

# A guide to Civil Parking Enforcement and grounds to make challenges

Kirklees Council enforces waiting and parking restrictions in accordance with legislation, in particular the Traffic Management Act 2004 and its associated Regulations. Waiting restrictions are put in place to ease congestion and reduce the number of accidents on our roads. Parking restrictions are put in place to assist people with parking and to ensure town centres are vibrant and visitor friendly.

Although the Council hope that all drivers park or wait respecting the restrictions, inevitably the Council's Civil Enforcement Officers and the CCTV (Closed Circuit Television) enforcement vehicle come across vehicles contravening the restrictions. In these circumstances a Penalty Charge Notice (PCN) will be issued. Enforcement of restrictions are carried out in a clear and fair manner and in accordance with legislation.

Civil Enforcement Officers are fully trained to enable them to apply the enforcement action appropriately and consistently.

The Penalty Charge Notice details the reasons why it has been issued and advises a driver how to appeal or to pay.

The Penalty Charge payable is determined by the seriousness of the contravention. Less serious contraventions such as parking with an expired pay and display ticket for instance incurs a charge of £50.00 but more serious contraventions such as parking on double yellow lines incurs a charge of £70.00

Usually a penalty charge notice is issued by an enforcement officer attaching it to the windscreen of a vehicle or handing it to a driver but the Council can issue them through the post when vehicles have driven away or a vehicle has been captured by the CCTV enforcement vehicle, but only when a contravention of a parking regulation has been committed.

Once a penalty charge notice (pcn) has been issued an appeal can be made to the council, the appeal must be made in writing.

Ultimately if a registered keeper is not happy with the Council's decision not to cancel a PCN they can appeal to the Traffic Penalty Tribunal.

For more information on parking regulations, please visit the Department for Transport's website at: [www.dft.gov.uk](http://www.dft.gov.uk) or the Traffic Penalty Tribunal's website at: [www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)



These are the standard contravention codes in operation within Kirklees and the level of charge.

There's a brief description of what each code means and possible reasons why a PCN may, or may not, be cancelled.

PCN Code	Description	PCN level of charge	examples of why a pcn may be cancelled	examples of why a pcn may not be cancelled
Code 1	Parked in a restricted street during prescribed hours	£70.00 higher level	<ol style="list-style-type: none"> <li>1. Valid blue badge - proof required</li> <li>2. Loading/unloading - proof required</li> <li>3. Inadequate signing/lining - site visit required</li> </ol>	<ol style="list-style-type: none"> <li>1. Invalid blue badge or no blue badge</li> <li>2. No evidence of loading/unloading</li> <li>3. Signing/lining adequate - after site visit</li> </ol>
Code 2	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	£70.00 higher level	<ol style="list-style-type: none"> <li>1. Inadequate signing/lining - site visit required</li> </ol>	<ol style="list-style-type: none"> <li>1. Signing/lining adequate - after site visit</li> <li>2. "I did not see signs/lines"</li> <li>3. "I was only there for 5 minutes"</li> </ol>
Code 5	Parked after the expiry of paid for time	£50.00 lower level	<ol style="list-style-type: none"> <li>1. Vehicle broken down - proof required</li> <li>2. Medical emergency - proof required</li> <li>3. Error with ticket/machine - engineers report/fault log</li> </ol>	<ol style="list-style-type: none"> <li>1. "I was in a queue at the shop/bank"</li> <li>2. "I did not have a watch"</li> <li>3. "I lost track of time"</li> </ol>
Code 6	Parked without clearly displaying a valid pay & display ticket or voucher	£50.00 lower level	<ol style="list-style-type: none"> <li>1. Valid ticket produced - first offence only</li> <li>2. Valid disabled permit produced - first offence only</li> <li>3. Inadequate signs - site visit required</li> <li>4. Valid pay by phone receipt</li> </ol>	<ol style="list-style-type: none"> <li>1. Valid ticket produced - previous cancellation for similar offence</li> <li>2. Valid disabled permit produced - previous cancellation for similar offence</li> <li>3. "I did not realise it was a pay and display parking area"</li> </ol>
Code 7	Parked with payment made to extend the stay beyond initial time	£50.00 lower level	<ol style="list-style-type: none"> <li>1. Did not exceed maximum stay of parking area</li> </ol>	<ol style="list-style-type: none"> <li>1. "I needed more time than allowed for this parking area"</li> <li>2. "I did not realise it was time limited"</li> </ol>

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Code 11	Parked without payment of the parking charge	£50.00 lower level	1. Valid ticket produced - first offence only 2. Valid pay by phone receipt	1. Valid ticket produced - previous cancellation for similar offence 2. "I did not realise it was a pay and display parking area"
Code 16	Parked in a permit space or zone without clearly displaying a valid permit	£70.00 higher level	1. "I have a permit to park in this area but it was not on view" - first offence only 2. "My permit has just expired (within 1 week) but I have not received a replacement" - first offence only - confirmation of application required	1. "I did not realise it was a permit parking area" 2. "I have a disabled persons badge" (not valid in residential permit parking areas)
Code 22	Re-parked in the same parking place or zone within the prescribed time period after leaving	£50.00 lower level	1. Medical emergency - proof required 2. Vehicle broken down - proof required	1. "I did not realise it was a contravention" 2. The maximum length of stay was not enough
Code 23	Parked in a parking place or area not designated for that class of vehicle	£70.00 higher level	1. Vehicle broken down - proof required	1. "I did not realise it was a contravention"
Code 24	Not parked correctly within the markings of the bay or space	£50.00 lower level	1. Markings faded	1. Another vehicle was badly parked and not in its bay 2. "I did not see the lines"

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Code 25	Parked in a loading place during restricted hours without loading	£70.00 higher level	<ol style="list-style-type: none"> <li>1. "I was loading at the time" - proof required</li> <li>2. The signs/lines were inadequate - site visit required</li> </ol>	<ol style="list-style-type: none"> <li>1. "I did not realise it was a loading area"</li> <li>2. "I was only a short time"</li> <li>3. Signs/lines adequate - after site visit</li> </ol>
Code 26	Parked in a special enforcement area more than 50cm from the edge of the carriageway and not within a designated parking place	£70.00 higher level	<ol style="list-style-type: none"> <li>1. Evidence showing your vehicle was less than 50cm from the edge of the carriageway</li> </ol>	<ol style="list-style-type: none"> <li>1. "I did not want to scuff my wheels"</li> <li>2. "I did not realise this was a contravention"</li> </ol>
Code 27	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	£70.00 higher level	<ol style="list-style-type: none"> <li>1. Vehicle broken down - proof required</li> <li>2. Medical emergency - proof required</li> </ol>	<ol style="list-style-type: none"> <li>1. "I did not realise it was a dropped footway"</li> <li>2. "I was displaying my Blue Badge and thought I was ok to park there"</li> </ol>
Code 30	Parked for longer than permitted	£50.00 lower level	<ol style="list-style-type: none"> <li>1. Medical emergency - proof required</li> <li>2. There were no signs showing the maximum stay - site visit required</li> </ol>	<ol style="list-style-type: none"> <li>1. "I did not realise there was a time limit"</li> <li>2. The maximum length of stay was not long enough</li> </ol>
Code 40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	£70.00 higher level	<ol style="list-style-type: none"> <li>1. "I have a disabled badge but did not display it" - proof required</li> <li>2. "My disabled badge has just expired"(within 1 week) - proof required</li> </ol>	<ol style="list-style-type: none"> <li>1. "My disabled badge expired over a week ago"</li> <li>2. "I did not know it was a disabled bay"</li> <li>3. "It was the closest place for me to park"</li> </ol>

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Code 42	Parked in a parking place designated for police vehicles	£70.00 higher level	1. There were not signs stating that this bay was for police vehicles - site visit required	1. There were no police vehicles in the bay 2. "I was only going to be 5 minutes"
Code 45	Parked on a taxi rank	£70.00 higher level	1. Medical emergency - proof required 2. Vehicle broken down - proof required	1. The bay was empty 2. "I did not realise it was a for taxi's" 3. "I was only parked for a few minutes"
Code 46	Stopped where prohibited (on a red route or clearway)	£70.00 higher level	1. Vehicle broken down - proof required 2. Medical emergency - proof required	1. "I did not understand what the sign meant" 2. "I was displaying my Blue Badge and though I was ok to park there"
Code 47	Stopped on a restricted bus stop or stand	£70.00 higher level	1. The signs or lines are incorrect - site visit required	1. "I parked outside my house" 2. "It was late at night"
Code 48	Stopped in a restricted area outside school, a hospital or a fire, police or ambulance station when prohibited	£70.00 higher level	1. The restriction is only in operation in school hours	1. "I was just dropping my children off" 2. "Everybody does it" 3. "What harm does it do?"
Code 49	Parked wholly or partly on a cycle track or lane	£70.00 higher level	1. The cycle track or lane was incorrectly marked - site visit required	1. "I did not know what the markings meant" 2. "I was just popping into the shop/bank"

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Code 99	Stopped on a pedestrian crossing or crossing area marked by zigzags	£70.00 higher level	<ol style="list-style-type: none"> <li>1. Vehicle broken down - (with proof)</li> <li>2. Medical emergency - (with proof)</li> </ol>	<ol style="list-style-type: none"> <li>1. "I was only parked there for two minutes"</li> <li>2. "I was dropping off my passenger"</li> </ol>
Code 70	Parked in a loading area during restricted hours without reasonable excuse	£70.00 higher level	<ol style="list-style-type: none"> <li>1. Loading/unloading. Proof (delivery note) required - (confirming time and location)</li> <li>2. Vehicle broken down - (with proof)</li> </ol>	<ol style="list-style-type: none"> <li>1. "I did not realise it was a loading area or see the signs"</li> <li>2. "I could not find any other parking spaces nearby"</li> </ol>
Code 73	Parked without payment of the parking charge	£50.00 lower level	<ol style="list-style-type: none"> <li>1. Valid ticket or permit but hidden from view/fallen down/upside down - first offence</li> <li>2. Valid pay by phone receipt</li> </ol>	<ol style="list-style-type: none"> <li>1. Valid ticket or permit but hidden from view/fallen down/upside down - further offence</li> <li>2. "I did not realise it was pay and display"</li> </ol>
Code 80	Parked for longer than the maximum period permitted	£50.00 lower level	<ol style="list-style-type: none"> <li>1. Vehicle broken down - (with proof)</li> <li>2. Loading/unloading. Proof (delivery note) required - (confirming time and location)</li> </ol>	<ol style="list-style-type: none"> <li>1. "I did not realise or see the signs"</li> <li>2. Loading/unloading - (no evidence)</li> <li>3. "I did not leave enough time to get back to my vehicle"</li> </ol>
Code 81	Parked in a restricted area in a car park	£70.00 higher level	<ol style="list-style-type: none"> <li>1. Medical emergency (with proof)</li> <li>2. Lining/signing inadequate - (when confirmed through a site visit)</li> </ol>	<ol style="list-style-type: none"> <li>1. Medical emergency - (no proof)</li> <li>2. Lining/signing adequate - (after site visit)</li> </ol>
Code 82	Parked after the expiry of paid for time	£50.00 lower level	<ol style="list-style-type: none"> <li>1. Ticket produced for time of issue but not displayed correctly (first offence)</li> <li>2. Blue badge produced but failed to display correctly (first offence)</li> </ol>	<ol style="list-style-type: none"> <li>1. Expired blue badge - (after 1 week)</li> <li>2. Ticket produced for time of issue but not displayed correctly (previous cancellation for similar offence)</li> </ol>

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Code 83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	£50.00 lower level	1. Valid ticket or permit but hidden from view/fallen down/upside down - (first offence)	1. Valid ticket or permit but hidden from view/ fallen down/upside down - (further offence) 2. "I did not realise it was pay and display"
Code 84	Parked with payment made to extend the stay beyond initial time	£50.00 lower level	1. Vehicle broken down - (with proof)	1. Exceeding maximum stay
Code 85	Parked in a permit bay without clearly displaying a valid permit	£70.00 higher level	1. Having a valid permit on display - proof required	1. A pay and display ticket on display
Code 86	Not parked correctly within the markings of a bay or space	£50.00 lower level	1. Linings/signing inadequate (when confirmed through site visit) 2. Medical emergency - (with proof)	1. Linings/signing adequate (after site visit) 2. If neighbouring car was parked over bay markings forcing the next car to park beyond bay markings
Code 87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	£70.00 higher level	1. Valid blue badge but failed to display correctly - (first offence) 2. Valid blue badge but not time clock - (first offence)	1. Expired blue badge - (after 1 week) 2. Valid blue badge but not time clock - (further offence)

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Code 90	Re-parked in the same car park within one hour after leaving	£50.00 lower level	1. If proof is provided that no return was made within the specified time	1. "I did not realise that I could not return"
Code 92	Parked causing an obstruction	£70.00 higher level	1. Vehicle broken down - (with proof) 2. Medical emergency - (with proof)	1. "I was not blocking anyone in" 2. The obstruction may not have occurred at time of parking but may occur while parked so PCN may be cancelled - driver must be aware of potential risks
Code 93	Parked in car park when closed	£50.00 lower level	1. Vehicle broken down - (with proof) 2. Medical emergency - (with proof)	1. "I did not realise that the car park was closed"

If your representation is rejected, we'll write to you to explain why you have been unsuccessful and to tell you about any further course of action available to you. This includes making a formal appeal to the Traffic Penalty Tribunal.

Kirklees Council's Parking Office will always consider circumstances not covered in this document. If you feel you have a genuine reason to make a representation to the issue of a PCN or a Notice to Owner (NTO), please follow the instructions as shown on the back of the PCN or the NTO. Please supply as much information or evidence as you think is relevant. We'll let you know if any further information is required.

**All information is correct at the time of printing and may be subject to change**