



The Enforcement and Cancellation of Penalty Charge Notices (PCNs)

**The London Borough of Hillingdon
Parking Services
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For further parking information please visit [Transport, roads and parking - Hillingdon Council](#)

1. Introduction

Part 6 of The Traffic Management Act 2004 (TMA 2004) is a piece of legislation designed to manage Civil Parking Enforcement. This superseded The Road Traffic Act 1991 on the 31st March 2008.

The Secretary of State for Transport, under section 87 of the Traffic Management Act 2004, published Statutory Guidance for which Enforcement Authorities (LB Hillingdon) must have regard to when considering, managing and enforcing this legislation.

Part of the Statutory Guidance relates to the exercising of discretion where a Penalty Charge Notice (PCN) has been issued or where an Officer is considering issuing a PCN.

The Secretary of State has expressed that the exercising of discretion should rest with back-office staff and not with Civil Enforcement Officers (CEOs) to protect them from allegations of inconsistency, favouritism or claims of bribery. It also provides better consistency of the enforcement of regulations.

The Statutory Guidance says that an Enforcement Authority must not fetter discretion and should publish a policy on the exercising of discretion and that the policy should be used flexibly with each case being judged on its own merits. Also, an Enforcement Authority should be flexible enough to move away from its published discretion policy if the circumstances of a case justify it doing so.

The Secretary of State has explained within the Statutory Guidance that the consideration of challenges, representations and the defence of appeals is a legal process that requires those dealing with these to be trained in the relevant legislation and how to apply it.

Additionally, the Statutory Guidance notes that Elected Members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of any challenge representation or appeal to ensure that only fully trained Parking Services staff make decisions on the facts presented.

This is in place to ensure:

- That all recipients of a parking ticket use the appropriate legal process of appeal.
- To mitigate pressure on Elected Members to act outside of the recognised appeals process and;
- To mitigate pressure on Officers from Elected Members to act outside of the recognised appeals process.

The examples in this document are intended to inform and provide guidance to Council employees working in the enforcement of parking regulations. It is also intended to provide information to Elected members and members of the public.

This document aims to reflect current best practice by parking enforcement Authorities and aims to provide clarity, consistency and transparency regarding the enforcement process and compliance for Penalty Charge Notice administration and processing.

Penalty Charge Notice Case Examples:

1. Driver claims they were loading/unloading.

MAY ACCEPT REPRESENTATIONS.

- If evidence is available or provided to show:
 - Goods being delivered or collected were heavy, bulky, or numerous and it would be unreasonable to expect them to be carried from 'legal' parking place.
 - Loading/unloading activity was adjacent to the premises concerned.
 - Loading/unloading activity was timely (includes checking goods and associated paperwork), but not delayed by unrelated activity.
 - If in the course of business, including commercial delivery/collections, couriers, multi drop parcel carriers, removal services etc.

MAY REJECT REPRESENTATIONS.

- On clearways.
- On school zig zag markings.
- On bus stop clearways.
- On Taxi ranks.
- Where loading is prohibited.
- On footways/pavements where parking is not permitted.
- Where there is no evidence of loading / unloading taking place.

2. Driver claims that a parking pay & display machine was faulty.

MAY ACCEPT REPRESENTATIONS

- If service records confirm a fault or that the machine had been taken out of service at the time of the contravention.
- If there is reasonable doubt because evidence not available to confirm that a machine was working at the time (test ticket) and there was not another ticket machine nearby which was operating correctly.

- If evidence is provided that payment was made by a cashless service.

MAY REJECT REPRESENTATIONS

- If there was another ticket machine nearby that was working correctly at the time.
- If there is no record of the machine being faulty or taken out of service.
- If there is reasonable doubt because evidence confirms that other visitors had been able to purchase tickets during the relevant period.

3 Driver claims that the restriction is not clearly signed or marked

MAY ACCEPT REPRESENTATIONS

- If signs and/or lines are missing or unclear.
- If signs and lines are inconsistent with each other and/or Traffic Order or legislation.

MAY REJECT REPRESENTATIONS

- If site visit records or photographs establish that signs and/or lines are correct and consistent with each other and the Traffic Order.
- On all occasions for footway parking where not permitted by signs and lines.

4 Driver says they were carrying out works

MAY ACCEPT REPRESENTATIONS

- If evidence confirms that the motorist was loading/unloading.
- If a valid waiver to park at the location had been issued and was on display in the vehicle.
- If works are statutory or are exempt from restrictions by a Traffic Order or legislation.
- If it can be proven that works were an emergency.

MAY REJECT REPRESENTATIONS

- In all other circumstances

5 Driver says that a PCN was not served because they claim to have driven away.

MAY ACCEPT REPRESENTATIONS

- If no Regulation 10 postal PCN issued by post and no evidence of PCN attached to the vehicle or handed to driver

MAY REJECT REPRESENTATIONS

- If the Civil Enforcement Officer's notes or photographs confirm that a PCN was correctly served, i.e. handed to the motorist or fixed to their vehicle.
- If a Regulation 10 PCN has been issued by post.

6 Driver says that their vehicle was not parked in the location at the time and or the date the alleged PCN which was issued.

MAY ACCEPT REPRESENTATIONS

- Following consideration of all available evidence that supports that claim.

MAY REJECT REPRESENTATIONS

- If the motorist does not provide a crime reference number after being given a further opportunity to submit such a copy.
- If there is no evidence or if the evidence presented does not support the claim or is not robust enough.

7 Where a driver claims that a valid authorisation to park had been issued, i.e. waiver, parking place suspension, season ticket, residents permit, business permit, visitors permit (scratch card), carer/health permit.

MAY ACCEPT REPRESENTATIONS

- If it is their first contravention and evidence can be provided to show that the driver holds a valid authorisation to park and it was on display in the vehicle or virtual records support the claim.

MAY REJECT REPRESENTATIONS

- If the motorist cannot provide evidence or if there is no record of any issue of the authorisation.
- If it is the 2nd contravention within a year.
- If the motorist did not park in accordance with the authorisation (failed to clearly display the dispensation).
- Where the vehicle was parked in such a manner that it was causing an obstruction or parked inconsiderately.

8 Where the driver claims that a pay & display ticket was purchased and displayed

MAY ACCEPT REPRESENTATIONS

- Where a valid Pay and Display ticket is produced **and** the Civil Enforcement Officer has recorded the serial number and or provided photographs to support the claim.
- If evidence is provided that payment was made via a cashless service.

MAY REJECT REPRESENTATIONS

- If the motorist is unable to produce a valid pay & display ticket or evidence of a cashless service being used.
- The Civil Enforcement Officer confirms that a Pay and Display ticket was not clearly on display with photographic evidence.
- The motorist has made a similar representation before and had a previous PCN cancelled after giving them the benefit of the doubt.

9. Where a claim is made that they were not the registered keeper of the vehicle.

MAY ACCEPT REPRESENTATIONS

- If there is DVLA confirmation that the claimant was not the registered keeper at the time of the contravention.

MAY REJECT REPRESENTATIONS

- If there is DVLA confirmation that the claimant was the registered keeper of the vehicle at the time of the contravention.
- If the previous registered keeper provides proof that the claimant purchased the vehicle before the contravention, or the subsequent registered keeper provides proof that the claimant sold the vehicle after the contravention.
- If the claimant is proven to have hired the vehicle for the day on which the contravention occurred and signed an agreement to take responsibility for PCNs received.

10. Claimant says they were not the registered keeper before the date the contravention occurred.

MAY ACCEPT REPRESENTATIONS

- If the current registered keeper can provide proof that the vehicle was disposed of before the contravention (bill of sale, registration documents, insurance documents or a letter from the DVLA and/or;
- If the current registered keeper provides evidence of the full name and address of the person to whom they sold/scrapped the vehicle to.

MAY REJECT REPRESENTATIONS

- If the current registered keeper is unable to prove that they disposed of the vehicle before the contravention or provide evidence of the name and address of the person to whom they sold or scrapped the vehicle to.

- If the person named by the current registered keeper as the person to who they sold/scrapped the vehicle to, either does not exist, cannot be traced or is for some reason not considered to be bona fide.

11. Where the claim is made that they became the vehicle owner after the date of the contravention.

MAY ACCEPT REPRESENTATIONS

- If the current registered keeper is able to provide proof that the vehicle was purchased after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or;
- If the current registered keeper is able to provide evidence of the full name and address of the person from whom they purchased the vehicle.

MAY REJECT REPRESENTATIONS

- If the current registered keeper is unable to prove that they purchased the vehicle after the contravention or provide evidence of the name and address of the person from who they bought the vehicle.
- If the person named by the current registered keeper as the person to who they sold or scrapped the vehicle, either does not exist, cannot be traced or for some other reason not bona fide.

12. Where the registered keeper claims that a third party was responsible for the vehicle at the time of the contravention.

MAY ACCEPT REPRESENTATIONS

- Only when a recognised formal hire agreement exists.

MAY REJECT REPRESENTATIONS

- In all other circumstances - the registered keeper is liable in legislation.

13. Where the registered keeper claims that the vehicle had been stolen or cloned.

MAY ACCEPT REPRESENTATIONS

- If the registered keeper provides a valid Police crime reference number which directly relates to the theft or unauthorised use of the vehicle.
- Where photographic evidence is provided to support the vehicle in contravention is a cloned version of the registered keepers' vehicle and/or a Police crime reference number which directly relates to the cloning of the vehicle in question

MAY REJECT REPRESENTATIONS

- If the current registered keeper is unable to provide any proof of theft or cloning.
- If the police crime report reference number provided by the registered keeper does not match/support the alleged clone or theft.

14. The registered keeper claims that the vehicle was driven by a third party (friend or relative etc).

MAY ACCEPT REPRESENTATIONS

- In no circumstances due to the legal position of the registered keeper being held responsible for PCNs issued to a vehicle.

MAY REJECT REPRESENTATIONS

- In all circumstances due to the legal position of the registered keeper being held responsible for PCNs issued to a vehicle.

15. Where the vehicle has been stopped by an authorised person and requested to leave the vehicle in contravention (Police, emergency services)

MAY ACCEPT REPRESENTATIONS

- Documentary evidence produced from Police or Emergency Services confirming.

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MAY REJECT REPRESENTATIONS

- In all other circumstances

16. The recipient of the Notice to Owner is a vehicle hire firm and;

- **The vehicle was at the time hired from the hire firm under a vehicle hiring agreement.**
- **The person hiring it had signed a liability clause in respect of a PCN being served for a contravention.**

MAY ACCEPT REPRESENTATIONS

- If the hire company provides a recognised signed agreement showing the vehicle was hired on the date of the contravention with full details of the hirer.

MAY REJECT REPRESENTATIONS

- If the hire company are unable to prove that they hired out the vehicle on the date of the contravention or provide the name and address of the person who hired the vehicle.
- If the vehicle was a courtesy car without a formal agreement signed to accept responsibility for PCNs issued.
- If the hire company's agreement does not have a driver liability clause.

17. A claim that the Penalty Charge Notice exceeded the amount applicable.

MAY ACCEPT REPRESENTATIONS

- If the PCN and/or Notice to Owner showed the incorrect amount of penalty charge (e.g. the wrong penalty charge band or other financial error)

MAY REJECT REPRESENTATIONS

- If the PCN and/or Notice to Owner showed the correct amount of penalty charge.

18. That there has been a procedural impropriety on the part of the enforcement authority.

MAY ACCEPT REPRESENTATIONS

- If any requirements/processes of the TMA 2004 and associated Regulations has not been followed.
- If any document has been served outside of the recognised timescales as laid down within the regulations.

MAY REJECT REPRESENTATIONS

- If all requirements/processes of the TMA 2004 and associated Regulations has been followed.
- If all documents have been served in line with the timescales laid out in the Regulations.

19. A claim made that the Traffic Order was invalid.

MAY ACCEPT REPRESENTATIONS

- If the Traffic Order showing the restrictions in the location where the PCN was issued was not created following the relevant legislation and legal processes.

MAY REJECT REPRESENTATIONS

- If the Traffic Order showing the restrictions in the location where the PCN was issued was created by following the relevant legislation and legal processes.

20. Claims that the Notice to Owner should not have been served because the penalty charge had already been paid.

MAY ACCEPT REPRESENTATIONS

- If the penalty charge amount has been paid in full and the case closed

MAY REJECT REPRESENTATIONS

- If the penalty charge amount had not been paid and the case remains open.

21. Any other information that the driver/vehicle owner want the Council to take into consideration.

MAY ACCEPT REPRESENTATIONS

- A decision on whether the PCN should be cancelled or enforced should only be made following very careful consideration of the facts available.

MAY REJECT REPRESENTATIONS

- A decision on whether the PCN should be cancelled or enforced should only be made following very careful consideration of the facts available.

22. Where the driver claims to have become unwell while driving.

MAY ACCEPT REPRESENTATIONS

- If the driver provides proof of a medical condition from their GP or suitably qualified medical professional. Such proof will need to be considered carefully and carry a reasonable likelihood.
- When the notes made by the Civil Enforcement Officer support the motorist's representations.

MAY REJECT REPRESENTATIONS

- If the driver cannot provide proof of a medical condition from their GP or suitably qualified medical professional to support their claims.
- Where the claimed condition is unlikely to have meant that the driver had to leave the vehicle unattended.
- Where any evidence contradicts the drivers claims.

23. Where the driver claims to be a Doctor, Health Professional or Nurse visiting a patient

MAY ACCEPT REPRESENTATIONS

- If the driver has and produces recognised and valid Health/Medical/Carer/Dispensation permit/documentation and/or is exempt under the Traffic Order.
- If the driver produces evidence that they were responding to an emergency medical and there was no legal parking place nearby or time to find and use a legal parking place.

MAY REJECT REPRESENTATIONS

- If the driver cannot provide proof to support their claim of having to leave the vehicle parked in contravention due to a health matter.
- Where evidence contradicts the drivers claims.

24. Where the driver claims to be a Doctor, Nurse, Health Visitor attending a patient

MAY ACCEPT REPRESENTATIONS

- If the driver can produce a Medical Badge/Permit/Dispensation that is valid or they are exempt under the Traffic Order.
- If the driver provides evidence that they were responding to an emergency medical call and there was no legal parking place.

MAY REJECT REPRESENTATIONS

- a. If the driver was not attending a patient in emergency circumstances or if there were legal parking spaces nearby.
- b. If the driver was parked outside their practice or other place of work for any reason other than to collect supplies for an immediate emergency call.
- c. If the driver was parked in a location which does not correspond with claims made in their representation.

25. Where the driver says they stopped to use the toilet.

MAY ACCEPT REPRESENTATIONS

- a. If the driver provides proof of a medical condition that supports the condition claimed from a medical practitioner confirming the condition meant that the driver had to leave the vehicle parked in contravention out of necessity.
- b. When the notes made by the Civil Enforcement Officer support the drivers' representations.

MAY REJECT REPRESENTATIONS

- c. If the driver cannot provide proof of a medical condition from a medical practitioner.
- d. Where other evidence contradicts the drivers claims.

26. Where the driver claims to have stopped to collect prescribed medication from a chemist.

MAY ACCEPT REPRESENTATIONS

- a. Where a medical practitioner provides written evidence showing that the urgent collection of medication was necessary and that there was no legal place to park.

MAY REJECT REPRESENTATIONS

- b. Where there is no evidence to support the claim.

27. Where the driver claims they were visiting a Doctor's surgery.

MAY ACCEPT REPRESENTATIONS

- a. If the driver can provide a letter from their doctor confirming that the visit was very urgent, not prearranged. Also, that there was no legal parking space in the vicinity.

MAY REJECT REPRESENTATIONS

- b. If the driver was not the patient but driving the vehicle carrying the patient.
- c. If the driver was attending a pre-arranged, non-urgent appointment.
- d. If the driver could have been expected to park legally based on the circumstances.
- e. If the appointment is not confirmed as urgent by the GP.

28. Where the driver requests cancellation because of bereavement.

MAY ACCEPT REPRESENTATIONS

- a. Taking account of the sensitivity of this issue on the first occasion.
- b. Any documents provided to support the claim.

(Care must be taken on cases involving bereavement claims and referred to a Manager before any decision on the case is made)

MAY REJECT REPRESENTATIONS

(Care must be taken in cases involving bereavement claims and referred to a Manager before any decision on the case is made)

- c. Only if there is a significant reason to doubt the sincerity of representations, i.e. the Civil Enforcement Officer's evidence undoubtedly show that the driver was going about their normal day – shopping, working etc.

29. Where the driver was delayed in returning to their vehicle and paid for time had expired.

MAY ACCEPT REPRESENTATIONS

- a. If appropriate evidence is produced to support the claim. Any delay due to circumstances beyond the control of the driver may be considered.
- b. If the drivers' vehicle had broken down and evidence provided supports the break down – vehicle should not be left in situ for longer than 48hrs.

MAY REJECT REPRESENTATIONS

- c. If the delay was avoidable - queuing in a shop, talking to a friend.
- d. If the driver underestimated the time needed and could have purchased more time before leaving the car unattended.

30. Where the driver “fed” a meter or pay & display machine by buying subsequent time to park in the same place or returned to the same place within a specified and prohibited time period.

MAY ACCEPT REPRESENTATIONS

- a. In no circumstances.

MAY REJECT REPRESENTATIONS

- b. In all circumstances.

31. Where the driver claims they were unaware of charges or restriction(s) in the car park.

MAY ACCEPT REPRESENTATIONS

- a. If reference to restrictions and charges on tariff board(s) are incorrect or missing.

MAY REJECT REPRESENTATIONS

- b. In all other circumstances.

32. Where the motorist claims to have been unaware of a change of parking tariff.

MAY ACCEPT REPRESENTATIONS

- a. If statutory notices were not put in place in advance in accordance with the proper regulations.
- b. If the new tariff is not on the tariff/notice board(s).

MAY REJECT REPRESENTATIONS

- c. If statutory notices were put in place in advance in accordance with the proper regulations and tariff board(s) were correct.

33. Where the motorist had parked with one or more wheels outside of a marked bay in a car park.

MAY ACCEPT REPRESENTATIONS

- a. Only in exceptional of circumstances that were outside the drivers control and are supported by evidence.

MAY REJECT REPRESENTATIONS

- b. Otherwise, in no circumstances.

34. Where the driver claims to have been unaware of being in a controlled parking zone.

MAY ACCEPT REPRESENTATIONS

- a. If the lining and or signing of a zone is incorrect/missing or non-compliant.

MAY REJECT REPRESENTATIONS

- b. In all other circumstances.

35. Where the driver was displaying an expired authorisation to park, i.e. waiver, residents permit, business permit, visitors permit, Carer Permit etc.

MAY ACCEPT REPRESENTATIONS

- a. If renewal or processing of the authorisation was delayed by the Council

MAY REJECT REPRESENTATIONS

- b. In most other circumstances.

36. Where a driver is parked in contravention of a waiting/parking ban/prohibition whilst displaying any type of permit, Blue Badge or other type of parking concession.

MAY ACCEPT REPRESENTATIONS

- a. In no circumstances.

MAY REJECT REPRESENTATIONS

- b. On all occasions.

37. Where a driver has parked incorrectly in a controlled bay on-street.

MAY ACCEPT REPRESENTATIONS

- a. If the driver was genuinely and actively loading or unloading.

MAY REJECT REPRESENTATIONS

- b. On most other occasions.

38. Where the driver assumed or says that they were entitled to “a grace period” before the PCN was issued.

MAY ACCEPT REPRESENTATIONS

- a. Where paid for parking restrictions had begun not more than 10 minutes prior to parking.
- b. Where paid for parking had expired not more than 10 minutes prior to the PCN being Issued.

MAY REJECT REPRESENTATIONS

- c. Where the vehicle has been recorded as parked more than 10 minutes after the beginning of parking restrictions.
- d. Where paid for parking had expired by more than 10 minutes before the service of the PCN.

39. Where the driver says that snow, foliage, fallen leaves etc covered the Lines/Signs.

MAY ACCEPT REPRESENTATIONS

- a. If evidence shows that the claimed conditions occurred and it was likely that lines/signs were obscured without any alternative indication of the restriction.

MAY REJECT REPRESENTATIONS

- b. If evidence shows the conditions did not cause lines and signs to be obscured.
- c. If the Civil Enforcement Officer’s notes/photographic evidence contradict the drivers’ version of events.

40. Where the driver claims that their vehicle had broken down.

MAY ACCEPT REPRESENTATIONS

- a. If the driver provides evidence of a breakdown - proof of vehicle recovery or a bill of sale for repair or parts – all dated correctly.
- b. If the type of breakdown meant that the vehicle was immobilised and could not be

moved based on evidence provided.

MAY REJECT REPRESENTATIONS

- c. If the driver cannot provide evidence that their vehicle had broken down.
- d. If the cause of the breakdown was due to the vehicle not being properly maintained - run out of petrol or water or a similar reason.

41. Where the vehicle in question was a Police, Fire Brigade or Ambulance vehicle (emergency services).

MAY ACCEPT REPRESENTATIONS

- a. If the vehicle was liveried.
- b. If the vehicle was not liveried then a senior officer of the service supplies a statement supporting that the vehicle was on official duties.

MAY REJECT REPRESENTATIONS

- c. In most other circumstances

42. Where the registered keeper says they were out of the country.

MAY ACCEPT REPRESENTATIONS

- a. In no circumstances.

MAY REJECT REPRESENTATIONS

- b. In most circumstances.

43. Where the registered keeper is said to have died.

MAY ACCEPT REPRESENTATIONS

- a. Where confirmed by suitable sensitively gathered evidence.

MAY REJECT REPRESENTATIONS

- b. Only if there is ***significant*** evidence to doubt the sincerity of the claim – (refer to a manager before any decision is made)

44. Where the driver receives a Fixed Penalty Notice (FPN) from a Police Officer and a Penalty Charge Notice (PCN) from a Council CEO when parked in the same location on the same date and time.

MAY ACCEPT REPRESENTATIONS

- a. double jeopardy considered provided confirmation is provided by the Police that a FPN has been issued.
- b. Evidence to support an intended prosecution by Police.

MAY REJECT REPRESENTATIONS

- c. In all other circumstances

45. Where a Council Officer or Elected Member parked in contravention and claims to have been on Council business.

MAY ACCEPT REPRESENTATIONS

- a. If the Officer was carrying out emergency statutory work and there were no legal parking locations nearby – written confirmation from the appropriate Head of Service. If the Elected Member was on Council business.

MAY REJECT REPRESENTATIONS

- b. If it is proven that the Officer or Elected Member was not on Council business and could have reasonably parked elsewhere.

46. Where the driver stopped to drop someone off.

MAY ACCEPT REPRESENTATIONS

- a. If the evidence provided by the Civil Enforcement Officer shows the action of boarding or alighting passengers. Extended period for disabled drivers, minibuses and coaches and those with buggies, wheelchairs, luggage etc to be

- unloaded.
- b. If the driver had to escort an elderly or disabled person.
- c. If the driver had to escort a child under the age of 11 into a school and this took a maximum of 15 minutes.

MAY REJECT REPRESENTATIONS

- d. If driver parked/stopped on school keep clear markings, pedestrian crossing zig zags, cycle lane, clearway, taxi rank, bus stop clearway, or footway unless signs permit.
- e. If the Civil Enforcement Officers' evidence supports there was no boarding and alighting taking place.

47. Where the driver states they were in Police custody when PCN issued.

MAY ACCEPT REPRESENTATIONS

- a. Evidence/verification from the Police to support the claim.

MAY REJECT REPRESENTATIONS

- b. No evidence provided.
- c. If the vehicle could have been legally parked before the arrest.

48. Where the driver states they were visiting a friend or relative in urgent circumstances.

MAY ACCEPT REPRESENTATIONS

- a. If evidence is produced to support the claim on a case-by-case basis – refer to a manager for a decision.

MAY REJECT REPRESENTATIONS

- b. If the driver has already received a PCN which has been cancelled for the same reason within a 3-month period.
- c. If the Civil Enforcement Officers' evidence/notes is significant enough to support the enforcement of the PCN.

49. Where the motorist claims there was no legal place to park.

MAY ACCEPT REPRESENTATIONS

- a. Only in exceptional emergency circumstances with supporting evidence.

MAY REJECT REPRESENTATIONS

- b. In the absence of exceptional emergency circumstances with evidence.

50. Where the driver claims they were parked on private property.

MAY ACCEPT REPRESENTATIONS

- a. If evidence is produced to show that the land is private, not adopted and is demarcated as such and not under a Traffic Order.

MAY REJECT REPRESENTATIONS

- b. In most other circumstances including if the disputed land is not demarcated by chains or other indicator where the pedestrian public can still walk across the land freely.

51. Where the driver claims that the details on the PCN are incorrect.

MAY ACCEPT REPRESENTATIONS

- a. If the details on the PCN are incorrect. Refer to a manager for a decision.

MAY REJECT REPRESENTATIONS

- b. If the PCN was fully and correctly completed and the details are accurate.

52. Where the driver states they were unaware of enforcement on Bank/Public Holidays.

MAY ACCEPT REPRESENTATIONS

- a. In very limited circumstances – eg; circumstances beyond the drivers control with evidence.

MAY REJECT REPRESENTATIONS

- b. On most occasions.

53. Where the driver says that the restriction was put in place after the vehicle had been parked.

MAY ACCEPT REPRESENTATIONS

- a. If records confirm that signing/lining or suspension notices was likely to have been completed after the vehicle parked.

MAY REJECT REPRESENTATIONS

- b. If the evidence shows that signing/lining or suspension notices were already in place at the time of parking.

54. Where the driver says they were following an ambulance through a restriction as part of the patients' support.

MAY ACCEPT REPRESENTATIONS

- a. Where the CCTV footage supports this and evidence is provided (eg: Hospital admission evidence).
- b. Where evidence supporting a medical emergency can be produced.

MAY REJECT REPRESENTATIONS

- c. On most other occasions.

55. Where the motorist claims they were forced into the bus lane.

MAY ACCEPT REPRESENTATIONS

- a. If the CCTV footage shows an emergency vehicle forcing the driver into the bus lane.
- b. If the CCTV footage evidences oncoming traffic forcing the driver into the bus lane.
- c. If there is an obstruction in the road where the driver had to take evasive action and it can be seen in the footage.

MAY REJECT REPRESENTATIONS

- On all other occasions.

Disabled Blue Badge Holders

Disabled Blue Badge Holders are allowed certain parking exemptions beyond that of non-disabled blue badge holders such as;

- 3 hours parking on single and double yellow lines
- Unlimited parking in residents parking bays

LB Hillingdon will cancel the 1st contravention made by a BB holder on a discretionary basis providing;

- It is 1 contravention per year
- No 02 contraventions to be cancelled
- No 99 contraventions to be cancelled
- No 21 contraventions to be cancelled
- No 47 contraventions to be cancelled
- No bus lane contraventions to be cancelled

The list of examples within this document are not exhaustive and it must be remembered that each case should be looked at upon its merits, evidence and balance of probability.

The document provides guidance and clarity on the approach needed when considering appeals against the issue of a parking ticket.

List of Contraventions

On - Street

Code	Description	Charge level
01	Parked in a restricted street during prescribed hours	Higher
02	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force	Higher
04	Parked in a meter bay when penalty time is indicated	Lower
05	Parked after the expiry of paid for time	Lower
06	Parked without clearly displaying a valid pay & display ticket or voucher	Lower
07	Parked with payment made to extend the stay beyond initial time	Lower
08	Parked at an out-of-order meter during controlled hours	Lower
09	Parked displaying multiple pay & display tickets where prohibited	Lower

10	Parked without clearly displaying two valid pay and display tickets when required	Lower
11	Parked without payment of the parking charge	Lower
12	Parked in a residents' or shared use parking place or zone without a valid virtual permit or clearly displaying a valid physical permit or voucher or pay and display ticket issued for that place where required, or without payment of the parking charge	Higher
13	----- RESERVED FOR TfL USE (LOW EMISSION ZONE) -----	n/a
14	Parked in an electric vehicles' charging place during restricted hours without charging	Higher
16	Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required	Higher
17	----- RESERVED FOR ROAD USER CHARGING USE -----	n/a
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher
19	Parked in a residents' or shared use parking place or zone with an invalid virtual permit or displaying an invalid physical permit or voucher or pay and display ticket, or after the expiry of paid for time	Lower
20	Parked in a part of a parking place marked by a yellow line where waiting is prohibited	Higher
21	Parked wholly or partly in a suspended bay or space	Higher
22	Re-parked in the same parking place or zone within one hour after leaving	Lower
23	Parked in a parking place or area not designated for that class of vehicle	Higher
24	Not parked correctly within the markings of the bay or space	Lower
25	Parked in a loading place or bay during restricted hours without loading	Higher
26	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place	Higher
27	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	Higher
28	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge	Higher
29	Failing to comply with a one-way restriction	n/a
30	Parked for longer than permitted	Lower

31	Entering and stopping in a box junction when prohibited	n/a
32	Failing to proceed in the direction shown by the arrow on a blue sign	n/a
33	Using a route restricted to certain vehicles	n/a
34	Being in a bus lane	n/a
35	Parked in a disc parking place without clearly displaying a valid disc	Lower
36	Being in a mandatory cycle lane	n/a
37	Failing to give way to oncoming vehicles	n/a
38	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	n/a
39	- - - - RESERVED FOR TfL USE (ULTRA LOW EMISSION ZONE) - - - -	n/a
40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher
41	Stopped in a parking place designated for diplomatic vehicles	Higher

42	Parked in a parking place designated for police vehicles	Higher
43	Stopped on a cycle docking station parking place	Higher
45	Stopped on a taxi rank	Higher
46	Stopped where prohibited (on a red route or clearway)	Higher
47	Stopped on a restricted bus stop or stand	Higher
48	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	Higher
49	Parked wholly or partly on a cycle track or lane	Higher
50	Performing a prohibited turn	n/a
51	Failing to comply with a no entry restriction	n/a
52	Failing to comply with a prohibition on certain types of vehicle	n/a
53	Failing to comply with a restriction on vehicles entering a pedestrian zone	n/a
54	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	n/a
55	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher

56	Parked in contravention of a commercial vehicle waiting restriction	Higher
57	Parked in contravention of a bus ban	Higher
58	Using a vehicle on a restricted street during prescribed hours without a valid permit	n/a
59	Using a vehicle on a restricted street during prescribed hours in breach of permit conditions	n/a
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher
62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher
63	Parked with engine running where prohibited	Lower
64	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	n/a

65	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	n/a
66	Parked on a verge, central reservation or footway comprised in an urban road	n/a
67	Using a vehicle on a restricted street without a valid HGV Safety Permit	n/a
68	Using a vehicle on a restricted street in breach of HGV Safety Permit conditions	n/a
72	--- RESERVED FOR BUILDERS' SKIPS CONTRAVENTIONS ---	
75	--- RESERVED FOR LITTERING FROM MOTOR VEHICLES ---	
76	-- RESERVED FOR WASTE RECEPTACLE CONTRAVENTIONS --	
99	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher

Off Street

70	Parked in a loading place or bay during restricted hours without loading	Higher
71	Parked in an electric vehicles' charging place during restricted hours without charging	Higher
73	Parked without payment of the parking charge	Lower
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher
77	--- RESERVED FOR DVLA USE ---	n/a

78	Parked wholly or partly in a suspended bay or space	Higher
80	Parked for longer than permitted	Lower
81	Parked in a restricted area in an off-street car park or housing estate	Higher
82	Parked after the expiry of paid for time	Lower
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower
84	Parked with payment made to extend the stay beyond initial time	Lower
85	Parked without a valid virtual permit or clearly displaying a valid physical permit where required	Higher
86	Not parked correctly within the markings of a bay or space	Lower
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher

89	Vehicle parked exceeds maximum weight or height or length permitted	Higher
90	Re-parked in the same car park within one hour after leaving	Lower
91	Parked in a car park or area not designated for that class of vehicle	Higher
92	Parked causing an obstruction	Higher
93	Parked in car park when closed	Lower
94	Parked in a pay & display car park without clearly displaying two valid pay and display tickets when required	Lower
95	Parked in a parking place for a purpose other than that designated	Lower
96	Parked with engine running where prohibited	Lower