



# **Parking Enforcement Policy**

Effective from: April 2025

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## 1. Glossary of terms

Term	Description
CEO	Civil Enforcement Officer
CPO	Community Protection Officer
DFT	Department for Transport
DVLA	Driver and Vehicle Licensing Agency
EPC	European Parking Collections
NTO	Notice to Owner
PCN	Penalty Charge Notice
P&D	Pay and Display
TEC	Traffic Enforcement Centre
TPT	Traffic Penalty tribunal

## 2. Introduction

The contents of the policy are derived from current Nottingham City Council practices, accepted best practice in the parking enforcement industry, and recommendations by the Traffic Penalty Tribunal.

In formulating this policy due regard has been paid to the Council's Equality Diversity Policy and the Human Rights Act.

This policy is primarily concerned with:

- ☐ Who can and cannot park in restricted areas.
- ☐ How challenges, representations, and appeals are dealt with\*
- ☐ How the Council will endeavour to treat people fairly, equally and with respect, taking account of their personal circumstances.
- ☐ The conduct of the Council's staff and other representatives and the manner in which it carries out the enforcement of parking (and other traffic) restrictions for which it has responsibility.
- ☐ Service standards that Nottingham City Council will endeavour to adopt when carrying out enforcement and which are in addition to the normal accepted process.

\*It is impossible to provide specific guidelines to cover all circumstances and there will be occasions when the Council's Appeals and Representations Officers will consider a case on its individual merits before reaching a decision

### 3. Objectives of Parking Enforcement

The City Council has a duty under the Traffic Management Act 2004 to secure the expeditious movement of traffic on the highway network; this power is vested through the appointment of a Traffic Manager.

The Council has a Network Management Plan that sets out its aspirations to achieve this. Parking is a key management tool for addressing causes of obstruction resulting in congestion, safety issues and accessibility. Parking policy addresses this by the following objectives.

- ☐ Contributing to making the city of Nottingham a great place to live, work and visit in line with the Nottingham Plan to 2020.
- ☐ To support the free movement and thereby the quality and accessibility of public transport.
- ☐ To actively support the needs of vulnerable and disabled people, in using the highway network to promote accessibility.
- ☐ To target enforcement measures to secure efficient use of the highway network.
- ☐ To actively discourage activities that have an adverse effect on health and safety or cause obstruction to highway users including public transport, vehicular traffic, pedestrians, cyclists, and disabled people.
- ☐ To ensure that Civil Enforcement Officers (CEOs) issue Penalty Charge Notice Notices (PCN's) in accordance with the Traffic Management Act 2004. It should be noted that Nottingham City Council does not set targets in relation to the number of Notices issued and therefore no incentivised payments to CEOs are made.

## 4. Policy

3.1	<p><b>Abandoned Vehicles</b></p> <p>Where a vehicle remains parked in a restricted area for a period during which multiple PCN's are issued (3 or more) for the same contravention, the Officer will report the vehicle as potentially abandoned and it will be dealt with by the Council's abandoned vehicle section, under the provisions of the Refuse Disposal (Amenity) Act 1978.</p> <p>Criteria used for identifying Abandoned Vehicles:</p> <ul style="list-style-type: none"><li>▪ General poor condition</li><li>▪ No evidence of movement</li><li>▪ Multiple PCN's attached to the vehicle for the same contravention (a minimum of 3 PCN's)</li></ul> <p>Whilst the vehicle is being dealt with as potentially abandoned, no further PCN'S will be issued. However, issued PCN's will be enforced against the registered keeper of the vehicle in the normal way.</p> <p>Citizens can report abandoned and unwanted vehicles online: <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/report-problems-with-transport-parking-and-streets/abandoned-untaxed-and-unwanted-vehicles">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/report-problems-with-transport-parking-and-streets/abandoned-untaxed-and-unwanted-vehicles</a></p>
3.2	<p><b>Bailiffs</b> (<i>see Enforcement Agents</i>)</p>
3.3	<p><b>Bank Visits</b></p> <p>Claims that a Penalty Charge Notice (PCN) should not be issued because money is being transported to or from a bank will not be accepted as a valid reason for cancellation. Motorists must fully comply with any restrictions in place adjacent to a bank.</p> <p>The only exemption applies to bullion vehicles delivering to or collecting from banks, provided the bank is located on the street where the vehicle is parked.</p> <p>Vehicles used for delivering or collecting money must not obstruct the highway, impacting pedestrians or the free flow of traffic.</p> <p><i>Please see 3.79 Security Vehicles for additional information</i></p>
3.4	<p><b>Blocked Access</b> (<i>See 3.26 Dropped Kerbs</i>)</p> <p>Drivers who claim that they were unable to gain access to their private or commercial property are not entitled to park in contravention of any parking restriction.</p> <p>PCN's will be issued to any vehicle parked in contravention.</p>

3.5	<b>Blue Badges</b> <i>(See 3.21 Disabled Blue Badges, drivers, and passengers)</i>
3.6	<p><b>Broken Down Vehicles</b></p> <p>Claims of alleged breakdown should only be accepted if supporting evidence in the form of one or more of the following is produced:</p> <p>Garage receipt on headed paper, properly completed and indicating a repair of the alleged fault within a reasonable time of the contravention.</p> <p>Till receipt for purchase of seemingly relevant spare parts purchased on or soon after the date of contravention.</p> <p>Confirmatory letter from the RAC, AA or similar motoring organisation confirming a mechanical or electrical breakdown.</p> <p>Listed below are some common areas of contention relating to the alleged breakdown of vehicles:</p> <p><b>Flat Battery</b></p> <p>The receipt for the purchase of a new battery or parts that could cause a flat battery (alternator, solenoid etc.), should be requested.</p> <p>The receipt should not pre-date the PCN or postdate it by an unreasonable length of time. If no evidence is provided the PCN should be enforced.</p> <p><b>Flat Tyre</b></p> <p>It is reasonable to expect that in the event of a flat tyre, the driver would be with the vehicle and making efforts to change the wheel.</p> <p>If the vehicle is left unattended a PCN will be issued and will be cancelled only if it subsequently transpires that the driver had gone to obtain assistance. In such instances evidence from the assisting party is required.</p> <p>If the wheel could not be changed because of a mechanical difficulty, evidence must be produced from the attending breakdown service, supporting this.</p> <p>Failure to carry a spare wheel is not sufficient reason to cancel the PCN.</p> <p><b>Overheating</b></p> <p>All cases where it is claimed that the vehicle had overheated due to lack of water should be enforced unless it is directly attributable to a mechanical fault such as a broken fan belt, burst hose, faulty water pump or thermostat. In such cases, evidence of repair must be produced.</p> <p><b>Running out of Fuel</b></p> <p>Unless due to a mechanical or electrical fault evidenced by a repair, all PCN's are to be enforced.</p>



	<p>If it is apparent from previous records that the same driver is continuously trying to avoid liability for PCN's by claiming that his/her vehicle is broken down, this should be considered when deciding on whether or not to accept their challenges/Representations.</p> <p>Where challenges/Representations are accepted, on the second or subsequent occasions the keeper should be informed in writing that due consideration to previous incidents will be considered should another contravention be committed for the same reason.</p> <p>Motorists have an obligation to properly maintain their vehicle and repeated claims to have broken down will not be accepted as a reason to cancel a PCN.</p> <p>A note left in the windscreen stating that the vehicle has broken down will not be accepted by the CEO as a reason for not issuing a PCN.</p>
3.7	<b>Builders</b> (see 'Contractors')
3.8	<p><b>Bus Stops</b></p> <p>Bus Stops where they have been introduced are mandatory. They are introduced under Regulation issued by Central Government and no longer require the processing of a Traffic Regulation Order. They appear as either "Bus Stops" or "Bus Stands" and during their times of operation, as indicated by the associated signs, no other vehicles are allowed to stop at that location.</p> <p>This restriction is denoted by a single wide (200mm) yellow line and a sign showing the clearway roundel and "No Stopping except buses"</p> <p>PCN's issued to vehicles other than buses, waiting in a restricted bus stop should be enforced.</p> <p>Further information about a PCN:  <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/parking-contraventions-faqs/47-stopped-in-a-bus-stop">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/parking-contraventions-faqs/47-stopped-in-a-bus-stop</a> </p>
3.9	<p><b>Caravans and trailers</b></p> <p>Rule 242 of the Highway code states: - <i>'You MUST NOT leave your vehicle or trailer in a dangerous position or where it causes any unnecessary obstruction of the road'</i>.</p> <p>Caravans and trailers must not be stored on the highway, this includes residential parking schemes.</p> <p>A permit cannot be used to park a caravan or trailer within a permit scheme.</p>

	<p>Under section 143 of the Highways act 1980, the authority will, by notice, require the owner to remove it.</p> <p>Caravans or trailers considered to abandoned will be removed.</p>
3.10	<p><b>Car Club spaces</b></p> <p>Car Club members are advised when returning a car club vehicle to a designated space that if upon arrival the space is occupied by a non-car club vehicle, they should park the car club vehicle in the nearest pay and display space.</p> <p>Where a CEO observes a Car Club Vehicle parked within a pay and display space without relevant payment, they should inform the relevant contact to rectify the situation.</p> <p>If the car club space is occupied by a non-car club vehicle, the CEO may issue a PCN and authorise the vehicle to be removed to the Vehicle Pound.</p> <p>If the car club space is empty and the car is not moved after 1 hour by the operator the CEO will issue a Penalty Charge Notice.</p> <p>Further information about a PCN:  <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/23-parked-in-a-parking-place-or-area-not-designated-for-that-class-of-vehicle">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/23-parked-in-a-parking-place-or-area-not-designated-for-that-class-of-vehicle</a></p>
3.11	<p><b>Carers/Care Organisations</b></p> <p>Residents Parking Permit Schemes – Professional carers may obtain a special dispensation to park in Residents Parking Schemes. <i>See Permits</i></p> <p>Yellow lines and other restrictions – Carers are not exempt from yellow lines restrictions or other restrictions such as disabled spaces, bus stop clearways, loading spaces. No dispensations will be issued to enable them to park on these restrictions.</p>
3.12	<p><b>Challenges, Formal Representations, and the Intervention of Councillors</b></p> <p><b>Challenge</b></p> <p>The keeper of a vehicle may make a written challenge against the issue of a PCN. Although there is no legal obligation to respond to informal letters of challenge which are received before a Notice to Owner (NTO) has been issued, the Council will respond to such letters. If the challenge is rejected, the Council will respond giving reasons.</p>

If the original letter of challenge has been received within 14 days of the PCN being issued, a further 14 days (from the date of the response), will be allowed for payment at the discounted rate. If the challenge is accepted, the PCN will be cancelled, and the Council will write to confirm this.

If the letter of challenge has been received later than 14 days from the date of the PCN, the full amount will be payable. This fact will be included in the letter of rejection.

The making of an informal challenge in this way does not detract from the ability of the keeper to make a subsequent Formal Representation against the issue of the PCN to the Council, following the issue of a NTO, or to appeal to the Traffic Penalty Tribunal (TPT) if a Formal Representation is also rejected.

Further information can be found online:

[www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/appeal-your-parking-ticket-or-bus-lane-fine](http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/appeal-your-parking-ticket-or-bus-lane-fine).

### **Formal Representation**

The keeper of a vehicle is given the opportunity to make a Formal Representation against a PCN once the NTO is sent to him/her by the Council. This Representation must be made within 28 days of the issue date of the NTO.

A Formal Representation can be made on the following grounds: -

- a) The alleged contravention did not occur
- b) I was never the owner of the vehicle in question/or
- c) I had ceased to be its owner before the date on which the alleged contravention occurred/or
- d) I became its owner after the date on which the alleged contravention occurred
- e) The vehicle has been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner
- f) We are a vehicle hire firm, the vehicle was on hire under a hiring agreement and the hirer had signed a statement acknowledging liability for any PCN issued during the hiring period
- g) The PCN exceeded the amount applicable in the circumstances of the case
- h) There has been a procedural impropriety by the enforcement authority.
- i) The order which is alleged to have been contravened in relation to the vehicle concerned is invalid
- j) This NTO should not have been served because the PCN had already been paid

The Council will consider other mitigating circumstances and may use its discretion in deciding whether the specific circumstances warrant cancellation. However, the following reasons will not normally be accepted:

- I could not find anywhere else to park
- I went to get change for the pay and display machine
- I only stopped for a few minutes
- I thought I was parked legally but made a mistake
- I lent the car to a friend, and he/she will not pay the charge
- I This is too much money to ask for a parking contravention
- There was no need for a yellow line anyway
- I am not the owner/keeper because I hired the vehicle
- My appointment/meeting ran late

Please note that each case will be either upheld or cancelled after fully considering individual circumstances.

### **Intervention in Challenge and Representation Processes by Councillors and Other Officers**

The process of dealing with challenges and Representations against the issue of PCN's is well documented and will be carried out in a fair, unbiased and equal manner.

Elected Members may wish to review parking representations policies particularly in the area of discretion, to ensure consistency with published policies. However, Elected Members and unauthorised staff, should not under any circumstances, play a part in deciding the outcome of individual challenges or Representations.

These procedures include the ultimate right of all motorists to refer the matter to an independent arbitrator, the TPT.

To preserve the integrity of these procedures, they will be managed and carried out by the Parking Regulation and Compliance Officers in Parking Regulation and Compliance Services and no undue external pressure shall be brought by either Councillors or other Senior Officers, designed to influence the decisions by virtue of their position alone.

### **Challenge/Representation Accompanied by payment**

Payments will be accepted if accompanied by a challenge and the Council will then pursue any remaining outstanding balance if a name and address is available by sending out an outstanding balance letter. If no name and address is available, the PCN will progress, and the outstanding amount will be shown on the NTO once owner details have been obtained from the DVLA.

If partial payment is received at any stage after Notice to Owner has been issued the payment will be accepted the motorist will be advised of the outstanding balance either by letter or by the Charge Certificate/Debt Registration document.

	<p>If the challenge/Representation are accepted by the Council, the payment will be returned to the payee if such detail is available.</p> <p>It should be noted that motorists cannot make payment/part payment and submit a challenge/Representation. By paying the PCN the motorist is accepting liability for it</p>
3.13	<p><b>CEO Pocket Books</b></p> <p>CEO's will carry a notebook whilst on patrol. This will be used to record details of daily duties, including PCN's issued, incidents, and calls. Conversations with the vehicle driver will be recorded and include reference to the PCN number. Electronic notes may be recorded directly to the PCN when issued.</p> <p>Notes will be made available to adjudicators in the event of an appeal and assist investigation of any challenge or Representation received. Any PCN's issued as Regulation 10 should include the reason, VDA, PFI etc.</p>
3.14	<p><b>Complaints</b></p> <p>Allegations that a CEO has made an error whilst issuing a PCN will be investigated under the normal challenge or Representation procedures and a written response will be sent.</p> <p>Any allegation of misconduct or rudeness made against a member of the enforcement staff will be investigated by the appropriate manager. The findings of the investigation will be communicated to the complainant in writing. Should the findings not be acceptable to the complainant, advice of how to use the Council's complaints procedure will be given.</p> <p>The complaints procedure is not appropriate for use in relation to challenges or Representations against PCN's, as there is a separate independent appeals tribunal available for these issues (See TPT). A complaint about a CEO should not be considered as a challenge to a PCN.</p>
3.15	<p><b>Contractors</b></p> <p><b>Residents Parking Zones</b></p> <p>All contractor's vehicles parked within a controlled residents' zone must display either a valid Visitor's Permit (obtainable from the resident) or an Official Dispensation Permit (obtainable from Nottingham City Council Parking Regulation and Compliance Services).</p> <p>See <b>loading and unloading</b> for observation times.</p> <p>No waiting restrictions (yellow lines)</p> <p>Parking will only be allowed whilst loading/unloading of tools and materials is taking place. At all other times the vehicle must be moved to a permitted parking area.</p>

	<p>Where the vehicle is required to be used as a workshop (i.e. where there is equipment secured to the vehicle, which is required for the job, which is removed directly from the vehicle, or where there is such a large range of tools and equipment required that unloading is impractical), consideration may be given by Nottingham City Council for the issue of a Dispensation Permit.</p> <p>It will be necessary for the vehicle and contents to be inspected by a member of staff from Nottingham City Council.</p> <p>The conditions of issue must be adhered to whilst the permit is in use. Failure to do so may result in a PCN being issued and the permit being revoked.</p>
3.16	<p><b>Contravention Codes</b></p> <p>The codes used to enforce restrictions are provided under The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007.</p> <p>Information:  <a href="http://www.legislation.gov.uk/ukxi/2007/3487/schedule/paragraph/2/made?view=plain">www.legislation.gov.uk/ukxi/2007/3487/schedule/paragraph/2/made?view=plain</a></p>
3.17	<p><b>Council Officers and Councillors on Duty</b></p> <p>All council officers and Councillors on duty are expected to fully comply with parking regulations. Failure to do so may result in the issue of a PCN.</p> <p>The challenge/representation/appeals procedure is of course open for council officers/Councillors to use should they consider that a PCN has been incorrectly issued.</p> <p>Any work-related mitigating circumstances should be confirmed in writing by the relevant Service Manager, or Service Director.</p>
3.18	<p><b>Court Attendance</b></p> <p>The conditions applying to jury members and witnesses (see below) apply equally to defendants. However, if a defendant is given a custodial sentence and as a direct result, is unable to remove his/her vehicle from a pay and display space or Council car park, the Council will expect that the vehicle will be removed as soon as is reasonably possible, by the defendant's family, friends, or legal representatives.</p> <p>Any PCN issued will not be enforced provided acceptable supporting evidence is supplied.</p>
3.19	<p><b>Dental or Doctors' Appointments</b></p> <p>Motorists should be well aware that it is not unusual for dentist's/doctor's appointments to take longer than anticipated.</p>

	<p>PCN's will not be cancelled in response to a claim that a doctors or dentist's appointment took longer than expected.</p>
3.20	<p><b>Description of Vehicle on PCN</b></p> <p>When issuing a PCN the CEO will note the make, colour, and registration number of the vehicle. These details will appear on the PCN. The CEO may also note further details such as position and tyre valves in limited waiting spaces, which will form part of supporting records.</p> <p>In general, a CEO would be expected to record the make of a vehicle accurately. However, as this information is normally input from a "choice field" on the handheld computer terminal, it is possible for an incorrect make to be entered unintentionally.</p> <p>Although consideration will be given to cancellation of the PCN in these circumstances, if the registration number match with those provided by the keeper, the PCN will be enforced.</p> <p>Colours can be interpreted differently by different people, particularly metallic colours. (E.g., Silver/Blue, Black/Grey, White/Cream).</p> <p>Whilst a difference in the colour of a vehicle compared with the detail supplied by DVLA may be an indication of incorrect vehicle description, the vehicle registration is the one thing that is unique to a vehicle.</p> <p>The PCN will normally be enforced irrespective of any other error regarding colour or make.</p>
3.21	<p><b>Disabled Blue Badges</b></p> <p>Blue Badges are issued to either a disabled driver or disabled passenger. They can only be used when the vehicle is being used to transport the disabled person.</p> <p>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>Valid Blue Badges must be clearly and properly displayed whilst the vehicle is parked. Failure to do so will result in a PCN being issued for contravention of the relevant parking restriction.</p> <p>When considering any challenge/representation the Council will consider previous contraventions by the same vehicle and/or badge holder for failure to correctly display a disabled badge.</p> <p>Where no previous contravention has occurred, a challenge/Representation for incorrect display of a valid badge may be accepted, providing proof of the existence of a valid badge is supplied (see <a href="#">table 3.21a</a> below).</p> <p>In such circumstance, the letter confirming acceptance of the challenge/representation will make it clear that this contravention will be</p>

considered when considering any future contravention and that this may lead to future representations being rejected.

The council still retains the right to proceed with the contravention and refuse the challenge/representation on the first occasion if there are any other extenuating circumstances that occurred when the PCN was issued. This could include a safety risk, abuse of staff, misuse and abuse of the terms and conditions of the Blue Badges or failure to adhere to other parking restrictions.

Provided the disabled badge is clearly and properly displayed, the badge holder can park in:

- Limited waiting areas (including on-street pay and display spaces) for an unlimited time
- Yellow lines for a period not exceeding 3 hours (except where there is a loading prohibition in force – denoted by single or double yellow kerb bars). The addition of a parking clock, set for the correct time of arrival, must be displayed. (Not required on 1 hour no waiting restriction)
- Some Council car parks for a period up to 4 hours. Any period over 4 hours requires payment at the appropriate rate
- Unlimited free parking in on-street disabled parking unless the signage states otherwise. The Blue Badge clock must be displayed with the time of arrival where there is a time limit.

Disabled badge holders are not allowed to park in:

- Any area where there is a loading restriction
- Spaces designated for loading, residents parking, bus stops, white zig zags, taxi spaces or for any other specific use.

In addition, a badge holder must not park where it would endanger, inconvenience, or obstruct pedestrians or other road users. Examples of dangerous or obstructive parking include the following, although there are others:

- School entrances, bus stops, on a bend, or near the brow of a hill or humped bridge
- parking opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space
- where it would make the road narrow, such as by a traffic island or roadworks
- where it would hold up traffic, such as in narrow stretches of road or blocking vehicle entrances
- where emergency vehicles stop or go in and out, such as hospital entrances
- where the kerb has been lowered or the road raised to help wheelchair users; and
- on a pavement, unless signs permit it.

A Penalty Charge Notice may be issued, and the vehicle can be relocated where necessary.



See [Table 3.21a](#) for the criteria that are followed when considering challenges or representations against the issuing of a Penalty Charge Notice in respect of disabled Blue Badges.

The Department for Transport Rights and Responsibilities booklet and the website offer further information with regards to the use of a Blue Badge. [www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england/the-blue-badge-scheme-rights-and-responsibilities-in-england](http://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england/the-blue-badge-scheme-rights-and-responsibilities-in-england)

It is the responsibility of the holder of the Blue Badge to adhere to the conditions of use.

### **Blue Badge Time Clock**

The clock should be sent together with the Blue Badge. If not, an applicant can get a clock from the same council that issued the badge.

When a badge user parks on yellow lines, or in other places where there is a time restriction, they need to display the blue parking clock to show the time of arrival.

If there is a need to use a parking clock, it must be displayed on the vehicle's dashboard or facia panel, so that the time can be seen clearly through the front windscreen.

The clock should be set to show the quarter hour period during which the vehicle arrived. If there is no dashboard or facia panel in the vehicle, the clock must still be displayed in a place where it can be clearly read from outside the vehicle.

### **Disabled badges issued from outside of the UK**

At this time, the United Kingdom does not recognise Disabled Parking Badges issued by other non-EU Countries; however, Nottingham City Council will permit the use of the parking concession if the holder informs us prior to their visit to Nottingham.

Contact should be made by calling the team on 0115 8761888 or by emailing [parkingfraud@nottinghamcity.gov.uk](mailto:parkingfraud@nottinghamcity.gov.uk). In addition, the visitor can complete an online form found on the website, [https://myaccount.nottinghamcity.gov.uk/service/non\\_british\\_blue\\_badge](https://myaccount.nottinghamcity.gov.uk/service/non_british_blue_badge).

An application could be made in writing to Parking Regulation and Compliance, PO Box 10169, Nottingham, NG1 9HS

**Table 3.21a**

Ref	Scenario	Outcome
1	Disabled badge displayed on sun visor, but details not clear to Officer	Uphold
2	Disabled badge originally displayed but fell into foot well or seat and is visible on CEO checking vehicle	One chance
3	Motorist admits they have forgotten to display a valid badge	Uphold
4	Not displaying the disabled time clock when necessary	One chance
5	Displaying incorrect time	One chance
6	Displaying a badge that is not yet valid	One chance
7	Illegible badge displayed	One chance
8	Badge has proven to be misused or abused	Uphold
9	Badge displayed is expired and holder does not have a valid Blue Badge	Uphold
10	Badge displayed is expired and holder does have a valid Blue Badge	One chance
11	Badge has expired and the expiry date has been obscured	Uphold
12	Badge is displayed where a vehicle would endanger, inconvenience, or obstruct pedestrians or other road users.	One chance
13	Badge is displayed where a vehicle is parked over a dropped kerb	Uphold
14	Parked where there is a loading/unloading restriction denoted by kerb markings	Uphold
15	Overstayed permitted 3 hours on a yellow line or disabled parking space with time limit	Uphold
16	Parked in a loading only space	Uphold
17	Parked in a permit holder only space with no valid permit	Uphold
18	Parked on any no stopping restriction	Uphold
19	Parked on zig zag markings at a pedestrian crossing	Uphold

**Table 3.22a**

Ref	Scenario	Issue a Penalty	Instant Penalty	Vehicle Removed	Seize Badge
1	Badge is fake or photocopied	✓	✓	✓	✓
2	Badge details have been fraudulently changed	✓	✓	✓	✓
3	Blue Badge has been used by someone that is not the badge holder	✓	✓	✓	✓
4	Badge has been cancelled	✓	✓	✓	✓
5	Badge is expired	✓	✓	Check further abuse	✓
6	Badge has expired and the expiry date has been hidden	✓	✓	✓	✓
7	Badge is illegible (damaged)	✓	Dependant on contravention	✓	✗
8	Badge is incorrectly displayed and cannot be validated.	✓	Dependant on contravention	✓ If abuse	✗
9	The badge is being displayed where a vehicle would endanger, inconvenience, or obstruct pedestrians or other road users	✓	Dependant on contravention	Relocated	✗
10	Parking in a disabled person's parking space with no valid badge displayed	✓	✓	✓	n/a

### **Disabled Blue Badges – Enforcement of Misuse and Abuse**

Nottingham City Council actively enforces the misuse and abuse of the Blue Badge Scheme in accordance with the Department for Transport's guidance and regulations. Misuse and abuse of Blue Badges undermine the benefits of the scheme, negatively impact local traffic management, and create hostility among other badge holders and citizens.

Nottingham City Council is committed to upholding the integrity of the Blue Badge Scheme by strictly enforcing regulations against misuse and abuse, in line with the Department for Transport's guidelines.

Misuse and abuse of Blue Badges can significantly diminish the scheme's effectiveness, disrupt local traffic management, and foster resentment among legitimate badge holders and the wider community.

#### **Definitions:**

**Misuse:** Occurs when a badge is used without the badge holder being present, such as by friends or family members.

**Abuse:** Involves the use of fake, fraudulently altered, lost, stolen, or cancelled badges.

#### **Enforcement Methods:**

- **Utilising Trained Officers:** Enforcement is carried out by officers who are specifically trained in identifying and addressing misuse and abuse of Blue Badges.
- **Simplified Reporting for Officers:** An easy-to-use reporting process is in place for authorised officers to report incidents of misuse or abuse.
- **Accessible Reporting for Citizens:** Citizens can report suspected misuse or abuse through various channels:
  - **Phone:** Call our office at 0115 8761888
  - **Email:** Send details to [parkingfraud@nottinghamcity.gov.uk](mailto:parkingfraud@nottinghamcity.gov.uk)
  - **Online:** Use the facilities on our website at [https://myaccount.nottinghamcity.gov.uk/service/report\\_a\\_permit\\_misuse](https://myaccount.nottinghamcity.gov.uk/service/report_a_permit_misuse)
- **Mail:** Write to Parking Regulation and Compliance, PO Box 10169, Nottingham, NG1 9HS
- **Collaborative Efforts:** We work in partnership with other Local Authorities and organisations to ensure a cohesive approach to enforcement.
- **Public Awareness:** Our work is advertised, and best practices are shared with other Local Authorities and stakeholders to promote transparency and community involvement.

#### **Sanctions and Outcomes for Blue Badge Misuse and Abuse:**

- **Issuance of a Penalty Charge Notice:** Offenders will receive a Penalty Charge Notice for violating the Blue Badge Scheme rules.
- **Vehicle Removal:** The offending vehicle may be towed and impounded at the Vehicle Pound.

- Seizure of Blue Badge: The Blue Badge in question will be confiscated.
- Written Warning: A written warning may be issued to the offending motorist and/or the Blue Badge owner.
- Formal Caution: Offenders can be given a Formal Caution for their actions.
- Prosecution: Legal action may be taken against the offending motorist or badge holder, leading to prosecution.
- Withdrawal of Blue Badge: The Blue Badge can be revoked, preventing further misuse.

More information can be found here:

[www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/disabled-blue-badges/report-blue-badge-misuse-or-abuse](http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/disabled-blue-badges/report-blue-badge-misuse-or-abuse)

It is not illegal for the badge holder, or a person waiting with them, to wait in the car while the concessions are being used. However, the practice of a badge holder staying in the vehicle and allowing non-disabled people travelling with them to have the benefit of the parking concessions is one that the DfT wish to discourage as this can lead to the schemes being discredited. It is because of the difficulties that disabled people have to face that the DfT have not made this a legal requirement.

The Department for Transport Rights and Responsibilities booklet and the website offer further information with regards to the use of a Blue Badge.  
[www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england/the-blue-badge-scheme-rights-and-responsibilities-in-england](http://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england/the-blue-badge-scheme-rights-and-responsibilities-in-england)

See [Table 3.22a](#) for the Penalty Charge Notice and Removal and Retention criteria regarding misuse and abuse use of a Blue Badge.

### **Disabled person parking spaces/Accessible spaces**

Vehicles parked in space designated for a disabled person, without displaying a valid Blue Badges, may be issued with a PCN, and may be removed to the City Council's car storage pound.

In general, if a disabled badge holder fails to display the badge, the PCN will be enforced but any removal/storage fees would be waived if they are able to produce the badge at the time the vehicle is collected i.e. that it is in the vehicle but has not been displayed correctly.

It should be noted that the vehicle will not be released free of charge if the person collecting the vehicle brings the badge with them i.e. was not in car but carried on the person. In addition, where motorists who are not holders of disabled badges have parked illegally, the removal and storage fees will be enforced.

	<p>Further information about the contravention code 40, penalties issued in an accessible space - <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/40-parked-in-a-designated-disabled-persons-parking-place-without-a-blue-badge">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/40-parked-in-a-designated-disabled-persons-parking-place-without-a-blue-badge</a></p>
3.24	<p><b>Drink Driving or Other Arrest</b></p> <p>If a driver is arrested and, as a direct result, is forced to leave their vehicle in contravention of a parking restriction, any resultant PCN should not be enforced unless the driver has had ample time to safely remove the vehicle after their release from custody. In the case of drink driving, a period of at least 12 hours should be allowed for the safe removal of the vehicle.</p> <p>In all cases of arrest claims, the driver should be asked to provide the date, time and evidence of arrest including custody number, officer and police station involved. Where written evidence cannot be supplied, confirmation should be obtained from the relevant police station, by the Council before the PCN is cancelled. Failure to supply or obtain supporting evidence will lead to the PCN being enforced.</p>
3.25	<p><b>Dropping off or picking up passengers</b></p> <p>Except on designated clearways and zigzag (schools and pedestrian crossings) restrictions, any vehicle will be allowed a reasonable amount of time to drop off or pick up passengers, irrespective of any waiting or loading restriction in force (defined as 2 minutes in a recent judgement).</p> <p>No special consideration will be given to Hackney Carriages or Private Hire vehicles.</p>
3.26	<p><b>Dropped kerbs</b></p> <p>Nottingham City Council has the powers under The Traffic Management Act 2004 to issue PCN's and remove vehicles that are parked at dropped crossings, which can cause an inconvenience to motorists, businesses, citizens, pedestrians and cyclists, and wheelchair users.</p> <p>Nottingham City Council will enforce the powers by issuing a PCN at the higher rate of £70, discounted to £35 if paid within 14 days from the fine being issued (this will be 21 days if the fine is sent by post).</p> <p>Vehicles observed to be obstructing a dropped crossing for pedestrians and cyclists will be served with a PCN and can be removed.</p> <p>For obstruction of dropped kerbs providing access to premises, where a request for removal of the obstructing vehicle is made to the Council, a CEO</p>

will attend, and, if appropriate, issue a PCN and arrange for the removal of the vehicle.

### **The process for enforcing dropped pedestrian and cycling crossings**

Pedestrian dropped crossings:

- a) There will need to be a dropped kerb on both sides of the road (opposite each other), as the enforcement is to protect those dropped kerbs for pedestrians.
- b) Where the crossing has non-tactile paving, 50% or more of the dropped kerb will need to be blocked.
- c) Where the crossing has tactile paving, then any blocking of the dropped kerb will be sufficient to enable a PCN to be issued.

As there is an exemption for loading/unloading, a CEO will determine if loading or unloading activities are taking place. If there is evidence of these activities, a maximum of 20 minutes must be allowed provided that the vehicle is parked for no longer than necessary to enable the loading/unloading to take place.

If no loading/unloading is observed after the initial observation period, or if the driver returns and the CEO is satisfied this activity is not taking place, a PCN may be issued, and the vehicle authorised for removal.

Dropped crossings for cyclists:

There does not need to be dropped kerbs on both sides of the road, if markings on the pavement make it clear that the dropped kerb is intended for cyclists. Since enforcement is to protect those dropped kerbs for cyclists, if any portion of the dropped kerb is parked over a ticket will be issued.

Dropped kerbs at residential properties:

The resident of the affected property can report the occurrence online at [www.nottinghamcity.gov.uk/blockeddriveway](http://www.nottinghamcity.gov.uk/blockeddriveway)

This form is strictly for reporting blocked driveways only. All other parking complaints must be made through Have your Say complaints system at [www.nottinghamcity.gov.uk/hys](http://www.nottinghamcity.gov.uk/hys).

It is a legal requirement that the resident of the property who makes the report is present at the property on arrival of the attending officer and access or egress must be significantly blocked.

The appropriate Manager/Supervisor will decide the level of importance given the other pressures and priorities for enforcement at that time.

The CEO will determine if the vehicle is contravening the restriction. A Penalty Charge Notice will not be issued if the Officer determines that the vehicle is not causing an obstruction.

	<p>The CEO will observe the vehicle to determine whether loading/unloading is taking place.</p> <p>Exceptions may include;</p> <ul style="list-style-type: none"> <li>▪ Passengers getting in/out of a vehicle.</li> <li>▪ Vehicles used by the Fire, Ambulance or Police services.</li> <li>▪ Loading and unloading; and</li> <li>▪ Vehicles used for bin collections, building works or road works.</li> <li>▪ A vehicle parked outside a residential property with the occupier's consent (but it does not apply if that consent has been paid for) or where the driveway is shared.</li> </ul> <p>A doorstep interview will be carried out by the CEO to obtain all details. The resident should be willing to attend a TPT Hearing if necessary. If the resident is not prepared to do this, no action can be taken.</p> <p>It should be noted that the Officer will only visit the front door of the property.</p> <p>CEOs have no power to enforce against vehicles which are parked opposite driveways, close to driveway entrances or that are just considered inconvenient.</p> <p>What about Blue Badges holders? Where restrictions are already indicated, for instance at street corners by double yellow lines, Blue Badges holders would normally be able to park for up to three hours, providing it is safe to do so and not causing an obstruction. If they are parking at dropped kerbs, they would be breaking this rule, and so enforcement action could be taken.</p>
3.27	<p><b>Electric Vehicles (E-Taxi's) and Parking</b></p> <p>On street - Within Nottingham City there are parking spaces provided for electric taxis. These are only intended to be used by Nottingham City licensed hackney carriages only and when parked, the vehicle must be charging.</p> <p>Off street car parks - There are a number of electric vehicles charging points in some car parks. Vehicles must be charging whilst parked in these spaces. A parking charge may be applicable where stated.</p>
3.28	<p><b>Emergency Duties</b></p> <p>Doctors, nurses, midwives engaged on emergency duties are wherever possible expected to park legally in accordance with local restrictions.</p> <p>Should a PCN be issued it will be cancelled only upon evidence of the emergency being provided.</p> <p>Regular or programmed visits or routine home visits will not be considered an emergency.</p>



3.29	<p><b>Emergency Vehicles</b></p> <p>Police, Fire and Emergency vehicles are exempt within the Traffic Regulation Orders, provided they are genuinely on emergency duties.</p> <p>Vehicles on routine duties (i.e. without sirens and/or blue lights in use) are not considered to be on emergency duties.</p> <p>Covert Police vehicles will need to prove that they were on duty at the time the PCN was issued by providing a letter signed by Inspector or above. However, if a Civil Enforcement Officer observes a police vehicle parked in contravention and the Police Constable in uniform informs them that they are attending an emergency situation then a Penalty Charge Notice will not be issued, and the vehicle details will be communicated to other officers.</p>
3.30	<p><b>Enforcement Agents</b></p> <p>Enforcement Agents, as agents of the court are court officers. Of the many functions they perform, executing warrants is one that is likely to concern us most. These are court orders for the collection of money and/or goods of sufficient value to produce the required amount.</p> <p>For this purpose, the Enforcement Agent will always have an appropriate vehicle nearby to facilitate the collection of goods or money.</p> <p>In respect of a residential parking scheme, a no waiting restriction, pay and display and limited waiting space, a dispensation permit may be issued.</p> <p>For their other activities they do not need a vehicle nearby (e.g., if they are serving a summons or a warrant (not enforcing it). In such circumstances they would be expected to comply with parking restrictions.</p>
3.31	<p><b>Estate Agents/Landlords</b></p> <p>Estate Agents/Landlords visiting a client's property within a residential parking zone should either display a valid Visitor's or Business dispensation permit.</p> <p>Estate Agents are not exempt from parking restrictions and PCN's should always be enforced.</p>
3.32	<p><b>Exempt Vehicles</b></p> <p>The following vehicles are considered to be exempt from parking restrictions provided they are on emergency duty:</p> <ul style="list-style-type: none"> <li>a) Fire Service vehicles</li> <li>b) Police vehicles (livered)</li> <li>c) Ambulances</li> </ul> <p>The following vehicles are exempt in the circumstances described:</p>

- d) Local Authority Vehicles (or those of contractual agents) whilst being used to carry out statutory duties (i.e. refuse collection, street cleansing, highway maintenance) or whilst carrying out duties that require the vehicle to be in close proximity (i.e. verge grass cutting) including vehicles. Any unattended vehicles will be issued with a PCN and will not be cancelled.
- e) Post Office vehicles engaged in the delivery of postal packets. This does not include private vehicles being used by postal workers whilst carrying out letter deliveries. Such vehicles are expected to be parked in compliance with any restrictions.
- f) Electricity/gas companies, water companies and telecommunications companies whilst actively laying or undertaking repairs to pipes, cable, or other apparatus. (This does not include installation of lines/systems to premises, or routine service/repair calls).
- g) Furniture removal vehicles whilst moving furniture to/from a dwelling, office, or depository. Wherever possible these vehicles should not be parked in contravention of a loading restriction.
- h) Public service vehicles and other company vehicles whilst waiting at an authorised stopping place, terminus or turning point.
- i) Vehicles involved in building, excavating and demolition work, whilst lawfully and actively engaged on those duties. (A licence may be required from the Council's Highways section to authorise this type of work if sections of the highway are involved).

All exempt vehicles should be liveried, not private cars or unmarked vans. The exemption does not apply to sub contractor's vehicles unless specified above.

### 3.33

#### **Footway/Pavement Parking**

Most waiting and loading restrictions cover the whole highway (boundary to boundary and this includes all footways/pavement and verges).

A PCN can only be issued to a vehicle parked in such a manner if the restriction is specifically incorporated in the relevant TRO or the road is subject to a waiting/loading restriction, in which case the PCN should be issued for contravention of the restriction.

#### **Verge restrictions**

Where the authority enforces parking on the verge, there will be a valid Traffic Regulation Order and relevant signage.

A PCN may be issued if an HGV is parked with two or more wheels on the footway or verge.

3.34	<p><b>Foreign vehicle registration numbers</b></p> <p>If a PCN is issued to a vehicle displaying foreign registration plates it should automatically be recognised by the processing system as the registration number will not be in DVLA format.</p> <p>The case may be passed to a registered collection agent. Where a CEO has issued a PCN to a vehicle displaying a foreign registration plate, the details will be sent to EPC to ascertain ownership and payment.</p>
3.35	<p><b>Funerals and Weddings</b></p> <p>Vehicles actively involved in a funeral, or a wedding will be given due consideration and PCN's will not be issued. (i.e. the official hearse and cortege vehicle(s), official car transporting the bride/groom).</p> <p>Vehicles belonging to other mourners or wedding guests should seek alternative legal parking.</p>
3.36	<p><b>Garages and Vehicle workshops – Vehicles Left Unattended</b></p> <p>If a garage employee parks a vehicle on the highway, in contravention of a restriction, a PCN will be issued and the responsibility for payment rests with the registered keeper of the vehicle.</p> <p>Garages have no right to utilise the highway in such a manner and PCN's should always be enforced in such cases.</p>
3.37	<p><b>Glaziers</b></p> <p>Claims from glazing companies that a vehicle needs to be parked close to the location of an emergency (unplanned work) repair should be treated leniently providing it is confirmed, from the CEO's notes, that such activity was taking place at the time of issue of the PCN.</p> <p>PCN's will not be cancelled when issued to vehicles that are not actively involved in such work.</p>
3.38	<p><b>Government Department Vehicles</b></p> <p>PCN's issued to vehicles owned or operated by Government Departments should be enforced. They are not exempt purely by virtue of the fact that they are operated by a Government Department.</p> <p>If vehicles are involved in exceptional activities, such as surveillance by Customs and Excise or the Benefits Agency, evidence to support this, in the form of a written statement from a senior manager on headed notepaper must be supplied.</p>

	Wherever possible, Government Agencies involved in such activities should be encouraged to give the Council advance notice of the vehicle(s) involved.
3.39	<p><b>Hackney Carriages/Private Hire Vehicles</b></p> <p>Hackney Taxi Carriages and Private Hire Vehicles may stop to allow passengers to board or alight for as long as reasonably necessary for the purpose (defined as 2 minutes in a recent judgement) but this does not allow taxis to wait for passengers.</p> <p>It is not an exempted activity to assist passengers into premises and leave the carriage unattended. If a licensed Hackney Carriage or a Private Hire Vehicle is left unattended it is liable to receive a PCN if the driver is not in close proximity.</p> <p>CEOs should be aware that disabled, infirm or elderly passengers may require additional time to board and alight. However, this is not to be confused with assisting passengers into or out of buildings.</p>
3.40	<p><b>Hazardous Chemicals/Substances</b></p> <p>Claims by companies in receipt of a PCN that toxic or dangerous substances were being delivered or collected from premises should be supported by documentary evidence to support their claim e.g., delivery note/purchase order etc.</p>
3.41	<p><b>Hire Agreement</b></p> <p>In the case of a hired vehicle, responsibility for a PCN is that of the hirer, provided that a Hire Agreement has been signed. In this case, the responsibility is not with the registered keeper (Hire Company), providing they make a Formal Representation to the Council once the NTO is received.</p> <p>This Representation must be accompanied by a copy of the relative hire agreement.</p> <p>In all cases the agreement must state the name and address of the hirer, start and finish dates and times for the hire period, the driver's licence number, the place of issue and the hirer's signature. It must also include a statement regarding the hirer's liability for any PCN's incurred during the hire period.</p> <p>Should any of the above be unclear, absent or in contradiction of the date/time of issue of the PCN, then the PCN will be enforced against the hire company and a notice of rejection of Representation will be sent to them with the reasons clearly stated.</p>
3.42	<p><b>Immobilisation</b></p> <p>Nottingham City Council may immobilise and remove untaxed vehicles as authorised by the DVLA – also see <b>Removals</b>.</p>

3.43	<p><b>Kerb Markings</b></p> <p>Kerb markings denote a loading restriction. They are painted on the kerb at right angles to the carriageway. They are used in connection with single or double yellow lines.</p> <p>Double Kerb markings denote no loading at any time, and single kerb markings denote a loading restriction for part of the day. There will be a sign indicating the times of the restriction or stating, “no loading” or “no loading at any time”.</p> <p>Highway code: <a href="http://www.gov.uk/guidance/the-highway-code/road-markings">www.gov.uk/guidance/the-highway-code/road-markings</a></p>
3.44	<p><b>Legislation</b></p> <p>The legal provisions governing parking enforcement are:</p> <ul style="list-style-type: none"> <li>a) The Road Traffic Act 1991</li> <li>b) The Road Traffic Regulation Act 1984</li> <li>c) Traffic Management Act 2004</li> <li>d) The Traffic Signs Regulations and General Directions 2016</li> </ul> <p>If the keeper is querying the authority behind a specific restriction, then reference should be made to the relevant Traffic Regulation Order, held by the Council.</p>
3.45	<p><b>Limited Waiting Spaces</b></p> <p>Some parking spaces permit parking for a limited time period, e.g., maximum-stay 1 hour, between Monday and Saturday 8am to 6pm.</p> <p>If a vehicle is observed parked for a period in excess of the maximum-stay time, during the controlled hours, a PCN may be issued.</p> <p>Further information about the contravention code 30 - <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notices/parking-contraventions-faqs/30-parking-for-longer-than-the-allowed-time-in-a-limited-waiting-bay">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notices/parking-contraventions-faqs/30-parking-for-longer-than-the-allowed-time-in-a-limited-waiting-bay</a></p>
3.46	<p><b>Loading and Unloading</b></p> <p>Loading/Unloading is generally permitted when there are waiting restrictions in place, except when there is also a loading restriction, and from pay and display and resident’s spaces. However, this only applies whilst carrying out the legitimate activity of loading and/or unloading.</p> <p>If a vehicle is observed, the CEO will determine if this activity is taking place. If the CEO is satisfied there is no such activity taking place, a PCN may be issued and there are no minimum observation times that must be given. This applies to all classes of vehicle</p>

	<p>Where a PCN is issued, a challenge will be considered if supported by evidence confirming that the driver was involved in moving heavy goods.</p>
3.47	<p><b>Loading Spaces</b></p> <p>A 'loading only' space is designated exclusively for vehicles actively engaged in loading or unloading goods.</p> <p>A Penalty Charge Notice (PCN) may be issued to any vehicle parked in a loading space without any visible loading activity.</p> <p>Further information about contravention code 25 - <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/25-parked-in-a-loading-place-or-bay-during-restricted-hours-without-loading">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/25-parked-in-a-loading-place-or-bay-during-restricted-hours-without-loading</a></p>
3.48	<p><b>Loading Prohibitions</b></p> <p>Loading prohibitions are indicated by yellow kerb bar markings and white 'no loading' signs.</p> <p>When a loading prohibition is in effect, a Civil Enforcement Officer (CEO) will issue an immediate Penalty Charge Notice (PCN) to any vehicle parked in the restricted area.</p> <p>Further information about contravention code 02: <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/02-parking-or-loading-where-a-loading-ban-is-in-force">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/02-parking-or-loading-where-a-loading-ban-is-in-force</a></p>
3.49	<p><b>Location (Street or car park name) – incorrect</b></p> <p>When a Penalty Charge Notice (PCN) is issued, the street name or car park where the vehicle is located is stated on the PCN. If this information is recorded incorrectly, it is considered a material error, and the PCN should be cancelled</p>
3.50	<p><b>Lost Keys</b></p> <p>Where it is claimed that car keys have been lost, stolen, or locked in a car thus preventing removal of the car from a parking area which in turn resulted in the issue of a PCN, then due consideration should be given to its cancellation. The Representation should be accompanied by supporting evidence from police, motor repair organisations etc.</p> <p>Consideration should be given as to whether the vehicle should have been parked at the location in the first place (e.g., if on a yellow line) and whether the loss of keys prevented purchase of additional parking time.</p>

3.51	<p><b>Mitigating Circumstances</b></p> <p>Each case will be judged on its individual merits and particular circumstances are referred to elsewhere within this document; however, below are a few general guidelines:</p> <ul style="list-style-type: none"> <li>a) Delays: Delays due to queues at shops etc., meetings/appointments over running are not considered valid reasons to cancel a PCN. Allowance should be made for such delays when purchasing parking time as they are a regular occurrence and part of normal life.</li> <li>b) Children/Elderly people: Claims made by people that they were accompanied by young children or elderly people, and were delayed by them, will not be accepted as reason to cancel a PCN. Allowance should be made for this when purchasing parking time. Claims that PCN's were issued whilst dropping off/collecting children from school will not be cancelled. In these circumstances the vehicle should be parked legally.</li> <li>c) Emergencies: An emergency is an unforeseen situation that prevented the driver from moving the vehicle. They are usually of a medical nature and leniency should be exercised where it can be seen that the driver could not have foreseen the situation. Wherever possible such claims should be supported by independent evidence.</li> </ul>
3.52	<p><b>Motorcycle parking</b></p> <p>On street parking - There are several on-street motorcycle parking spaces situated in Nottingham City Centre. Parking in these spaces is free of charge for an unlimited period.</p> <p>The spaces are situated in the following streets:</p> <ul style="list-style-type: none"> <li>▪ Kent Street</li> <li>▪ Convent Street</li> <li>▪ Wollaton Street</li> <li>▪ Mount Street</li> <li>▪ Hounds Gate</li> <li>▪ Castle Road</li> </ul> <p>Motorcyclists may also use any other pay to park spaces free of charge for an unlimited period.</p> <p>In residential parking areas, motorcyclists can park if in possession of a valid permit, but please park sensibly, preferably not taking up the whole length of a space area.</p> <p>Motorcyclists must adhere to the restrictions in limited waiting spaces and cannot park on double or single yellow lines, in taxi ranks, bus stops, disabled or loading spaces.</p>

	<p>Off street car parks:</p> <ul style="list-style-type: none"> <li>▪ Lace Market Car Park - Open: 24 Hours 7 Days   Charges: Free in the designated motorcycle parking area   No need to take a ticket</li> <li>▪ Trinity Square Car Park - Open: 24 Hours 7 Days   Charges: Free in the designated motorcycle parking area   No need to take a ticket</li> </ul>
3.53	<p><b>Notice of Rejection or Acceptance of Formal Representation</b></p> <p>When the keeper of a vehicle makes a Formal Representation to the council in response to an NTO, in accordance with current legislation it has 56 days in which to respond from receipt of the Representation i.e. either a Notice of Acceptance of Representation or a Notice of Rejection of Representation.</p> <p>A Notice of Acceptance will confirm that the Representation has been accepted and that liability for the PCN has been cancelled.</p> <p>A Notice of Rejection Formally rejects the Representation and gives detailed reasons as to why the Council has come to this conclusion.</p> <p>The rejection will also include the necessary forms and instructions as to how an appeal may be made to the TPT. This appeal must be made within 28 days of the Notice of Rejection of Representation.</p>
3.54	<p><b>Observations</b></p> <p>In general CEOs will observe a vehicle to determine whether loading or unloading activities are taking place before issuing a PCN.</p> <p>The first observation time and the PCN issue time will appear on the face of the PCN itself and will be recorded by the enforcement software system.</p> <p>If an Officer is satisfied that no legitimate loading/unloading is taking place they may issue a PCN. Once the Officer is satisfied that there is no legitimate activity taking place, there is no requirement for further observation; a PCN can be issued.</p> <p>This applies to all classes of vehicle and to all contraventions where loading/unloading would be permitted.</p> <p>For contraventions in relation to loading restrictions, disabled spaces or other spaces reserved for specific types there is no requirement to observe for loading or unloading.</p>



**Pay to park areas and Car Parks**

Pay and Display (P&D Parking Spaces, RingGo and Pay to Park Car Parks require the purchase of time at the time of parking for the amount of time required.

All paid for time will include the expiry date, time, the amount paid and the location of the machine, car park or parking space/zone where payment was made.

The tariff will clearly show the fee payable, the hours that payment is required (including bus lane information for on-street in some locations) and the zone it is in.

Other information on the tariff will include details regarding Blue Badge parking, how to pay by card, RingGo, coin or alternative methods/places of payment, details of the fine for non-compliance and the contact details if a ticket is not issued or payment is not accepted.

Where a payment has been made to park, one or more of the below must be adhered to:

- a) A pay and display ticket/voucher must be clearly displayed whilst the vehicle is parked
- b) User must receive confirmation or receipt for any electronic, virtual, payment made
- c) Paid for time must not be expired
- d) Payment must be for the correct zone or car park

PCN's will be issued for: -

- a) Failing to display a valid ticket/permit or make an electronic payment
- b) Displaying a ticket which has expired
- c) Parking outside of the space markings
- d) Parking the wrong class of vehicle (no longer shown on tariff insert)

It should be noted that Pay and Display tickets are not transferable between vehicles, zones and on and off-street parking.

[Table 3.50a](#) provides information relating to challenges involving pay to park scenarios.

RingGo is not transferable between vehicles, zones and on and off-street parking.

RingGo is another form of payment now accepted at our pay and display machines and off-street car parks (Castle, Sneinton Market Square and Curzon Street).

The customer is required to register for the service first and can do this on-line via the RingGo website ([www.myringgo.co.uk](http://www.myringgo.co.uk)) or via their mobile. Name, Address, Vehicle details and payment card details will also be required for first time users however after that only the last four digits of their payment card will be required.

- Ring the number shown on the PandD machine or use the downloadable application available to android and iPhone users.
- Quote the RingGo location code shown on the PandD machine and length of stay required.
- Payment will automatically be taken and, if required, a confirmation text can be sent to the mobile phone.
- This service also allows the user to extend their parking stay should it be required.

Further information about RingGo may be found online [www.myringgo.co.uk](http://www.myringgo.co.uk)

Please see [Table 3.50b](#) for scenarios regarding the issue of penalties when using RingGo.

#### **Additional pay to park information**

Where a permit has been purchased from [Parking Services](#), the terms and conditions of this permit must be followed. A PCN may be issued for failure to do so.

#### **Pay and Display Machines**

Claims that a motorist did not realise that Pay and Display was in place should be dismissed as there will always be appropriate signs in place.

Claims that a Pay and Display machine was not working should be considered by reference to the maintenance records, CEO's notes, and machine test records.

If it is confirmed that a machine was not working, then consideration should be given to cancellation of the PCN. However, if there was an alternative machine in working order in close proximity, then it is reasonable to expect drivers to use this machine.

Alternative methods of payment such as Debit card or Ringo should be considered.

Parking Services: [www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/city-centre-parking/contact-parking-services](http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/city-centre-parking/contact-parking-services)

<b>Table 3.50a</b>		
<b>Item</b>	<b>Scenario</b>	<b>Outcome</b>
1	CEO states no P&D ticket/permit and confirmed by photograph; but valid or P&D ticket/permit provided by motorist.	One Chance
2	Serial number of P&D ticket recorded by CEO (face down ticket), then provided by motorist	One Chance
3	Incorrectly displayed P&D ticket, serial number recorded, PCN removed from vehicle. First time motorist aware of PCN is receipt of NTO and the motorist no longer has the P&D ticket	Uphold (Reoffered at discounted stage)
4	Amount paid does not cover the length of time parked i.e. motorist has not allowed money to register and pressed for ticket too soon	Uphold

<b>Table 3.50b - RingGo and Penalty Charge Notice Scenarios</b>		
<b>Item</b>	<b>Scenario</b>	<b>Outcome</b>
1	Registration Mark (VRM) has been entered incorrectly when setting up account details	Uphold
2	A vehicle registered on the account has been chosen and paid for in error	Uphold
3	Wrong location code has been entered	Uphold

3.56	<p><b>PCN – Discount Period</b></p> <p>The PCN rate is currently set at £50 and £70. This is subject to review. If the PCN is paid within 14 days of issue, a discounted amount of £25 and £35 (50%) will be accepted in full and final settlement of the matter.</p> <p>If a challenge is received from the keeper within 14 days of issue of the PCN, the discount period will be frozen, pending the Council's decision. Should the challenge be rejected, the discount period will restart from the date of the Council's letter notifying the keeper of this decision.</p> <p>If the challenge is received more than 14 days from the issue date, the full amount of £50 or £70 will be payable, in the event of the challenge being rejected.</p> <p>If a Notice to Owner (NTO) is sent to the keeper who subsequently states that the PCN was not received at the time of the contravention, the discounted amount will be accepted if paid within 14 days from the date of the rejection of Representation.</p>
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	<p>N.B. When it is claimed that the PCN was not received, checks will be made to ensure that previous such claims have not been made by the same person.</p> <p>If there is a history of such claims, the discounted period should not be re-started, and the full amount should be paid – especially if photographic evidence of the PCN being affixed to the vehicle is held.</p>
3.57	<p><b>PCN – Early Issue of</b></p> <p>The issue of PCN's is controlled by Handheld Computer Terminals carried by each CEO.</p> <p>These have integrated clocks which are calibrated each morning prior to commencement of patrols.</p> <p>It is not possible for the CEO to influence the time stated on the PCN in order to issue a Penalty Charge Notice earlier than the time stated on the Notice itself.</p> <p>Claims that a PCN was issued before the time that a contravention is deemed to be committed require careful investigation.</p>
3.58	<p><b>PCN's – Time to Pay/Instalment Payments</b></p> <p>Cases of genuine financial hardship must be demonstrated in order to meet the criteria for a payment plan.</p> <p>The Council will not consider any such arrangements once the PCN has been referred to the Enforcement Agent for collection.</p> <p>Acceptance of any such application to make instalment payments will be confirmed in writing.</p> <p>Minimum payment of £10 per PCN per month is required until the outstanding balance is paid in full.</p> <p>Part payment plans will not be set up where PCN's are at the discounted rates or before the Notice to Owner has been served.</p> <p>Part payment plans will not be set up where the PCN has been through the Adjudication process. The amount outstanding must be paid in full.</p> <p>Non-payment of any cheque will result in enforcement action being re-commenced and any un-banked cheques will be returned to the driver with a letter stating that the arrangement is cancelled.</p>

	<p>If any payment due in accordance with the arrangement is late or missed, the Council will regard the arrangement as cancelled and will re-commence recovery action.</p> <p>No further offer of payment plans will be made if conditions are not met.</p>
3.59	<p><b>PCN - Rates</b></p> <p>All parking Penalty Charge Notices served by Nottingham City Council are done so under the Traffic Management Act 2004 (previously the Transport Act 2000).</p> <p>Under this legislation, a two-tier charging system is in operation and enforcement authorities must apply different levels of charges depending on the contravention type.</p> <p>The charges are:</p> <ul style="list-style-type: none"> <li>a) £70, which is reduced to £35 if it is paid within 14 days from the date of service of the Penalty Charge Notice. (21 days from the day of service for bus lane contraventions)</li> <li>b) £50, which is reduced to £25 if it is paid within 14 days from the date of service of the Penalty Charge Notice</li> </ul> <p>A Penalty Charge Notice (PCN) should not be paid if a challenge is to be submitted.</p> <p>If a challenge is submitted, the case will be put on hold and the amount owed will not increase.</p> <p>There are a number of ways to pay, with the quickest and easiest way being online (using a debit or credit card) at <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notices/how-to-pay-a-penalty-charge-notice-pcn">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notices/how-to-pay-a-penalty-charge-notice-pcn</a></p> <p>Other ways to pay include:</p> <p>Cheque - made payable to 'Nottingham City Council' and sent to Parking Regulation and Compliance, PO Box 10169, Nottingham, NG1 9HS. The PCN reference number (beginning NG xxxx xxxx) must be included.</p> <p>By phone - call the automated payment line on 0800 052 0173. The PCN reference number (beginning NG xxxx xxxx) must be quoted.</p>
3.60	<p><b>Permits [parking]</b></p> <p>Permit Parking Schemes are to protect on-street parking spaces for the people who live in their respective areas. Due to parking charges in some areas,</p>

commuters may park in the local neighbourhoods on the outskirts of the city centre.

Residents Parking Schemes prevent the use of defined spaces by anyone who does not have a Resident's or a Visitor's parking permit.

The first permit per household is free and a charge of £35 will be applied for the second permit and £50 for the third permit.

Each household is eligible for a maximum of up to three permits which can be any combination of resident and visitor permits unless otherwise stated.

If the resident is a Blue Badge Holder or a resident with eligible healthcare requirements (in receipt of Attendance Allowance, the care component of Disability Living Allowance or Personal Independence Payment), they may be exempt from these charges. See **Permit Exemptions**.

See more information, including a list of FAQs, on the website:

[www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/parking-permits/residents-parking-permit-information](http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/parking-permits/residents-parking-permit-information)

Residents may not be eligible for a permit if they have an outstanding debt with Nottingham City Council.

Permit holders can only park in the 'Permit Holders Only' spaces within the allowed zone.

Permit holders should be aware that possession of a permit is not sufficient to allow parking. If a physical permit is issued, it must be displayed. Failure to display such a permit correctly could result in a Penalty Charge Notice.

Motorists in the process of applying for or renewing a permit are not permitted to park their vehicle in a resident's space while waiting for a permit to be sent.

Parking spaces are not allocated to individual permit holders. The Residents Parking Scheme does not guarantee the availability of a parking space or a space outside a residence. The permits only entitle residents to park vehicles if space is available.

All other on-street parking restrictions within a residential zone (e.g., limited waiting spaces and yellow lines etc.) must be complied with, as these do not allow permit holders to park.

Permits do not cover caravans or trailers, which cannot be left parked in a residential space. See **3.9 Caravans and trailers**

	<p>If an application has been received in relation to a permit renewal (not new applications) and there has been a delay in administration, consideration may be given to cancelling the PCN i.e. that there is a backlog of applications to process.</p> <p>See <a href="#">Table 3.64a</a> for upholding or cancelling Penalty Charge Notice Notices in respect of residential, business or dispensation permit misuse or not being used correctly.</p>
3.61	<p><b>Permit Types</b></p> <p>There are controlled parking zones within Nottingham City where a permit may be required to park near residential properties or businesses. These permits ensure that parking spaces are available for local residents.</p> <p>Ways to apply Online: <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/parking-permits">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/parking-permits</a> To request a paper application form, please call 0115 876 1966.</p> <p>The permit will be delivered by post within 3–5 working days. During busy periods, this may take up to 14 days. Applicants must ensure they have received the permit before parking.</p> <p>a) <b>Residents' Permits</b> (vehicle specific) The first permit per household is free and a charge applies for the second (£35 per year) and third (£50 per year). Exemptions from charges include a Blue Badge holder or Carer. See <b>Permit Exemptions</b>.</p> <p>Residents' Permits are issued, upon application, to eligible residents who can provide a proof of residency, i.e. a utility bill, dated within the last 3 months and a valid Council Tax Bill dated within the Council's last financial year showing the applicant's name and address; alternatively, permission may be given for Parking Regulation and Compliance to contact Nottingham City Council's Council Tax Section directly.</p> <p>An applicant must provide a copy of the vehicle insurance certificate showing the applicant as a named driver of the vehicle.</p> <p>Permits are virtual and electronically recorded within the CEO's handheld devices.</p> <p>The electronic permit details will be supplied through the online portal, and this will include a parking zone list of streets within in permit scheme. A permit holder will only be permitted to park on the streets listed.</p>

If a resident is still in receipt of a paper permit, the permit must be displayed in the front windscreen of the vehicle when it is parked in the relevant Residents' Parking Zone. All details of the permit must be visible from outside.

Permits are valid only for the vehicle whose registration number appears on the permit and for the zone for which they have been issued and until the expiry date printed on the permit.

Permits are valid for up to 2 years (prior to 26<sup>th</sup> June 2023) and the Council will send a reminder out prior to its expiry.

Where a vehicle has been scrapped or sold with the permit still inside, the Authority requires official confirmation of this. A charge of £25 will be payable.

In cases where the resident changes their vehicle or has a courtesy car, they should contact the permit team and use their visitor permit. However, if the resident does not have a visitor permit their application will be dealt with within 5 working days (dependent upon staffing levels).

Motorists in the process of applying for or renewing a permit are not permitted to park their vehicle in a resident's space while waiting for a permit to be sent.

#### **b) Visitors' Permits**

The first permit per household is free and a charge applies for the second (£35 per year) and third (£50 per year).

Exemptions from charges include a Blue Badge holder or Carer. See **Permit Exemptions**.

Visitors' permits are issued to residents who should only give them to genuine visitors. Instructions on how to use and display them are printed on the permits.

The permits are valid only in the zone for which they have been issued.

Permits are valid for up to 2 years (prior to 26<sup>th</sup> June 2023).

Visitors' permits must not be used on a permanent basis as an additional resident's vehicle specific permit, unless authorised to do so by the authority.

Visitor permits must not be used for convenience parking, i.e. lending the permit to a driver so they can attend their place of work.

The permit must be displayed in the front windscreen of the vehicle when it is parked in the relevant Residents' Parking Zone. All details of the permit must be visible from outside.



### **Permit Exemptions**

A Blue Badge holder can apply for a free exemption permit, in addition to a household's first free permit (up to the maximum three permits per household), providing that the Badge Holder is a resident in a residents' permit zone. The Blue Badge holder must provide a copy of the Blue Badge during the online application stage (you do not need to provide this if the badge was issued by Nottingham City Council, as we can check this on our own database), along with the other proofs required for a residents' parking permit.

Carers are eligible for a free (relevant from 26th June 2023) exemption permit, in addition to a household's first free permit (up to the maximum three permits per household), providing that the person receiving care is a resident in a residents' permit zone.

The resident must provide proof of requiring regular Carer attendance in the form of a letter (showing the resident's name and address) from the Department of Work and Pensions (DWP), confirming that the resident receives one of the following: Attendance Allowance or the care element of Disability Living Allowance (DLA) (middle or higher rate) or Personal Independent Payment (PIP) (daily living allowance).

In addition, the resident must provide a letter from the DWP confirming that the resident's family/friend is in receipt of Carers Allowance (showing the resident's name and address).

The resident must provide the above along with the other proofs required for a residents' parking permit.

**c) Business Permits** (vehicle specific) These are issued to premises where companies/traders that are actively involved in genuinely carrying out their business within the residents parking zones.

Permits are subject to the same terms and conditions as residents' permits. At present 3 business/business visitor permits are issued which are valid for 1 year (any combination).

There is a charge for each permit.

The permit must be displayed in the front windscreen of the vehicle when it is parked in the relevant Residents' Parking Zone. All details of the permit must be visible from outside.

#### **Costs**

- Permits cost £200.00 for a vehicle specific permit
- £225.00 for a visitor permit

**d) Student Permits** (vehicle specific)

Students' permits are issued upon application to eligible students who provide the required proof of residency i.e. a valid Tenancy Agreement showing the applicants name and address and the insurance certificate showing the applicant as a named driver and the 'home' of the vehicle i.e. the address where the permit is valid for.

Permits are virtual and electronically recorded within the CEO's handheld devices.

The electronic permit details will be supplied through the online portal, and this will include a parking zone list of streets within in permit scheme. A permit holder will only be permitted to park on the streets listed.

Permits are only valid for the vehicle which has been applied for, for the scheme for which they have been issued and until the expiry date.

At present a maximum of 3 permits per household (any combination) will be issued and are valid for one academic year.

Students cannot park in a residents' scheme without a valid permit, otherwise they may be issued with a PCN. Alternative parking should be found until the permit is received.

There is a charge for each student and student visitor permit.

**Costs**

- £100 per permit
- Replacement permits - £100
- Changing the vehicle registration on a permit £25

**e) Dispensation Permits for Residential Schemes**

Dispensations permits are restricted to motorists who can demonstrate that they meet the following criteria:

- a) health care, social and/or welfare workers undertaking domestic visits to occupants in residents' parking areas
- b) contractors undertaking work at properties within these areas
- c) landlords of properties in these areas and their agents
- d) officers undertaking enforcement or monitoring activities

All permits must be vehicle specific with a maximum of three vehicle registration numbers being displayed. No open permits will be issued.

The permit must be displayed in the front windscreen of the vehicle when it is parked in the relevant Residents' Parking Zone. All details of the permit must be visible from outside.

Motorists in the process of applying for or renewing a permit are not permitted to park their vehicle in a resident's space while waiting for a permit to be sent.

#### Costs

- £300.00 for 12 months
- £175.00 for 6 months
- £25.00 for one day

Information: [www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/parking-permits/resident-dispensation-parking-permits](http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/parking-permits/resident-dispensation-parking-permits)

#### **f) Workshop dispensation permits**

Nottingham City Council operates a scheme allowing vehicles used as mobile workshops to park using a special 'Workshop Dispensation' permit, which enables parking in certain restrictions where it may be otherwise prohibited (i.e. Pay and Display spaces or yellow lines) for the purpose of aiding or carrying out works.

A dispensation is not a permit to park anywhere, and limitations will be made clear (normally stated on the permit itself).

This type of dispensation does not allow parking in a residential parking scheme, i.e. on a yellow line within the scheme.

All permits must be vehicle specific with a maximum of three vehicle registration numbers being displayed. No open permits will be issued.

The permit must be displayed in the front windscreen of the vehicle when it is parked in the relevant Residents' Parking Zone. All details of the permit must be visible from outside.

#### Costs

- Annual Permit - £360.00
- 6 Month Permit - £210.00
- One Day only - £28.50
- Lost/replacement - £75.00
- Change of Details - £25.00

Information: [www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/parking-permits/workshop-dispensation-permits](http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/badges-and-permits/parking-permits/workshop-dispensation-permits)

#### **g) Drop Off Visitor Permission to Park Permit (virtual)**

This permit allows students or their visitors to park for moving in or out of a property. It costs £5.00 and is valid for 3 hours.

You can buy up to 4 permits per academic year, but not on consecutive days. The permit cannot be used to exceed the household limit of 3 permits.

The permit does not guarantee a parking space. The fee is non-refundable, and misuse may result in a Penalty Charge Notice.

Permits are available Monday to Friday, 10am - 2pm. To apply, call 0115 876 1966.

#### **h) Short Stay Permission - 1 Day Dispensation**

Under exceptional circumstances permission can be given for the parking of commercial vehicles ONLY for up to 1 day.

There will be a charge for this dispensation, and this must be paid by card over the phone immediately. This enables parking in specified locations.

Under no circumstances can parking be permitted in Disabled Parking Spaces, unless works on the highway require it.

This type of permission requires that the work is of a short-term nature (can be completed within the day) and that there is an appropriate site available for the vehicle to be parked. Care should be taken to ensure that the longer-term dispensation would not be more appropriate.

The vehicle registration, location and description will be given to the Nottingham City Council Enforcement Control immediately upon permission being granted.

This permit cannot be applied for in advance of planned work. A permit for planned works must be applied for using the appropriate dispensation application process.

#### **Restricted Access Permits**

Certain areas of Nottingham may be subject to restrictions prohibiting access and all waiting/loading/unloading activity.

	<p>Special access permits can be obtained allowing access or limited parking under certain conditions (e.g., Blue Badge holders) within these areas</p> <p>Further information may be found online: <a href="http://www.nottinghamcity.gov.uk/transport-parking-and-streets/parking-and-permits/parking-permits/restricted-access-permits">www.nottinghamcity.gov.uk/transport-parking-and-streets/parking-and-permits/parking-permits/restricted-access-permits</a></p> <p>The permit must be displayed in the front windscreen of the vehicle when it is parked in the relevant Residents' Parking Zone. All details of the permit must be visible from outside.</p> <p>Disabled Persons Restricted Access Permits Costs</p> <ul style="list-style-type: none"> <li>▪ Disabled Restricted Access Permits: £10.00</li> <li>▪ Change of vehicle details: £10.00</li> <li>▪ To replace a lost permit: £10.00</li> </ul> <p>Business Restricted Access Permits Costs</p> <ul style="list-style-type: none"> <li>▪ Business Restricted Access Permits: £107.00</li> <li>▪ One day only permit (for one vehicle only): £28.50</li> <li>▪ Change of vehicle details: £25.00</li> <li>▪ To replace a lost permit: £75.00</li> </ul>
3.62	<p><b>Permits - Lost, stolen and permits not received</b></p> <p>If a permit has not been received, a lost letter will be sent to the citizen for completion. A replacement permit will only be issued free of charge where non receipt has been communicated to Parking Regulation and Compliance within one month of its original issue date.</p> <p>Where a vehicle containing the permit has been stolen the crime number is required before a new permit is issued. In the interim, a visitor's permit may be used for up to a maximum of 14 calendar days. A form for completion will be sent out by the Authority.</p> <p>Where a permit has been lost, a lost property number is required before a replacement permit can be issued. A form for completion will be sent out by the Authority.</p>
3.63	<p><b>Permits - Cancellation of permits</b></p> <p>Where a permit has been cancelled following misuse and the original requested for return, the applicant may wish to challenge the decision in writing.</p> <p>Replacement or new permits will not be granted until the expiry date of the cancelled permit has been met</p>

	<p>If a permit is required before the expiry date, an administration charge of £25 will be payable.</p> <p>For Workshop dispensations, Residential dispensations and Business permits, an administration charge of £25 and the relevant full price of a permit will be payable.</p> <p>For permits that have more than one vehicle registration mark displayed (VRM), when misuse or abuse of the permit has been proven only one VRM will be permitted to be displayed on any future permits which may be issued.</p> <p>Permits that have had the expiry date changed, that has been observed in use and that the owner requires a replacement, a calculation of the time the permit has been fraudulently used will be made and the relevant cost added to the price of the permit.</p> <p>For those whose permit has been revoked for misuse and abuse and then re-offend no further permits will be issued to the applicant. Any further use of a cancelled permit will result in a PCN being issued and the removal of any vehicles displaying them.</p>
3.64	<p><b>Permits – Misuse</b></p> <p>All permits are issued with Terms and Conditions of issue. It is the permit holder's responsibility to ensure that the conditions of issue are adhered to. Please see <a href="#">Appendix(a)</a> on page 60 for the Terms and Conditions for each permit.</p> <p>See <a href="#">Table 3.64b</a> for vehicle removal, retention, and revocation criteria regarding the use of a resident or workshop dispensation permits.</p> <p>Misuse of a residential parking permit can be reported by calling our office on 0115 8761888, by emailing <a href="mailto:parkingfraud@nottinghamcity.gov.uk">parkingfraud@nottinghamcity.gov.uk</a>, completing an online form or by writing to Parking Regulation and Compliance.</p>

**Table 3.64a** - Upholding or cancelling Penalty Charge Notice Notices in respect of residential, business or dispensation permit misuse or not being used correctly.

Scenario		Outcome
1	Permit displayed face down	Uphold
2	Permit originally displayed but fell into foot well or seat.	Uphold
3	Motorist admits they have forgotten to display a valid permit	Uphold
4	Illegible (damaged) permit displayed	One chance
5	Permit has proven to be misused or abused	Uphold
6	Permit had expired and motorist/driver does not have a valid permit	Uphold
7	Permit has expired and motorist/driver does have a valid permit	One chance
8	Permit is used in the wrong scheme	Uphold
9	Permit has expired and the expiry date has been obscured	Uphold
10	Application for a permit has been received after the date of the PCN	Uphold
11	Permit has expired and an application for a new permit has not been received	Uphold
12	Permit is displayed where a vehicle is parked over a dropped kerb	Uphold
13	Permit is displayed when parked on yellow lines within permit scheme	Uphold
14	Permit is displayed when the vehicle is parked on any no stopping restriction within the permit scheme	Uphold
15	Permit is displayed when the vehicle is parked on zig zag markings at a pedestrian crossing within a permit scheme	Uphold

**Table 36.4b** - Vehicle removal, retention, and revocation criteria regarding the use of a resident or workshop dispensation permits

Scenario		Issue a Penalty	Vehicle Removed	Seize Permit
1	Permit is fake or photocopied	✓	✓	✓
2	Permit details have been fraudulently changed	✓	✓	✓
3	Permit misuse	✓	✓	✓
4	Permit has been cancelled	✓	✓	✓
5	Permit is expired	✓	n/a	✓
6	Permit is illegible (damaged)	✓	✓	✗
7	Permit cannot be validated.	✓	✓ If abuse	✗

3.65	<p><b>Plumbers/Electricians/Gas Fitters</b> (see also “Contractors”)</p> <p>Emergency call out - An emergency is considered to last as long as it takes to make the premises safe (i.e. turn off the main supply). After this has been done, any vehicle should be moved to a permitted parking place before any subsequent repairs are undertaken.</p> <p>If a PCN is issued to the vehicle, then the motorist should make a first stage challenge to the authority providing evidence that the emergency was legitimate. Evidence should show detailed information and if this cannot be provided then the PCN will not be cancelled.</p>
3.67	<p><b>Police Officers on Duty</b></p> <p>PCN's will may be issued to unmarked police vehicles parked in contravention and will be subsequently cancelled if written documentation is provided and signed by an Inspector or above to confirm that the officer was on official business and that it was inappropriate for the vehicle to be parked legally elsewhere.</p> <p>PCN's should not be issued to marked police vehicles parked in designated police spaces.</p> <p>Unmarked police cars parked in designated spaces can be issued with a PCN which will be cancelled if proved to be a police vehicle. Police Officers should not park their own vehicles in designated police spaces, and if a PCN is issued it will not be cancelled.</p>
6.68	<p><b>Police Officer/CEO Gave Permission to Park</b></p> <p>Where details of the officer concerned are given, confirmation should be sought prior to cancellation of the PCN.</p> <p>Where these details are not given the PCN should be enforced unless they are supplied subsequently.</p>
3.69	<p><b>Pregnancy/Carers with Young Children</b></p> <p>Generally, pregnancy is not considered to be a disability and delays caused by young children should not normally lead to the cancellation of a PCN.</p> <p>This is a sensitive area, and each case should be treated on its merits. If the delay was short or was caused by a minor medical emergency, leniency should be shown. However, a computer enquiry should be made to ensure that the same person has not made repeatedly made similar claims in the past.</p> <p>If the delay was caused by the parent/carer not allowing additional time enough to deal with young children or his/her own condition or circumstances, both of which he/she is fully aware of, then the PCN should be enforced.</p>



3.70	<p><b>Private Property</b></p> <p>Parking restrictions placed on private property are not the concern of the Council and are outside the scope of its enforcement operation. Any person querying such an area should be referred to the relevant landlord or owner.</p> <p>The authority may carry out Blue Badge compliance activities on private land where an agreement is in place.</p>
3.71	<p><b>Public Holidays</b></p> <p>Waiting and loading restrictions as indicated by yellow lines/markings on the carriageway and/or kerbs and pay and display spaces may be in force throughout the year.</p> <p>Unless the on-street signs state expressly “except bank holidays” the relevant restriction will apply on bank holidays.</p>
3.72	<p><b>Public Utility Vehicles (Gas, Electricity, Water or Telephone)</b></p> <p>Vehicles belonging to a public utility and actively involved in undertaking statutory obligations will normally be exempt from restrictions. However, the following criteria must apply:</p> <ul style="list-style-type: none"> <li>a) The vehicle is on an emergency call and is actually involved in the emergency work</li> <li>b) The vehicle is involved in non-emergency maintenance of apparatus and has been given permission by the Local Authority to carry out the work on the highway before the works commence</li> <li>c) The activity should normally be seen to be taking place.</li> </ul> <p>If abuse is suspected, a PCN should be issued, and the CEO should note the reason why he/she has issued the PCN in his/her notebook. (e.g., Vehicle parked, no activity observed, no indication of local emergency).</p> <p>In such cases the PCN should be enforced unless supporting evidence of the emergency/maintenance is supplied by the utility company.</p>
3.73	<p><b>Red Routes</b></p> <p>Red Routes prohibit the stopping of a motor vehicle along its entire length, meaning that a vehicle cannot stop to wait, load, unload or board and alight passengers (please see exemptions below).</p> <p>Red Route prohibitions cover not only the carriageway but also the footway, verge, and laybys unless the layby is signed differently as a parking place.</p> <p>Red Routes can consist of a range of visual measures such as: double and single red lines with supported signing when required, to indicate to the road user they are on a Red Route. However, on a Red Route Clearway, only terminal and repeater signs are in place along the designated Red Route,</p>

which means that there is an absence of red lines marked on that entire length of road.

Certain parking places (spaces) may have the outline of the space painted red. The traffic sign will inform drivers that the space is operational during certain times of the day and outside of those times it falls back to being a Red Route and as such there is 'No Stopping' within that space.

Any space painted in white or yellow, means that the parking space is operational the whole time when the Red Route is in operation. As such it does not fall back under the Red Route prohibitions.

All traffic signs along the Red Route will face oncoming traffic so they can be read by the driver of an oncoming vehicle; ensuring that they do not have to stop their vehicle in order to read the sign.

Signs inform the driver that they are on a Red Route and for any parking places, operational times, and accessibility for the specified class of vehicle i.e., Disabled space.

Red lines along the road edge are a clear signal to drivers to say, 'No Stopping'.

Please note that for double red lines, there is no requirement to have traffic signs as the lines mean 'No Stopping' all hours and on all days 'At any time'.

A single red line will have relevant traffic signs showing the hours of operation of that red line which forms part of the Red Route, these signs may be repeated dependent on the length of single red line.

Red Routes can be enforced by both a Civil Enforcement Officer on foot or by the use of an approved device such as a CCTV camera at a fixed location or by a CCTV car.

Any vehicle stopping on a Red Route may be subject to the issue of a PCN either on the vehicle's windscreen or given to the driver. In the event of a vehicle diving off before the PCN has been issued to the vehicle or the driver, or if it has been captured by CCTV the PCN can be issued by post.

A PCN will only be issued, if the vehicle is in contravention of the 'No Stopping' Red Route and it does not fall under one of the exemption reasons listed below.

- a) To stop for traffic signals, a signalised pedestrian crossing or a Zebra Crossing.
- b) To avoid an accident
- c) Being forced to do so by other traffic

	<ul style="list-style-type: none"> <li>d) Instructed to do so by a Police Officer in uniform</li> <li>e) A Police, Fire or Ambulance vehicle in an emergency</li> <li>f) A bus at a Bus Stop or Stand</li> <li>g) The Royal Mail liveried vehicle collecting the post</li> <li>h) In a parking space when it is signed that waiting/parking is permitted for that class of vehicle and only during the specified times.</li> <li>i) Refuge collection vehicle collecting waste at specified time.</li> <li>j) A vehicle being used to remove an obstruction from the highway i.e. a Tow Away vehicle</li> <li>k) To stop in order to open gates or doors so to gain access to an off-street parking area</li> <li>l) Hackney Carriage Vehicle (taxi) either picking up or dropping off a passenger (without delay meaning the passenger being picked up is already waiting at the side of the road). This exemption does not apply on a bus stop/stand clearway when the edge of carriageway marking is painted red</li> <li>m) Disabled Badge Holder Vehicle, (displaying a valid Blue Disabled Badge) either picking up or dropping off a passenger (without delay meaning the passenger being picked up is already waiting at the side of the road). This exemption does not apply on any bus stop/stand clearway; and</li> <li>n) A vehicle displaying a Dispensation Permit issued by the Council for the use only on a Red Route in order to carry out emergency maintenance work on buildings that front a Red Route i.e. glass replacement - window fitter.</li> </ul>
3.74	<p><b>Registered Keeper's Liability</b></p> <p>Under the Traffic Management Act 2004 or Road Traffic Act 1991 the responsibility for any PCN rests with the registered Keeper of the vehicle as recorded at the Driver and Vehicle Licensing Agency (DVLA).</p> <p>If the keeper was not the driver at the time of the contravention, it remains his/her responsibility to pay the PCN.</p> <p>The only exception is where the registered keeper is a Hire Company and has supplied a copy of the relevant signed Hire Agreement which includes acceptance of liability for any penalties, by the person leasing the vehicle.</p>
3.75	<p><b>Removal of Vehicles</b></p> <p>Vehicles parked illegally in bus lanes, on main arterial routes or likely to cause serious traffic problems may be removed and taken to the Council's Vehicle Pound.</p> <p>Vehicles are removed in accordance with the Traffic Management Act 2004. This states that when a vehicle is parked where parking is permitted e.g., in a pay and display space the authority must not remove the vehicle for the first 30 minutes following the issuing of the PCN with the exception of a persistent evader where the time limit is 15 minutes.</p>

A persistent evader is defined as a vehicle that three or more recorded contraventions for the vehicle and the PCN's for these have not been paid represented against or appealed against within the statutory time limit i.e. the PCN must be at Charge Certificate stage. Persistent evaders may be immobilized.

Where a vehicle is causing a hazard or obstruction the authority should remove it.

If the vehicle is parked where parking is prohibited i.e., double yellow lines, the vehicle can be removed as soon as the PCN has been issued.

Please see [Table 3.75a](#) below for the Removal Criteria.

The release fee will be the cost of the Penalty Charge Notice (£50, £70 or £25, £35 if at discounted period rate) and the removal fee of £105.

Storage fees of £12 per day are charged if the vehicle is left at the pound for more than 24 hours.

Please note, under normal operating policies a vehicle will not be released until the full outstanding balance has been paid for the removal and PCN issued on that day.

Payments can be made by credit or debit card at the vehicle pound. Cash will also be accepted but the exact amount is required as change is not available.

Citizens wishing to collect their vehicle must have, in addition to the key to the vehicle (which must open it), two forms of identification. One must be photographic, and one must show a current address.

If a bill is to be used, this must have a date shown within the last 6 months.

Vehicle collection is by appointment only. Therefore, it is advisable for those wanting to collect a vehicle to contact the pound on 0115 861861, to make an appointment.

Opening times for vehicle collection:

- Monday to Friday - 8am to 6pm
- Saturday - 8am to 3:30pm
- Sunday - Closed

Please be aware that opening times may vary, including on Bank Holidays or Public Holidays.

**Table 3.75a - Removal criteria**

Ref	Scenario	Priority
1	<b>Parked in a traffic sensitive area</b> Parked in a location which at the time the restriction is in force, is part of a moving traffic lane	High
2	<b>Parked in a position likely to cause danger to others</b> Parked in a location which causes danger, by restricting traffic flow, preventing emergency vehicle access, causing a potential hazard/danger to pedestrians or for example close to building works in progress or similar e.g., vehicle being parked close to a junction	High
3	Parked in a restricted Bus Lane when in operation	High
4	Parked in a restricted Bus Stop	High
5	Parked on an area where waiting is prohibited and there is a loading and unloading ban <i>i.e. peak periods</i>	High
6	Parked in an area where stopping is prohibited	High
7	Disabled Blue Badge misuse or abuse – regardless of parking restrictions	High
8	Parked in a disabled space with no badge	High
9	Unauthorised vehicle in a designated Car Club space	High
10	Parked in a no stopping Taxi Rank	High
11	Persistent evader (3 or more outstanding PCN's at Charge Certificate status)	High
12	Parked in a position causing a serious obstruction to traffic flow or hazard to other road users	Medium
13	Parked in a loading only space with no obvious loading or unloading taking place.	Medium
14	Any vehicle parked in contravention of a No Waiting restriction, except one which is displaying a valid Blue Badge.	Medium
15	Resident parking permit is fake or has been fraudulently changed	Medium
16	Parked in an electric vehicle space where not permitted	Medium

3.76	<p><b>Restricted Hours</b></p> <p>The hours during which restrictions are in force may vary and if there is any doubt, the relevant Traffic Regulation Order should be consulted.</p> <p>Generally, restrictions are as follows:</p> <ul style="list-style-type: none"> <li>a) Permitted Parking Spaces Varies – check on street signs</li> <li>b) Yellow lines Single - No waiting during the times shown on adjacent sign or if within a controlled zone, during the times shown on the zone entry sign. Double - No waiting at any time</li> <li>c) Loading restrictions (yellow kerb markings) Two kerb markings: No loading at any time One kerb marking: During the working day or as specified by adjacent signs</li> <li>d) Designated loading only spaces Varies – check on street signs</li> <li>e) Disabled person's parking spaces</li> <li>f) Varies – check on street signs (A road marking legend stating 'Disabled' is not a mandatory requirement.</li> <li>g) Bus Stops Usually, 7am to 7pm, but they may vary and on street signs should be checked.</li> </ul>
3.77	<p><b>Road Signs and Road Markings – Missing/Obscured or Broken</b></p> <p>Yellow Lines - Where it is claimed that a yellow line is worn away or has been covered by a highway repair, the area should be inspected, and remedial work should be undertaken as soon as possible. However, it should be noted that when the intention of the restriction is clear then a PCN can be issued.</p> <p>Where weather conditions (e.g., snow) have obscured the lines then a decision will be made whether it is appropriate or not to enforce parking restrictions.</p> <p>Obscured Signs - Information signs accompanying waiting and loading restrictions should be clearly visible at all times. If it is claimed that a sign was obscured and could not be read (e.g., because of graffiti, weather, or overhanging trees), the sign should be inspected, and remedial action taken. If the claim proves to be correct, consideration should be given to cancelling the PCN, although the degree to which the sign was obscured should be considered.</p>

	<p>If the sign can be easily read, the PCN should be enforced but the sign should be returned to serviceable condition if required.</p> <p>Missing Signs - If a sign is claimed to be missing, the location should be inspected as soon as possible and, if confirmed that there are not sufficient signs to comply with current legislation, arrangements should be made for its replacement.</p>
3.78	<p><b>Royal Mail Vehicles</b></p> <p>Royal Mail vehicles being used for the collection or delivery of postal packets are exempt from restrictions as long as they can be seen to be actively involved in such with the exception of bus lanes.</p> <p>Royal Mail vehicles parked for long periods with no activity observed are subject to the same restrictions as ordinary motorists and a PCN should be issued.</p> <p>Cancellation of a PCN will only be considered if written confirmation is received from the area manager that the vehicle was actively involved in the collection/delivery of mail.</p>
3.79	<p><b>Schools – Parking Outside</b></p> <p>Any vehicle parked on a yellow 'zigzag' restriction, on the highway, outside a school, during the times shown on the nearby sign will be issued with a PCN which will not be cancelled under any circumstances.</p> <p>No observation time will be given and a PCN will be issued immediately.</p> <p>Further information about a PCN:  <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/48-stopped-in-a-restricted-area-outside-a-school">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/tickets-and-fines/penalty-charge-notice/parking-contraventions-faqs/48-stopped-in-a-restricted-area-outside-a-school</a></p>
3.80	<p><b>Security Vehicles</b></p> <p>Secure cash vans (bullion vehicles) are occasionally required to park in close proximity to business premises in order to effect safe delivery or collection of cash.</p> <p>PCN's issued under such circumstances should be cancelled upon receipt of a Representation from the security Company confirming such an activity at the time, unless it can be clearly shown that the vehicle was parked for longer than was 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>

3.81	<p><b>Tariffs/Charging Levels for Parking – On and Off Street</b></p> <p>The Council will regularly review the level of charges for parking on-street and in its off-street car parks.</p> <p>Officers will conduct the review, and any recommendations will be placed before appropriate Councillors in accordance with the Council’s constitution.</p>
3.82	<p><b>Taxi Ranks</b></p> <p>Taxi Ranks are for the use only of Hackney Carriages licensed by Nottingham City Council. Use by Hackney Carriages licensed by other authorities or by Private Hire Vehicles is prohibited. Similarly, use by other private or commercial vehicles is prohibited.</p> <p>A PCN will be issued to any vehicle parked in contravention of the restriction. In addition, unattended Hackney carriages will be issued with a PCN, as the regulations require the driver to be present.</p> <p>The vehicle will be continuously observed for a period of 5 minutes before the PCN is issued.</p> <p>Taxis that over rank onto any other parking restriction will be recorded by CEO’s, CPO’s, Police and Taxi Marshalls. Details will be recorded on a central database and supplied to taxi licensing for action i.e. warning letter etc. If the driver continues to park in contravention, further enforcement action may be taken against the driver.</p> <p>The Council has the power to issue instant tickets without an observation time. These areas will be clearly communicated to the hackney and private hire trade.</p> <p>Where it is clear that a taxi is over ranking, blocking pay and display spaces and blocking access for buses no observation time will be given. The CEO will issue an instant PCN.</p> <p>Further information about a PCN:  <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/parking-contraventions-faqs/45-stopped-in-a-taxi-rank">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/parking-contraventions-faqs/45-stopped-in-a-taxi-rank</a> </p>
3.83	<p><b>Unauthorised Movement of a Vehicle</b></p> <p>Movement of any vehicle by the police is considered to be authorised.</p> <p>Unless there is clear evidence that a vehicle has been removed by an unauthorised person, then all PCN’s should be enforced.</p>



	<p>Stolen Vehicle: - Confirmation is needed from the police that the vehicle was reported stolen including the relative crime number.</p> <p>Unauthorised use of a vehicle by a family member or a friend is difficult to substantiate and under these circumstances the PCN should be enforced unless it can be demonstrated that the matter was reported to the police. If no incident or crime report can be provided, then the PCN will not be cancelled.</p>
3.84	<p><b>Uniforms – Civil Enforcement Officers (CEO)</b></p> <p>When exercising most prescribed functions, a CEO will wear a uniform to show:</p> <ul style="list-style-type: none"> <li>a) that the wearer is engaged in parking enforcement</li> <li>b) the name of the local authority/authorities on whose behalf they are acting</li> <li>c) an identification number</li> </ul>
3.85	<p><b>Vandalised Vehicle</b></p> <p>When a vehicle has been vandalised to an extent that prevents it from being safely moved, any PCN issued will be cancelled providing acceptable supporting evidence is provided. This evidence should be from either:</p> <ul style="list-style-type: none"> <li>a) The police, quoting the recorded crime number and/or;</li> <li>b) The motoring organisation/garage service which removed the vehicle from site.</li> </ul> <p>CEOs observations recorded in their pocketbook must also be considered providing that it clearly states the extent of the damage.</p> <p>Failure to provide supporting evidence that the vehicle was damaged at the time the PCN was issued will lead to the PCN being enforced.</p>
3.86	<p><b>Vehicle Covers</b></p> <p>Vehicles which are parked on the highway are expected to have VRM plate clearly displayed. CEOs are permitted to lift any coverings which may be obscuring the vehicle VRM.</p> <p>If a vehicle is covered where there is an additional requirement for a vehicle to clearly display a parking permit the CEO will issue a PCN and inform the relevant department regarding the use of the permit.</p>
3.87	<p><b>Vehicles Left Unattended to Gain Access</b></p> <p>When a driver has to collect a key to gain access to a property, this should take no longer than 5 minutes and will be covered by the observation time given by the CEO (except where there is a loading restriction in place, or the location is allocated for a specific type of vehicle/user).</p> <p>Vehicles should not be parked in locations where a loading restriction is in place, in order to collect a key. In such circumstances a PCN will be enforced.</p>

3.88

**Vehicle Not at Scene**

Where a keeper receives a NTO and claims that his/her vehicle was not parked at the relevant location at the time, a written request should be made to the keeper to confirm the make and colour relative to the vehicle at the time of the contravention. On receipt of the information requested Nottingham City Council will investigate the case fully and inform the motorist if the PCN will be cancelled or upheld

## 5. Definitions

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

4.1	<p><b>Charge Certificate</b></p> <p>A Charge certificate is issued:</p> <ul style="list-style-type: none"><li>a) Not less than 31 days after a Notice to Owner (NTO) is issued and no payment or Formal Representation is received</li><li>b) Not less than 31 days after a Notice of Rejection of Representation is sent where no payment has been received, and no appeal has been made to Traffic Penalty Tribunal.</li><li>c) Not less than 18 days after any appeal to Traffic Penalty Tribunal is withdrawn (i.e. withdrawn before the hearing).</li><li>d) Not less than 31 days after rejection of an appeal by the Traffic Penalty Tribunal</li></ul> <p>When a Charge certificate is issued the amount of the penalty is increased by 50%.</p> <p>The Charge certificate is sent to the debtor requiring payment within 28 days of the full increased amount.</p> <p>Information: <a href="http://www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/about-a-charge-certificate">www.nottinghamcity.gov.uk/information-for-residents/transport-parking-and-streets/parking-and-permits/penalty-charge-notices/about-a-charge-certificate</a></p>
4.2	<p><b>Controlled Parking Zone (CPZ)</b></p> <p>A Controlled Parking Zone is one in which all on-street parking is controlled by way of spaces in which parking is permitted under certain conditions (e.g., for valid permit holders only, or Pay and Display) and/or yellow line restrictions in respect of waiting and/or loading.</p> <p>Main arterial routes into a controlled zone will carry a sign, which explains that a driver is entering the zone and give details of the times that the restrictions are in force.</p> <p>In particular, single yellow lines within the zone do not require time plates, as the No waiting restriction is in force throughout the hours of operation of the Controlled Zone (as shown by the Zone Entry signs) unless there is a sign to show otherwise (see next paragraph).</p> <p>There is no need for additional signs on other roads within the zone unless the restrictions differ from this. (E.g., individual waiting/loading restrictions which apply for longer or shorter periods). The local sign will always take precedence over the sign controlling the entrance to the zone.</p>
4.3	<p><b>Restricted Zones and Pedestrian Zones</b></p>

	<p><b>Restricted Parking Zone (RPZ)</b> This has a waiting restriction and possibly also a loading restriction throughout the zone even though there are no yellow lines or kerb markings. The times during which it operates are stated on the zone entry signs and on signs within the zone.</p> <p>In some RPZs, spaces will be marked where parking or loading is permitted, depending upon the conditions stated on an adjacent sign.</p> <p><b>Pedestrian Zones</b> These are areas that should not be entered during their operational hours. Even outside those times there is usually a waiting and loading restriction stated on the bottom panel of the entry sign and on repeater signs within the zone but not shown with yellow lines or 'loading blips' to indicate this within the zone.</p>
4.5	<p><b>Debt Registration</b> This is done at the Traffic Enforcement Centre (TEC) on or after 18 days from the issue of a Charge Certificate.</p> <p>The local authority must confirm issue of the Charge Certificate to the court and there is a fee payable to the Court of £8 for each registration. This is added to the amount owed to the Council.</p>
4.6	<p><b>Debt Registration – Notice of</b> Once the debt has been registered at TEC an Order for recovery and Statutory Declaration form/Witness Statement is sent to the debtor advising him/her that they have 21 days in which to pay the amount owed, make a Statutory Declaration, or make a Witness Statement</p> <p>Failure to do any of the above will result in a Warrant of Execution being applied for by the Council at TEC.</p> <p>Once issued this will enable the Council to instruct Enforcement Agents to collect the debt on their behalf. At this point any communication should be made with the relevant bailiff company and not the City Council.</p>
4.7	<p><b>Dispensation</b> Formal permission given by a local authority for a vehicle to park in contravention of a waiting or loading restriction, e.g., to allow maintenance to be carried out to an adjacent building or premises.</p>
4.8	<p><b>DVLA</b> The government centre responsible for maintaining records of vehicles, their registered keepers and driving licences.</p>

4.9	<p><b>Goods</b> – definition of, when related to loading/unloading</p> <p>In claims of loading/unloading, permitted goods are deemed to be any that are of sufficient bulk and/or weight that requires the vehicle to be parked adjacent to the point of collection or delivery.</p> <p>If a delivery of goods complying with the above description, is being carried out to a trade or business premises by a commercial vehicle, this will be seen as compliant with the above.</p> <p>In all cases the vehicle should never be parked for longer than is necessary.</p> <p>N.B. Other activities such as installation of or carrying out repairs to equipment are not permitted and are not included in the definition of loading/unloading.</p>
4.10	<p><b>Non-Fee-paying enquiry and response to DVLA – VQ4 and VQ5</b></p> <p>When a PCN remains unpaid for not less than 21 days the Council will make a non-fee-paying enquiry to DVLA to ascertain the identity of the keeper of the vehicle.</p> <p>The enquiry is made electronically via the Council's Parking Enforcement System.</p> <p>The response from DVLA is also electronic and is automatically fed into the Council's system. Responses are usually received within 3 working days of the enquiry.</p>
4.11	<p><b>Notice to Owner (NTO)</b></p> <p>If a PCN remains unpaid for 28 days, the Council will make an enquiry with DVLA to ascertain the identity of the registered keeper.</p> <p>Once this is done, a legal NTO will be sent to the keeper advising him/her that the relative PCN remains unpaid.</p> <p>The Notice will contain full details of the PCN issued and will request payment within 28 days, or it gives the keeper the opportunity to make a Formal Representation against the PCN, which also must be done within 28 days.</p> <p>The form to make a Formal Representation is on the reverse of the NTO form. Additional sheets may be added if further explanation of the relevant circumstances is required. This can also be done online.</p> <p><b>Penalty Charge Notice (PCN) (Regulation 9)</b></p> <p>Issued at the time of the alleged contravention and should be affixed to the vehicle within a sealed plastic carrier or handed to the driver or person appearing to be in charge of the vehicle.</p>

	<p>The PCN will identify:</p> <ul style="list-style-type: none"> <li>a) The date and time of the alleged contravention</li> <li>b) The VRM</li> <li>c) The make and colour of the vehicle</li> <li>d) Location of the vehicle</li> <li>e) Details of the alleged contravention</li> <li>f) Instructions on how and where to pay</li> <li>g) Instructions on how and when an enquiry and/or Formal Representation against the issue of the PCN may be made.</li> </ul> <p><b>Penalty Charge Notice (PCN) (Regulation 10)</b></p> <p>There are three circumstances in which a Regulation 10 PCN may be served by post:</p> <ul style="list-style-type: none"> <li>a) Where the contravention has been detected on the basis of evidence from an approved device.</li> <li>b) If the CEO has been prevented, for example by force, threats of force, obstruction, or violence, from serving the PCN either by affixing it to the vehicle or by giving it to the person who appears to be in charge of that vehicle; and</li> <li>c) If the CEO had started to issue the PCN but did not have enough time to finish or serve it before the vehicle has driven away and would otherwise have to write off or cancel the PCN.</li> </ul> <p>Further information in respect of the above can be found within the Department for Transport's Operation Guidance to Local Authorities, Parking Policy and Enforcement, Traffic Management Act 2004.</p>
4.12	<p><b>Registered Keeper</b></p> <p>The person(s) or organisation who is the registered at DVLA as being legally responsible for the vehicle.</p> <p>The registered keeper is not necessarily the Owner or the Driver.</p>
4.13	<p><b>Traffic Enforcement Centre (TEC)</b></p> <p>The TEC is in Northampton and is a branch of the County Court, which specifically deals with motoring contraventions/offences.</p> <p>All communication with TEC is carried out electronically either by fax, online modem link or by exchange of information saved on to a computer disc via a Parking Enforcement computer system.</p>
4.14	<p><b>Traffic Penalty Tribunal (TPT)</b></p> <p>The TPT is an independent body supported by subscriptions from local authorities by means of a levy on each PCN issued plus an annual fee.</p>

Once a Formal Representation against a PCN has been rejected, the keeper of a vehicle is given the opportunity to appeal to TPT within 28 days of the rejection.

The TPT will review the case and make an independent decision as to the validity of the PCN based purely on its legality. The standard of proof required by the TPT is “on the balance of probabilities”. The TPT will not consider mitigating circumstances but will realistically expect a local authority to do this prior to the matter being sent to them. If they feel mitigating circumstances do apply, they will not uphold the appeal but will make their view known to the local authority.

The TPT’s decisions are final and binding on both parties.

More information about the Traffic Penalty Tribunal can be found here:  
[www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)

### **Vehicle**

In the UK, the legal definition of a vehicle can be found in the Road Traffic Act 1988. According to Section 185 of the Act, a “motor vehicle” is defined as a mechanically propelled vehicle intended or adapted for use on roads<sup>12</sup>. This includes various types of vehicles such as cars, motorcycles, and trucks.  
[www.legislation.gov.uk/ukpga/1988/52/section/185](http://www.legislation.gov.uk/ukpga/1988/52/section/185)

Bicycles are considered vehicles in the UK. According to the Road Traffic Act 1988, the term "vehicle" includes bicycles, as it refers to any carriage or conveyance intended for use on land<sup>1</sup>. This means that bicycles are subject to certain road traffic laws and regulation

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## 7. Appendix

(a)

Terms and Conditions for Residents (vehicle specific) Permits, all Visitor Permit types and Student (vehicle specific) Permits

1. Only one Parking Permit will be issued to each car owner in any household. Any person knowingly making a false statement to fraudulently obtain a permit is liable to a fine not exceeding £2,500.
2. Prior to the permit expiring simply renew online up to 28 days before expiry (Reminders will be issued to permanent residents by Nottingham City Council via email).
3. It is the Permit holder's responsibility to ensure that the conditions of issue are adhered to.
4. Nottingham City Council reserves the right to:-I) withdraw a Permit at any time where there is reasonable evidence or knowledge of the said permit being misused or copied; II) refuse an application where conditions of issue are not met or where there is reasonable evidence or knowledge of the conditions not being met; III) check the validity of the conditions of issue at any time.
5. For visitor permits you must display this permit in your vehicle when parking in a Residents' Parking Area. Please ensure that all the details are clearly legible and that the permit is displayed in the front windscreen of your vehicle. For virtual permits there is no requirement to display a permit in your vehicle as the enforcement officers can check if a vehicle has a permit via real-time online lookups on their handheld computers.
6. The applicant/driver must move the vehicle if so directed by a Police Officer, a Civil Enforcement Officer, or an authorised officer of Nottingham City Council.
7. The applicant/driver must park safely at all times and not obstruct access to side roads and/or adjacent premises. They must also ensure that they do not park partly or wholly on the footpath or in any way obstruct pedestrians using the footway.
8. Anyone found abusing the use of the Permit or violating the associated Traffic Regulation Order may be liable to have their Permit voided and its return (if applicable) demanded.
9. The Permit will be revoked if the holder is abusive to Officers.
10. In submitting this permit application you certify that you live at the supplied address and wish to apply for the permit as described as part of the application process.
11. You understand that any permit issued to you is conditional on you informing

Nottingham City Council and surrendering the permit in the following circumstances:

- Moving from the declared address
- Selling or changing the vehicle submitted as part of the application
- The issue of a duplicate permit
- Adaption of the vehicle, or change in its use, so that the details given as part of the application are no longer correct

12. You understand that the information supplied by you on this application will be maintained by the local authority and will not be disclosed to any other party save those who are responsible for the enforcement of parking restrictions, those responsible for discounts for congestion charging or otherwise as the law allows.

PLEASE NOTE THAT IF ANY OF THE ABOVE CONDITIONS OF ISSUE ARE NOT ADHERED TO, A PENALTY CHARGE NOTICE MAY BE ISSUED

#### Terms and Conditions for Residential scheme dispensation permit

TERMS AND CONDITIONS PLEASE NOTE: This application for a Dispensation does NOT grant you permission to park until you have received approval from Nottingham City Council

1. Nottingham City Council reserves the right to:

- I) withdraw a Permit at any time where there is reasonable evidence or knowledge of the said permit being misused.
- II) refuse an application where conditions of issue are not met or where there is reasonable evidence or knowledge of the conditions not being met
- III) check the validity of the conditions of issue at any time.
- IV) Any person knowingly making a false statement to fraudulently obtain a permit is liable to a fine not exceeding £2,500.

2. You must display this permit in your vehicle when parking in a residents parking area. Please ensure that all details are clearly legible and that the permit is displayed in the front windscreen of your vehicle.

3. Misuse of a dispensation permit may result in the cancellation of the permit and subsequently a Penalty Charge Notice may be issued to any vehicle involved in such misuse. Any future application for a permit may be declined.

4. It is the Permit holder's responsibility to ensure that the Permit is valid as reminders will not be sent and that the details are correct before using.

5. The Permit does not permit general parking at the location stated. The motorist must move the vehicle elsewhere and within the Regulations once the purpose stated has been accomplished.

6. The applicant/driver must move the vehicle if so directed by a Police Officer, a Civil Enforcement Officer, or an authorised officer of Nottingham City Council.

7. Anyone found abusing the use of the Permit or violating the associated Traffic Regulation Order may be liable to have their Permit voided and its return demanded.

8. Nottingham City Council reserves the right to revoke any Permit issued to holders found defacing, photocopying, or reproducing this in any way.

9. The Dispensation will be revoked if the holder is abusive to Officers.

10. Not valid for use within any car parks.

11. This permit has been issued for work-related use only and can only be used for operational parking near the place of work for up to a maximum of 2 hours.

#### Terms and Conditions for Workshop dispensation permit

**TERMS AND CONDITIONS PLEASE NOTE:** This application for a Dispensation does NOT grant you permission to park until you have received approval from Nottingham City Council

1) The Dispensation Permit remains the property of Nottingham City Council and failure to comply with these Conditions will lead to the immediate withdrawal of the permit and / or the issue of a Penalty Charge Notice (under Section 78 of The Traffic Management Act 2004) and the removal of the offending vehicle.

2) Materials or goods must not be deposited on the footway or carriageway (except to the immediate rear of the vehicle); nor shall they be passed across any part of the footway or carriageway in any other manner which may interfere with the safety of pedestrians and/or other vehicles.

3) It is the Permit holder's responsibility to ensure that the conditions of Issue are correct/appropriate to the activity they are carrying out. Any changes to these conditions must be applied for in writing.

4) It is the Permit holder's responsibility to ensure that the Permit is valid as reminders will not be sent and that the details are correct before using.

5) The Permit does not permit general parking at the location stated. The motorist must move the vehicle elsewhere and within the Regulations once the purpose stated has been accomplished.

6) The applicant/driver must clearly display a telephone number and/or address at which he/she can be contacted immediately if an emergency occurs.

7) The applicant/driver must move the vehicle if so directed by a Police Officer, a Civil Enforcement Officer, or an authorised officer of Nottingham City Council.

8) The applicant/driver must park safely at all times and not obstruct access to side roads and/or adjacent premises. They must also ensure that they do not park partly or wholly on the footpath or in any way obstruct pedestrians using the footway.

9) Anyone found abusing the use of the Permit or violating the associated Traffic Regulation Order may be liable to have their Permit voided and its return demanded.

10) Nottingham City Council reserves the right to revoke any Permit issued to holders found defacing, photocopying, or reproducing this in any way.

11) The Dispensation will be revoked if the holder is abusive to Officers.

12) Officers have the authority to inspect interior of vehicles. If refused, dispensation can be revoked.

13) Not valid for use within any car parks.

14) The Permit must be clearly displayed in the front windscreen of the vehicle for which It had been issued.

H1) Workshop Dispensation (Max 3 locations)

PLEASE NOTE THAT IF ANY OF THE ABOVE CONDITIONS OF ISSUE ARE NOT ADHERED TO, A PENALTY CHARGE NOTICE MAY BE ISSUED.

It is the permit holder's responsibility to ensure there are no restrictions in place for your requested locations. Please check the latest updates here

[www.nottinghamtraffweb.co.uk](http://www.nottinghamtraffweb.co.uk)