied that it is an emergency, or that the delay was beyond the motorist’s control, then caution and cancel. If a routine appointment is involved and full time was not paid for on a meter, enforce. Delays are unfortunately an accepted circumstance of any hospital visit and garage parking is available close by. In the case of Chemotherapy, if proof provided then compassion will be shown and the PCN cancelled. If a person states they were accompanying a patient who subsequently died then cancel the PCN, regardless of the contravention. If a person states they were visiting a patient who subsequently died then cancel the PCN if it is for a non-obstructive offence (unless it is evident they attended the hospital as an emergency).

**Doctors**

If they are delayed in circumstances beyond their control then caution and cancel. However if they have just routinely overstayed on a meter, for example, enforce.

**Doctors and Health Workers**

**Health Emergency Badge**

To claim the benefits of the badge it should be displayed with full details of the location visited. As with the disabled badge scheme the badge does not allow
the holder to park where they may be considered to cause an obstruction, any obstructive contraventions (parked on the footway, pedestrian crossings etc.) should not be considered. If this is not displayed, but a copy is provided and an emergency was being attended, caution and cancel. *The badge does not apply outside a doctor’s surgery or place of work nor does it cover routine patient visits. If in doubt ask doctor to confirm circumstances.*

**Residents**

15 contravention (parked in a resident’s parking space without clearly displaying a valid residents parking permit)

Enforce unless *they are the holder of a valid resident’s permit and claim a permit was on display, in which case cancel on the first occasion and warn that it needs to be clearly displayed in future.* These bays are AT ANY TIME and are also very limited.

**Police**

**Police vehicle on duty – unmarked**

A letter or pre-agreed form is required from a Superintendent, or higher-ranking officer, confirming the situation. Cancel and refund.

**Police not on duty**

In this situation, where an officer has chosen to drive to work or park for other reasons, enforce. They should know better.

**In Police Custody**

Often a memo will be placed in the vehicle to identify the vehicle, if this has not occurred a PCN may be issued. In this situation proof will be required from the police that the driver was in custody and should be obtained directly from the police.

**Customs and Excise**

Unmarked and untaxed vehicles are used for surveillance and arrest purposes. We should cancel the PCN upon receipt of the appropriate confirmation from Customs and Excise. I cannot find any exemption in the orders for such vehicles but should be treated as we would a Police on Duty PCN.

**Taxis and Chauffeurs**

Both of the above are permitted to set-down and pick up passengers at most locations, cancel if the observation period is less than 4 minutes, except the footpath/pavement, most other specialised bays. Activity must been seen by the CEO so in all genuine instances a PCN is unlikely to have been issued in
the first place. Mitigating circumstances like helping a disabled passenger and luggage should be referred to a member of management if you think they should be considered.

Vehicles are NOT permitted to sit and wait for passengers and can only park for as long as is necessary to allow passengers to board or alight from the vehicle and to load or unload their personal luggage (Article 9 of the City of London Waiting and Loading Restrictions SPA Order 1994). They can park/wait on taxi ranks and taxi rest bays. Minimum observation of 4 minutes must be given.

### Breakdowns

Proof must be provided that the nature of the problem is a genuine breakdown and not due to lack of maintenance.

A breakdown is likely to be classified as any eventuality that could not reasonably be anticipated or that routine maintenance could have avoided. For example running out of petrol would be considered to be due to lack of maintenance, but a broken fuel line would be considered a breakdown. The police often fine drivers who run out of petrol on main arterial routes, bridges or tunnels.

Proof in the form of information, which can be authenticated, from a garage or recognised breakdown service is required and should be investigated if any doubt exists.

If the case is a genuine breakdown, cancel, if lack of maintenance, enforce.

### Pedestrian Zones

#### Throgmorton Street/New Broad Street/Gough Square

No parking is permitted in these areas, access is only allowed for the purposes of loading/unloading. Signs are in place, which state this fact. As access is allowed for loading/unloading the PAs allow 40 minutes for the activity and issue an 01 PCN rather that a 62(4) as they are pedestrian zones. Therefore we should not get any valid appeals for this area.

#### Leadenhall Market

This area is a permit zone for Leadenhall Markets traders which are issued to those who are engaged in the distribution of perishable goods. Permit holders may park their vehicle in the environs of the market. However between 11am and 3pm and 5.30pm and 11pm no vehicular access is permitted, at all.

#### Bow Lane

No vehicular access between the hours of 8am and 6pm, outside of these times loading/unloading permitted.
Smithfield Market

Loading bays are for commercial vehicles only, at any time. These bays are not restricted for the use of private vehicles only rather good vehicles only.

PCNs are to be enforced where they are issued in accordance with the regulations, as the availability of space is necessary to facilitate the operation of the market.

Market vehicles may receive PCNs where no loading has been seen. In such cases, where a letter is received from the market confirming the fact that the recipient is a bona fide trader, then the PCN should be cancelled. This would only apply to a private vehicle if it was clear that vehicle was adapted or principally used for the carriage of goods.

CPZ – Entry Signs – Hours of Control

Correspondence may be received stating that signage is not provided to indicate that the area is a CPZ. The regulations state (Traffic signs Manual 1986, Chapter 3 Section 9) that a CPZ must be signed at all vehicular access points into the zone, and that separate time plates are not needed in addition to these signs, except where times of restriction differ from the CPZ hours. Therefore the Corporation is compliant, and PCNs should be enforced.

Queries may be received which state that the recipient thought that the restrictions ended at a different time from that which they actually do. Such cases should be enforced and the restrictions pointed out and meter plates and CPZ plates referred to where necessary.

Trinity Square

Due to the nature of the area, because of the boundary with Tower Hamlets, motorists are sometimes confused. Depending upon where exactly they are parked, it may be necessary to caution and cancel for the 1st contravention.

Artillery Lane

This area is similar to the above.

Golden Lane, Appold Street & Sun Street

Again similar to above. The situation has been caused as a result of boundary changes which can cause confusion, as opposite sides of the street are within the jurisdiction of different boroughs. The equipment located within the street will be clearly marked with details of the relevant borough. The Parking Ticket
Office holds photographs of the signs and machines for Appold Street which clearly indicates what side of the street they are for.

It may be necessary to caution and cancel for the 1st contravention (speak to an experienced member of staff if you are unsure).

Coaches and Coach Bays

DIFFERING TIMES AT LOCATIONS

Emergency Breakdown Services

These vehicles are likely to be attending a vehicle breakdown and should therefore be able to provide proof to this effect. Most circumstances would require that the recovery vehicle park directly adjacent to broken down vehicle, likely if one illegally parked then both are, so PA should see both drivers. However, if proof received and you are satisfied that the vehicle was parked there correctly then caution and cancel.

Stolen Vehicles

Stolen vehicle – Proof must be provided in the form of insurance claim details or police crime reference with details of the police station to which the theft was reported. Cancel if these are provided (and corroborated in the case of a crime reference number).

Private Property

Records are held of affected areas and these should be checked and a site check carried out, if required. Where there is any doubt then the Highways Section should be contacted for additional advice. If it is certain that the area is public highway then enforce.

Adjudicators have ruled that even private property can be become public highway if pedestrians have free access over it for 20 years or more. The important question is whether there is a public right of way across the land. The most common occurrence of this will likely be motorcycles parked on private land over which the public have a right of way. Under these circumstances parking is prohibited and any cases which go to appeal should make reference to the key case of Coppolino -v- Westminster City Council, 25/05/1999, 1990095926.

Ticket not affixed to the vehicle

Cancel if no photographs taken by the CEO but not if issued as a Vehicle Drove Away (VDA) or Prevented From Service (PFS).

Cars
Providing that the CEO notes contain tax details and the notation AWC (all windows checked) and ATV (attached to vehicle) or HTD (handed to driver) enforce at full charge.

If there is a lack of information in the PA notes i.e. tax details are not included but there is a record of service then send letter offering the keeper the opportunity to pay the discounted rate within 14 days. If discounted payment is not made within 19 days of the date of the letter, a NoR should be sent.

**Motorcycles**

Whether tax details included in notes or not enforce at full rate if the PCN appears to be correctly issued and the pa notes in all other respects are good. Due to the manner in which tax details are displayed, it can sometimes be difficult to read the details on the disc.

**No Yellow Lines**

A site check should be carried out and records of road works investigated; where necessary

If the gap in a yellow line is large enough for a whole vehicle then cancel, but if the vehicle would have been on any part of a yellow line then enforce. Officers must make sure that our Assistant Traffic Manager is aware of the missing line.

**Diplomatic Vehicle**

Whilst these PCNs do not progress in the usual manner in that an NtO is not automatically generated, letters are sometimes received requesting cancellation. If a letter of confirmation is provided by the Foreign and Commonwealth Office in support of the request then cancel. If no confirmation is provided leave the PCN to be dealt with in the annual return to the Foreign and Commonwealth Office.

**Required observation time not given**

The Parking Contract Supervisor usually notes such cases when the download is checked. If a PCN is contested then the notes should be checked and if the claim is confirmed the PCN should be cancelled.

Please note that there are circumstances where CEOs have been requested to issue instant tickets. If in doubt check and there should be a note in the CEO’s records.

**Vehicle owner in prison**

If notification is received then proof should be sought *together with an indication of the sentence. If the sentence is one month or more the PCN should be cancelled if no confirmation is provided then enforce.*
Multiple PCNs at same location on the same day

It is unfair that a driver is penalised twice for the same contravention on the same day where a third party has removed the PCN or the second issuing PA is unaware that the PCN on the windscreen was issued on the same day. This does not apply to people who have parked, received a PCN, left the area and then returned, parked elsewhere and received a second PCN. You should therefore check the PA’s notes to ensure the vehicle is parked at the same location and, under normal circumstances; you should enforce the first PCN and cancel any subsequent PCNs. The normal guidelines should then be applied when dealing with the remaining PCN.

There is however no rule stating that the first PCN takes precedence and if it is easier to cancel the first, for example the vehicle was clamped or removed further to the issue of the second PCN, then apply common sense and cancel the first PCN. The second PCN is a useful reference for appeal as we are able to show that the vehicle was at the location for an extended period of time.

Correspondence received without any name/address

If correspondence is received without any name and address we are under no real obligation to reply. The contents of the letter should however be considered and we should either withdraw or enforce. If we have no address details from DVLA then we should make a note on the case that the correspondence was received without a name/address and the date’s post with which it is filed. If we do have a name/address on the system then we should respond to the DVLA keeper/current owner stating that we have received a challenge on the case without any name/address and that we are responding to them as the vehicle’s owner. If a driver responds without any name and address within the first 14 days, and we have no other address details on the case, then we should not offer the opportunity to settle the charge at the discounted rate in any subsequent correspondence. We cannot be responsible for their errors or omissions.