

# A guide to parking enforcement in Leicester

  
C.E.O.  
LE185  
CIVIL  
ENFORCEMENT

  
Leicester  
City Council

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## Useful contact details

### **Parking and Moving Traffic (Leicester City Council)**

Penalty Charge Representations

Parking Services

PO Box 8459

Leicester, LE1 8AW

E-mail: [parkingoffice@leicester.gov.uk](mailto:parkingoffice@leicester.gov.uk)

Website: [www.leicester.gov.uk/transport-and-streets/parking-in-leicester/](http://www.leicester.gov.uk/transport-and-streets/parking-in-leicester/)

### **Parking Enforcement (Leicester City Council)**

E-mail: [parking-enforcement@leicester.gov.uk](mailto:parking-enforcement@leicester.gov.uk)

### **Customer Services (Leicester City Council)**

E-mail: [customer.services@leicester.gov.uk](mailto:customer.services@leicester.gov.uk)

### **Automated payment line (Leicester City Council)**

Telephone: 0116 454 1012

### **Parking and Moving Traffic (Leicester City Council)**

Bus Lane/ Gate/Moving Traffic Enforcement

E-mail: [leicesterble@leicester.gov.uk](mailto:leicesterble@leicester.gov.uk)

### **Traffic Enforcement Centre (Northampton County Court)**

Telephone: 0300 123 1059

E-mail: [tec@hmcts.gsi.gov.uk](mailto:tec@hmcts.gsi.gov.uk)

### **Traffic Penalty Tribunal**

Telephone: 0800 160 1999

E-mail: [help@trafficpenaltytribunal.gov.uk](mailto:help@trafficpenaltytribunal.gov.uk)

Website: [www.trafficpenaltytribunal.gov.uk/](http://www.trafficpenaltytribunal.gov.uk/)

### **DVLA**

Website: [www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency](http://www.gov.uk/government/organisations/driver-and-vehicle-licensing-agency)

### **Enforcement agents (bailiffs)**

Bristow & Sutor

Telephone: 0330 390 2010

Marston

Telephone: 0333 320 2538

Newlyn

Telephone: 01604 633 001

Dukes

Telephone: 01785 825 500

### **Police**

Telephone: 101

### **Action Fraud**

Telephone: 0300 123 2040

Website: [www.actionfraud.police.uk](http://www.actionfraud.police.uk)



### **Local debt advice services**

Leicestershire Citizens Advice Bureau  
1st Floor, Leicester City Council Customer Service Centre  
91 Granby Street  
Leicester LE1 6FB  
Telephone: 0300 330 1025  
Website: [www.citizensadviceleicestershire.org](http://www.citizensadviceleicestershire.org)

Community Advice and Law Service  
1st Floor, Epic House  
Charles Street  
Leicester LE1 3SH  
Telephone: 0116 242 1120  
Website: [www.cals.uk.net](http://www.cals.uk.net)

Saffron Resource Centre  
432 Saffron Lane,  
Leicester LE2 6SB  
Telephone: 0116 283 7212  
Website: [www.srcentre.org.uk](http://www.srcentre.org.uk)

## Introduction

This document sets out Leicester City Council's parking enforcement policy as from 1st April 2024. It is intended as guidance only and will be updated as and when necessary.

The content of the policy is derived from current Leicester 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 and Diversity Policy and the Human Rights Act.

This policy is primarily concerned with:

- who can and cannot park in restricted areas and when they may do so;
- how challenges, representations and appeals against Penalty Charge Notices (PCNs) are dealt with;
- how the Council applies Equality and Diversity Policy and Human Rights Act by treating people fairly, equally and with respect and by taking into account their personal circumstances;
- conduct of the Council's staff and other representatives
- the manner in which the Council carries out the enforcement of parking (and other traffic) restrictions for which it has responsibility;
- service standards that the Council adopts when carrying out enforcement and which are in addition to the normal accepted process..

N.B. Each case will be decided upon on its individual circumstances.

## Aims and objectives of parking enforcement

Under the Traffic Management Act 2004, Leicester City Council has a duty to secure the quick and efficient movement of traffic on its highway network. This power is vested through the appointment of a Traffic Manager.

The TMA 2004 places a duty on local authorities to make sure traffic moves freely and quickly on their roads and the roads of nearby authorities.

The Council has a Local Transport Plan that sets out its aspirations to achieve this.

Parking enforcement is the key management tool for addressing the causes of obstruction resulting in congestion, safety and accessibility issues. The Guide aims to address these issues with the following objectives:

- to contribute towards making the city of Leicester a great place to live, work and visit;
- to support the free movement and thereby the quality and accessibility of public transport;
- to actively promote accessibility and support the needs of disabled people in using the highway network;
- to implement enforcement measures in order to secure efficient use of the highway network;
- to actively discourage activities that have an adverse effect on health and safety of road users or cause obstruction to public transport, vehicular traffic, pedestrians, cyclists and disabled people;
- to ensure that Civil Enforcement Officers (CEOs) issue Penalty Charge Notices (PCNs) in accordance with Part 6 of the Traffic Management Act 2004.

**Important note:** Leicester City Council does not set targets for the numbers of issued PCNs, and CEOs do not receive incentivised payments.

## Parking policies in alphabetical order

### A

#### Abandoned vehicles

Where a vehicle remains parked in a restricted area for a period during which multiple PCNs are issued (three or more for the same contravention), the CEO will report the vehicle as potentially abandoned. Abandoned vehicles are dealt with by the Council's abandoned vehicle section, under the provisions of the Refuse Disposal (Amenity) Act 1978 (as amended).

Criteria used for identifying abandoned vehicles:

- general poor condition;
- no evidence of movement;
- multiple PCNs issued to the vehicle for the same contravention (a minimum of three).

Whilst the vehicle is being dealt with as potentially abandoned, no further PCNs will be issued. However, PCNs already issued will be enforced against the registered keeper of the vehicle.

Abandoned vehicles can be reported online using the following link

[Abandoned vehicles \(leicester.gov.uk\)](http://leicester.gov.uk)

## Appealing parking Penalty Charge Notice (PCN)

### Informal challenge

The keeper of a vehicle may make a written informal challenge against the issue of a PCN before a Notice to Owner (NTO) has been issued. Although there is no legal obligation to respond to informal letters of challenge, the Council will respond to such letters. If the challenge is rejected, the Council will respond giving reasons.

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

An informal challenge to the PCN, does not detract the ability of the keeper to make a subsequent formal representation to the Council following the issue of a NTO and to further appeal to the Traffic Penalty Tribunal if the formal representation is rejected.

### Formal representation

The keeper of a vehicle has the opportunity to make a formal representation against a PCN once the Notice to Owner (NTO) is sent to him/her by the Council. The representation must be made within 28 days of the issue date of the NTO.

A formal representation can be made on the following grounds:

- The alleged contravention did not occur.
- I was never the owner of the vehicle.
- I had ceased to be the owner of the vehicle before the date on which the alleged contravention occurred.
- I became the owner of the vehicle after the date on which the alleged contravention occurred.
- The vehicle has been permitted to remain at rest in place in question by a person who was in control of the vehicle without the consent of the owner (if the vehicle is stolen or taken without owner's consent).
- We are a vehicle hire firm and 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.
- The penalty charge exceeded the amount applicable in the circumstances of the case.
- There has been a procedural impropriety by the enforcement authority.
- The Order which is alleged to have been contravened in relation to the vehicle concerned is invalid.

- This Notice should not have been served because the penalty charge had already been paid.

PLEASE NOTE: The Council considers other mitigating circumstances and may use its discretion in deciding whether the specific circumstances warrant cancellation.

However, the following reasons are generally not 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 minute.
- I thought I was parked legally but made a mistake.
- I lent the car to a friend and he/she will not pay the Penalty Charge Notice.
- The fine for a parking contravention is too high.
- There was no need for a yellow line.
- I am not the owner or keeper because I hired the vehicle.
- My appointment or meeting ran late.

### **Intervention in challenge and representation process by Councillors and other officers**

The process of dealing with challenges and representations against the issue of PCNs is well documented and is carried out in a fair, unbiased and equal manner. These procedures include the ultimate right of all motorists to refer the matter to an independent adjudicator, i.e., the Traffic Penalty Tribunal (TPT).

To preserve the integrity of these procedures, they are managed and carried out by the administration and processing staff in Parking and Moving Traffic Services and no undue external pressure shall be brought by either councillors or other senior officers designed to influence decisions by virtue of their position alone.

### **Appointments running late**

Motorists should be well aware that it is not unusual for doctors'/medical/ hospital/ dental or any other appointment to take longer than anticipated. Therefore, PCNs will not be cancelled in response to a claim that an appointment took longer than expected.

## **B**

### **Bank/Public holidays**

Waiting and loading restrictions are indicated by single or double yellow lines and kerb markings and are enforced throughout the year. Unless the on-street signs state "except bank holidays", the relevant restriction applies on bank holidays.

Parking charges also apply on bank holidays to on-street pay and display bays and off-street car parks. It is the driver's responsibility to check signs and tariff boards or pay and display machines for tariff rates.

### **Christmas Day/Boxing Day/New Year's Day**

If Christmas Day, Boxing Day or New Year's Day falls on a Saturday or Sunday, a 'substitute' weekday becomes a bank holiday, usually the following Monday. The Saturday/Sunday is not

classified as a bank holiday, and relevant parking restrictions apply on those days, as usual. Visit [www.gov.uk/bank-holidays](http://www.gov.uk/bank-holidays) for more information.

### Bank visits

Money being taken to or from a bank is not an acceptable reason to cancel a PCN unless large sums of money are being carried and continuous loading or unloading activity is seen by a CEO. If parking restrictions are in place adjacent to a bank, these should be fully complied with by all motorists.

The only exemption which applies is for bullion vehicles which are delivering to or collecting from banks. The bank must be on the street where the vehicle has parked.

### Blocked Access See Dropped Kerbs)

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. PCN's will be issued to any vehicle parked in contravention,

Leicester City Council does not tow away vehicles for blocking access if no parking restrictions are in place. If the vehicle is causing obstruction or is dangerously parked the police should be contacted.

### Blue Badge



Blue Badges are issued to either a disabled driver or disabled passenger and they can only be used to park when the vehicle is being used to transport a Blue Badge holder or driven by a Blue Badge holder. It is illegal to use the badge for any other purpose (for example shopping for a disabled person when they are not being transported in the vehicle; giving the Blue Badge to friends or family while they are visiting the Blue Badge holder).

When the vehicle is parked, the Blue Badge and the blue parking clock (when required) must be displayed on the dashboard or fascia panel, where it can be clearly read from outside through the front windscreen. The front of the badge should face upwards, showing the wheelchair symbol or hologram and the expiry date. The side showing the photograph should not be visible through the windscreen. Failure to do so may result in a Charge Notice PCN being issued.

When considering a challenge/ representation against a PCN issued as a result of incorrectly displayed Blue Badge or parking clock, the Council will take into account previous PCNs issued to the same vehicle or Blue Badge holder. A challenge/ representation may be accepted if no previous similar contravention has occurred. If the challenge/ representation is accepted, the letter confirming acceptance will make it clear that challenges and representations for further PCNs issued for the same or similar reason will be rejected.

However, it should be noted that Leicester City Council still retains the right to refuse the challenge/representation if there are any other extenuating circumstances. This may include a safety risk, misuse and abuse of the terms and conditions of the Blue Badge or failure to adhere to other parking restrictions.

Provided the disabled blue badge is valid, clearly and correctly displayed, the badge holder can park

- In pay and display bays in both on-street and council-owned off-street car parks unlimited (see individual car park signs for details);
- In limited waiting bays. Check signs, as there is a time limit in some limited waiting bays for Blue Badge holders;
- Residents' parking bays, as long as a valid Blue Badge is clearly displayed.
- Vehicles displaying a valid Blue Badge may park in on-street disabled bays without time limit. However, if a sign states a time limit (for example, up to three hours), the parking time is limited, and the blue parking clock must be displayed as well. Vehicles not displaying a valid Blue Badge will be issued with a PCN.
- Blue Badge holders may also park on waiting restrictions (yellow lines) for up to three hours, except where there is a ban on loading or unloading indicated by kerb markings, signs or both. There must be an interval of at least one hour from a previous period of waiting before the same vehicle can be parked on the same road or part of a road on the same day. Both the valid Blue Badge and the blue parking clock must be displayed, with the time of arrival clearly on display at all times. Failure to do so will result in a PCN being issued.

Blue Badge holders are not allowed to park:

- In loading bays (unless loading/unloading)
- On loading restrictions
- On yellow lines next to a junction
- On or adjacent to a dropped kerb
- Bus stops/stand clearway
- Zigzag lines
- Entrance clearway
- Taxi clearway
- Electric charging bays (unless charging)
- Other bays for a specific use.

Correct display of a Blue Badge and associated blue parking clock does not necessarily mean that users are exempt from being issued with a PCN. 'The Blue Badge scheme: rights and responsibilities in England' booklet, which is issued with the Blue Badge, states that use of the badge does not allow parking in circumstances that "would endanger, inconvenience or obstruct pedestrians or other users".

Examples are as follows:

- 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.

It is not illegal for the badge holder, or a person waiting for 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 scheme being discredited. It is because of the difficulties that disabled people have to face that the DfT have not made this a legal requirement.

Powers within the Traffic Management Act 2004 (Part 7, Section 94), allow Civil Enforcement Officers (CEO) to request that a Blue Badge be displayed in a vehicle and be produced for inspection. It is an offence (punishable by a fine not exceeding level 3 on the standard scale, i.e. £1000) to fail to comply with such request, without a reasonable excuse.

Should a badge holder fail or refuse to produce the badge for inspection by a CEO, the parked vehicle will be treated as though there is no valid badge on display and a PCN is issued for the relevant parking offence.

Local authorities have the powers to confiscate a Blue Badge. Should a Blue Badge be retained by the police as evidence pending a possible prosecution, a duplicate badge will not be issued, and the original badge will only be returned upon determination of any legal proceedings.

Leicester City Council actively enforces the misuse and abuse of the Blue Badge Scheme in accordance with the Department for Transport's Guidance and Regulations.

### **What is misuse and abuse?**

**Misuse** – using a badge when the badge holder is not present e.g. by family or friends without the badge holder being present.

**Abuse** – using a fake badge, amended, lost or stolen and or cancelled badge e.g. of a deceased person.

Possible outcomes of proven misuse and abuse:

- Being issued with a Penalty Charge Notice (PCN).
- Seizure of a Blue Badge.
- Verbal warning or caution to the appropriate individual.
- Warning letter to the appropriate individual.
- Criminal prosecution.
- Withdrawal and cancellation of the Blue Badge.

As mentioned previously, full guidance on the use of a Blue Badge is provided in the DfT booklet entitled 'The Blue Badge scheme: rights and responsibilities in England'.

A copy of the booklet is issued with a Blue Badge and can also be viewed online at [www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england](http://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england).

## Criteria followed when considering challenges or representations concerning Blue Badges.

Scenario	Outcome
Blue Badge displayed with wheelchair symbol facing down (rather than upwards), for example, the wrong way round.	First offence may be cancelled.
Blue Badge displayed, but none of the blue badge reference number details are not visible to the CEO.	Not cancelled.
Blue Badge initially displayed but fell into footwell or seat, and the CEO could see the badge or part of the badge on the floor or the seat.	First offence may be cancelled.
Blue Badge displayed but the blue badge reference number details are only partly visible to the CEO.	First offence may be cancelled
Motorist admits they have forgotten to display a valid Blue Badge.	Not cancelled.
Blue Badge on display, but no parking clock displayed when needed.	Not cancelled.
Blue Badge covered, and details are not clear to the CEO	Not cancelled.
Badge displayed is expired and holder does not have a valid Blue Badge.	Not cancelled
Blue Badge displayed is expired and holder does have a valid Blue Badge.	First offence may be cancelled.
Blue Badge holder or Blue Badge holder's driver says "I did not know I could not park there."	Not cancelled.
Overstay in time restricted bay.	Not cancelled.
Parking clock not set correctly, which resulted in overstay.	Not cancelled.
Displaying a Blue Badge that is not yet valid but holds a Blue Badge that is still valid.	First offence may be cancelled.
Displaying a Blue Badge that is not yet valid with no previous valid Blue Badge.	Not cancelled.
An illegal Blue Badge.	Not cancelled.
Blue Badge proven to be misused or abused.	Not cancelled.
Blue Badge is displayed where a vehicle is parked over a dropped kerb.	Not cancelled.
Blue Badge is displayed where a vehicle would endanger, inconvenience or obstruct pedestrians or other road users.	Not cancelled
In all other instances i.e. overstaying 3 hours on double or single yellow lines without a loading ban	Not cancelled.

The Council retains the right to refuse the challenge/ representation on the first occasion if any other circumstances occurred when the PCN was issued. This could include a safety risk, abuse of staff or failure to adhere to other parking restrictions.

### The use of blue badges from abroad

If you have a Blue Badge and it is showing the European Union sign, then you are entitled to park in Leicester. However, if you are from another country, then the expectation is for you to apply in England for a temporary Blue Badge to use while you are visiting; otherwise, you could be issued with a PCN.

Please apply by visiting the following website: [Apply for a Blue Badge \(leicester.gov.uk\)](https://www.leicester.gov.uk/blue-badges/)



## **Blocked access**

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 restrictions. PCNs will be issued to any vehicle parked in contravention.

Leicester City Council does not tow away vehicles for blocking access if no parking restrictions are in place. If the vehicle is causing obstruction or is dangerously parked the police should be contacted.

## **Broken down vehicles**

Claims of alleged breakdown should only be accepted if supporting evidence in the form of one or more of the following is produced:

- Garage receipt on headed paper, appropriately completed and indicating a repair of the alleged fault within a reasonable time of the contravention. Individual circumstances will be looked at and a decision made, but usually, the driver is not allowed to leave the vehicle parked on a parking restriction;
- Till receipt for relevant spare parts purchased on or soon after the date and time of the contravention;
- Confirmatory letter from the RAC, AA or similar motoring organisation confirming a mechanical or electrical breakdown is matching the date, time and location of the contravention.

Listed below are some of the common areas of contention relating to the alleged breakdown of vehicles:

### **Flat battery**

The receipt for the purchase of a new battery or parts that could cause a flat battery (alternator, solenoid etc) should be requested. The receipt should not pre-date the PCN or post-date it by an unreasonable length of time. Individual circumstances will be considered. However, the vehicle should not usually be left unattended in these circumstances. If no evidence is provided, the PCN is upheld.

### **Flat tyres**

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. If the vehicle is left unattended, a PCN will be issued and will only be cancelled if it subsequently transpires that the driver had gone to obtain assistance. In such cases, evidence from the assisting party is required.

If the wheel could not be changed because of mechanical difficulty, evidence supporting this must be produced from the attending breakdown service.

### **Overheating**

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.

Overheating caused by heavy traffic or hot weather is not acceptable as a valid excuse.

## Running out of fuel

Unless due to a mechanical or electrical fault evidenced by a repair, all PCNs are to be enforced.

If it is apparent from previous records that the same driver is continuously trying to avoid liability for PCNs by claiming that his/her vehicle is broken down, this should be considered when deciding on whether or not to accept their challenges or representations.

Where challenges or representations are accepted on a second or subsequent occasion, the keeper should be informed in writing that due consideration to previous incidents will be taken into account should another contravention be committed for the same reason. 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.

A note left in the windscreen stating that the vehicle has broken down will not be accepted by a CEO as a reason for not issuing a PCN. There is also an expectation that a vehicle driver remains with the vehicle in the event of a breakdown and recovery is expected

## Builders

See [Contractor parking](#) section.

## Bus Stops or Bus Stands

Bus stops where they are introduced, are mandatory. They are introduced under Regulations provided by the Secretary of State 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 road markings and traffic signs, no other motor vehicles are allowed to stop at that location. However, there is an exemption for Taxis that allows them to stop, to pick up and drop of passengers.

Please note that Bus Stop Clearways outside of Leicester Railway Station are enforced by CCTV with other locations being enforced by Civil Enforcement Officers (CEO's).

**Important note:** No observation time is given and a PCN is issued immediately.

## C

### Carers and care organisations

Carers may only park in residents only parking places or zones if displaying a valid permit such as an annual visitor permit or visitor scratch card or if they have a valid virtual permit

Eligible residents who require carer's assistance may obtain an annual visitor permit free of charge by providing certain proof documents. The permit is issued without a vehicle registration number and may be used by any carer. Where the annual visitor permit is not available, carers may be able to obtain a visitor scratch card permit from the resident and park in the nearest available residents parking place or zone. Alternatively, carers can park in a pay and display bay by paying the required fee.

Residents who require more than one carer attending them at the same time may be able to apply for an additional annual visitor permit.

### **Carer parking on waiting and other restrictions**

Carers are not exempt from waiting restrictions (single or double yellow lines) or other restrictions such as disabled bays, bus stop clearways, limited waiting bays, loading bays etc. Carers must comply with parking regulations at all times.

### **Organisational Blue Badges**

Where a vehicle displays an Organisational Blue Badge it may park on double or single yellow lines (without a No Loading Restriction) for up to a period of 3 hours and a time clock must be displayed. It cannot be used to park in parking places reserved for specific users such as residents parking places, loading bays and taxi bays.

### **Change of address**

If a registered keeper of the vehicle contacts us in writing and informs us that he/she has moved address and has now provided their new address, we will re-serve the NTO to the new address. Proof of new address is required, such as a copy of their vehicle insurance. We will also advise the registered keeper to notify the Driver and Vehicle Licensing Agency (DVLA) of the new address.

If the customer or new tenant contacts us and says that he/she keeps getting letters for someone who lived at their address previously and:

- Can provide a forwarding address and we are able to verify it on LCC internal databases, we will re-serve the NTO to the new address. However, if the new address cannot be verified, we will continue enforcement action at the address provided by DVLA. If the PCN is then referred to an enforcement agent (bailiff), they will conduct a full trace activity to find the registered keeper.
- Cannot provide a forwarding address. We will continue enforcement action at the address provided by the DVLA. If the PCN is then referred to an enforcement agent (bailiff), they will conduct a full trace activity to find the registered keeper.

### **Charge Certificate**

A Charge Certificate is issued:

1. not less than 28 days after the NTO is issued and no payment or formal representation has been received;
2. not less than 28 days after a notice of rejection of representation is sent where no payment has been received, and no appeal has been made to the TPT;
3. not less than 14 after an appeal to the TPT is withdrawn;
4. not less than 28 days after the rejection of an appeal by the TPT.

When a charge certificate is issued, the amount of the penalty is increased by 50%.

The charge certificate is sent to the registered keeper, requiring payment within 14 days of issue.

### **Civil Enforcement Officer's (CEO's) Pocket Note Books**

CEO's will make electronic notes whilst they are on patrol. This will be used to record details of daily duties, including PCN's issued, incidents, calls. Conversations with the driver of the

vehicle will be recorded and will include reference to the PCN number. These will be made available to officers responding to challenges and representations and to adjudicators in the event of an appeal to TPT.

PCN's issued in relation to Regulation 10 should include the reason such as, Vehicle Driven Away (VDA) or Prevented from Issue (PFI). Other circumstances will also be noted.

### **Clamping of vehicles**

Leicester City Council does not clamp vehicles.

### **Cloned vehicles**

If you have received correspondence which informs you about the PCN and you believe it was not in relation to your vehicle, you must notify us in writing immediately by sending in evidence, such as photographs of your vehicle, to prove that the vehicle against which the PCN was issued is not yours.

You will also need to provide the crime reference number from the police or contact and provide an Action Fraud reference number.

### **Complaints**

The Council complaints procedure does not apply to challenges or representations against PCNs. The driver or the registered keeper of the vehicle can appeal the PCN.

See [Appealing parking Penalty Charge Notice \(PCN\)](#) section for further information.

Allegations that a CEO has made an error while issuing a PCN will be investigated under the standard challenge/representation procedure and a written response will be sent. It should be noted that a complaint about a CEO should not be considered as a challenge to a PCN.

However, any allegation of misconduct or rudeness by a Civil Enforcement Officer against a member of the public or specific complaints around processes will be logged, investigated and responded to by Parking & Moving Traffic Services.

### **Contractor parking**

#### **Contractor parking in residents' parking zones**

All contractors' vehicles parked within a residents' parking zone must either display a valid visitor permit (obtainable from the resident or a landlord) or a contractor permit or must have a valid virtual permit.

Contractor permits are available to purchase online at [MiPermit Leicester City Council Digital Permits and Cashless Parking](#) and are only issued to sign-written vans or estate vehicles. If the vehicle is not sign-written, an A4 laminated sign with the company's name, logo and contact details must be displayed on a dashboard. Please see Loading Bays.

### **Contractor parking on waiting restrictions (single or double yellow lines), except where a loading restriction is in place.**

Parking is only allowed while continual loading or unloading of tools and materials is taking place. At all other times, the vehicle must be moved to a permitted parking area.

Where the vehicle is required to be used as a workshop (for example, where there is equipment secured to the vehicle which is required for the job, or where there is such a large range of tools and equipment required that unloading is impractical), consideration may be given by the Council to the issue of a dispensation. It may be necessary for the vehicle and contents to be inspected by a member of Leicester City Council's staff.

An application form for a dispensation permit can be obtained from Parking and Moving Traffic and must be submitted at least three working days in advance before it is required to be used. Please contact Parking & Moving Traffic team for further information.

### **Contractor parking in pay and display bays**

All contractors' vehicles parked in a pay and display bay must either purchase a pay and display ticket or pay by phone or have purchased a valid contractor permit.

Contractor permits are available to purchase online and are only issued to sign-written vans or estate vehicles [MiPermit Leicester City Council Digital Permits and Cashless Parking](#). If the vehicle is not sign-written, an A4 laminated sign with the company's name, logo and contact details must be displayed on a dashboard.

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.

## **Controlled Parking Schemes**

Within the City of Leicester, there are several types of controlled parking schemes which follow guidance from the Traffic Signs Manuals 'Chapter 3' (some text below is taken from Chapter 3). Controlled parking schemes are normally in the form of either an area wide or a zonal scheme.

The main types of parking control can be either a Controlled Parking Zone, Restricted Parking Zone, Permit Parking Areas, Pavement Parking Prohibition Zone or Pedestrian Zone.

The conditions are: -

### **Controlled Parking Zone**

There are two types of controlled parking zones 'CPZ', the first prohibits waiting by all vehicles within the zone limits, though it may also include designated parking places within the zone. Whereas the second CPZ, only prohibits waiting by commercial vehicles (goods vehicles; goods vehicles and buses or just buses).

The first type of CPZ is where every road is subject to a 'No waiting' prohibition/restriction indicated by single or double yellow lines and may also have 'No loading' shown by single or double yellow kerb markings.

However, the zone may also include parking places. Within the CPZ, there is no requirement to install repeater plates for the yellow lines road markings which would specify the days and

hours of operation. At each entrance, for motor vehicles, there shall be zone entry plates giving the days and hours of operation. Where no days and hours are specified, it means the zone is in operation on all days and at all times.

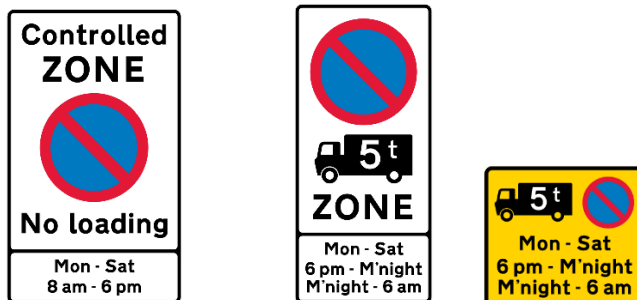
Any parking places shall be signed separately. In addition, any single yellow line located within the zone that operates at different times or on different days to the CPZ as a whole, shall be signed separately. It should be noted that there are several variations of this type of CPZ, they can be in the form of a: -

- Meter Zone;
- Pay and Display Zone;
- Ticket Zone;
- Disc Zone; Disc and Meter Zone
- or a Ticket and Meter Zone.

The second type of CPZ, prohibits waiting by commercial vehicles (goods vehicles and buses), usually overnight. Unlike the first CPZ the zone does not have road markings associated with it, but still has zone entry plates.

In addition, within the zone shall be repeater plates showing the days and hours of operation. It should be noted that any other yellow line road markings within the zone, shall be signed separately and apply to all vehicles when in operation.

*Examples of zone entry plates and a repeater plate (Lorry CPZ only)*



## Restricted Parking Zone

A restricted parking zone 'RPZ', is where every road within the zone limits is subject to a 'No waiting' restriction, this may also include a 'No loading' restriction.

At each entrance, for motor vehicles, there shall be zone entry plates giving the days and hours of operation. Where no days and hours are specified, it means the zone is in operation on all days and at all times.

Within the RPZ there shall be repeater plates showing the days and hours of operation and reminding users that a No waiting or No waiting and No loading restriction applies.

Unlike a CPZ, there will be no yellow line road markings within the zone.

Zone entry plates showing that No waiting or No waiting/No loading is restricted may also have an additional panel stating 'Except in signed bay' or 'Except in signed bays'. This means, within the zone, there are defined or marked parking bays that allow some form of parking.

Each parking place shall have separate time plates showing the type of vehicle that may use the parking place (e.g. Loading, Disabled) along with the days and hours of operation.

Examples of zone entry plate and its repeater plate.

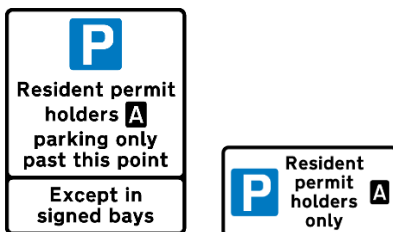


### Permit Parking Area

For permit parking area 'PPA' the road (or one side of the road, as signed) is reserved solely for permit holders. This can be an area wide scheme and at each entrance for motor vehicles, there shall be zone entry plates giving the days and hours of operation. Where no days and hours are specified, it means the scheme is in operation on all days and at all times. Within a PPA generally, there are no parking place road markings. There will be repeater plates reminding users that the road is reserved solely for permit holders.

However, the zone entry plate may have an optional panel that states 'Except in signed bays'. This means that within the PPA there are some marked parking places that are signed for other road users (e.g. loading, limited waiting). These parking places will be for a specific type of users and show the days and hours of operation. In addition, there may be yellow line road markings, normally junction protection if there is any potential road safety concerns.

Example of zone entry plate and its repeater plate.



### Pavement Parking Prohibition Zone

A pavement parking prohibition zone 'PPPZ' prohibits parking on the pavement adjacent to the roads that it covers and shall operate at all times on all days. The prohibition should always apply to both the footway and verge, where they are present, even if they do not occur at the same place.

At each entrance for motor vehicles, there shall be zone entry plates, which can have a second panel that can be varied to prohibited parking on the footway, the verge or both. It may be varied to state 'No motor vehicle parking on footway (and/or verge)' and may also include the text 'Except where signed'.

Where the zone entry plate states 'Except where signed' this means there will be marked parking places either painted partly or wholly on the footway.

Vehicles may only park wholly within the limits of the marked parking places. In addition, the parking places may be signed separately for a specified class of vehicle (e.g. residents, loading,

limited waiting) and should give the days and hours of operation. Where no days and hours are specified, it means the parking place is in operation on all days and at all times.

Finally within the PPPZ there shall be repeater roundels reminding users that parking on the footway and/or verge is prohibited.

*Example of zone entry plates (car symbol may be shown wholly on footway) and its repeater roundel.*



### **Pedestrian Zone**

A pedestrian zone 'PZ' works in two ways.

- The first restricts access (bar exempted vehicles) at all entry points into the zone.
- The second part, looks at the parking prohibitions/restrictions within that same area.

Within the City of Leicester subject to its location and requirements, either motor vehicle or all vehicles (includes pedal cycles being ridden) are prohibited access into the zone, either at all time or on specified days and times of the week.

There may be exemptions (e.g. for loading, disabled, permit holders, etc.) to the PZ, these will be signed within the second panel of the zone entry plate, along with the times that the exemptions apply.

Where no days or times are shown in the second panel, then access to those exempted vehicles shall apply at all times, on all days.

Where the entry plate shows a third yellow panel, this prohibits motor vehicles from waiting within the limits of PZ and shall apply at all time and on all days.

Loading may be permitted as an exemption and would be restricted to certain days and hours of the week as shown in the second panel.

The PZ is predominately for pedestrians giving them full use of the width of the road that are generally shopping streets. The streets may be fully paved or comprise a carriageway with separate footway.

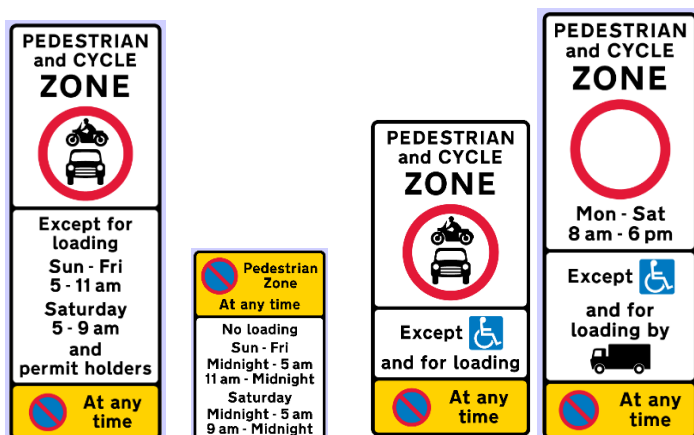
Where the street is just paved, there shall be repeater plate relating to the parking prohibitions/restrictions.

Where the street has a carriageway and footway, yellow line road markings may be painted and supported by the parking plates confirming the parking prohibitions, restrictions or provisions are in place.

Any parking places (disabled, loading) within the PZ will be signed separately.



Example of zone entry plates and its repeater plates.



## Council officers and Councillors on duty

All Council officers and Councillors on duty are expected to comply with parking regulations fully. Failure to do so may result in the issue of a PCN.

The challenge, representation and appeal procedure is open for Council officers and Councillors to use should they consider that the PCN has been issued incorrectly. Any work-related mitigating circumstances should be confirmed in writing by the relevant Service Manager or Service Director.

## Contravention codes

The list of common parking contraventions in Leicester:

### On-street

Code	Description	Charge £	Notes
01	Parked in a restricted street during prescribed hours.	70	This means parked on a single or double yellow line.
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force.	70	This means parked where loading restrictions apply.
05	Parked after the expiry of paid for time.	50	On-street pay and display.
11	Parked without clearly displaying a valid pay and display ticket or voucher.	50	On-street pay and display.
12	Parked in a residents' or shared use parking place or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place,	70	Residents' parking and shared use places or zone where no permit or ticket is displayed.

Code	Description	Charge £	Notes
	or without payment of the parking charge.		
14	Parked in an electric vehicles' charging place during restricted hours without charging	70	Electric charging bay only.
16	Parked in a permit space or zone without clearly displaying a valid permit.	70	Residents' parking space or zone that is signed for specific permit holders.
19	Parking in residents' or shared use parking place or zone either displaying an invalid permit or voucher or pay and display ticket or after the expiry of paid for time.	50	Residents' parking and shared use parking place or zone when, for example, an out of date permit is displayed.
21	Parked wholly or partly in a suspended bay or space	70	Suspended parking bay.
22	Re-parked in the same parking place or zone within one hour after leaving	50	Re-parked in the same parking place within the specified no return time.
23	Parked in a parking place or area not designated for that class of vehicle.	70	Incorrect class of vehicle parked.
24	Not parked correctly within the markings of the bay or space	50	Out of marked bay.
25	Parked in a loading place during restricted hours without loading.	70	On-street loading place.
27	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway	70	Parking blocking a dropped kerb and or a H marking.
30	Parked for longer than permitted.	50	Limited waiting places; Blue Badge holders parked in disabled place or on single or yellow lines for longer than three hours.
40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner.	70	Disabled parking place.
45	Stopped on a taxi rank.	70	Taxi only bay.
46	Stopped where prohibited (on a red route or clearway)	70	Red route.
47	Stopped on a restricted bus stop or stand	70	Bus Stand or bus stop clearway.

Code	Description	Charge £	Notes
48	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	70	School Zig-Zigs.
49	Parked wholly or partly on a cycle track or lane	70	Cycle Lane.
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	70	
62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	70	Parking on the footpath.

EV's on and off street

#### Off-street

Code	Description	Charge, £	Notes
71	Parked in an electric vehicle's charging place during restricted hours without charging.	70	Dover Street Car Park, Newark Street Car Park, Victoria Car Park.
73	Parked without payment of the parking charge.	50	Parked without payment. Off street car parks.
82	Parked after the expiry of paid for time.	50	Parked after the expiry of paid for time. Off street car parks.
83	Parked in a car park without clearly displaying a valid pay and display ticket or voucher or parking clock.	50	Off-street car parks.
85	Parked without a valid virtual permit or clearly displaying a valid physical permit where required.	70	Off Street permit parking bay only.
86	Parked beyond the bay markings	50	Off-street car parks.
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner.	70	Off-street car parks. Disabled parking space only.
92	Parked causing an obstruction	70	Parked causing obstruction- Off Street car parks.

## Court attendance

Jury members and witnesses should be aware that the length or timing of any court hearing or trial cannot be guaranteed. Often, jury members or witnesses find that they are unable to leave the court to purchase further pay and display time in a car park or an on-street parking space. Courts often issue clear instructions to jury members and witnesses advising how and where to park.

There are “pay on exit” car parks in Leicester City Centre where payment is made upon return to the car park before leaving. These car parks are recommended when attending the court. Visit [www.leicester.gov.uk/transport-and-streets/parking-in-leicester/where-to-park](http://www.leicester.gov.uk/transport-and-streets/parking-in-leicester/where-to-park) for more information.

Any PCNs issued as a result of overrun court hearings or other court appointments will not be cancelled.

The conditions that apply to jury members and witnesses apply equally to defendants. However, if a defendant is given a custodial sentence and, as a direct result, is unable to remove the vehicle from a pay and display bay or a Council car park, the Council expects that the vehicle will be removed as soon as reasonably possible by the defendant’s family, friends or legal representatives.

If a PCN is issued, individual circumstances, along with supporting documentation, will be considered.

## Covered vehicles

Any motor vehicle that is parked on a public road including bays is required to display its registration plates. Covering the vehicle could prevent them from being seen, and this is an offence.

It would not be illegal to cover the vehicle as long as the registration plates and any permit displayed could be seen. Clear plastic panels could be used in the appropriate places to enable the registration plates and the permit to be visible.

## D

### Dangerous parking

Civil Enforcement Officers (CEOs) observe vehicles parked in contravention of some parking restrictions (such as waiting restrictions) for five minutes before issuing a PCN.

However, this observation period will be waived for vehicles that are parked in contravention of a restriction, in a manner that is considered dangerous or inconsiderate with the potential to put other road users at risk. Where the vehicle drivers return to the vehicle while the PCN is being issued and drive away, the PCN (Regulation 10) will be sent to the registered keeper of the vehicle by post.

Dangerous, irresponsible and obstructive parking causes serious problems and puts other road users at risk. It has a knock-on effect of blocking the free flow of traffic, causing congestion and disruption and at worst obstructing emergency service vehicles and potentially putting lives at risk.

Drivers who park dangerously and cause a hazard to other road users and pedestrians will be issued an instant penalty charge notice (PCN) if observed to be parked recklessly in areas such as those listed below:

- School zig-zag markings;
- In bus stop clearways;
- On double yellow lines in dangerous locations such as on corners, at junctions or across dropped kerbs on corners and junctions;
- On arterial routes in and out of the city.
- On a red route

Vehicles can also be towed away if a driver is a persistent offender/evader of parking fines in Leicester. The Council will also consider towing a vehicle if it is parked dangerously or inconsiderately on the highway, or causing danger to pedestrians

### **Data protection (GDPR)**

Any personal data that is provided by customers will be processed in accordance with current data protection legislation . It will be used by Leicester City Council and our partners to deliver and improve services and fulfil our legal duties.

We will not disclose any personal information to anyone else unless required or allowed to do so by law. Read more about how we use personal data in our Privacy Notice on our website: [www.leicester.gov.uk](http://www.leicester.gov.uk).

### **Debt Registration**

PCNs are sent to the Traffic Enforcement Centre (TEC) (based in Northampton) no earlier than 14 days after the issue of a Charge Certificate. Each debt registration with TEC costs £10 (at the date of issue of this Policy) is added to the amount owed to the Council.

Once the debt has been registered at TEC an Order for Recovery and Witness Statement is sent to the debtor advising that they have 21 days to pay the amount owed or to make a Witness Statement.

Failure to do any of the above will result in a Warrant of Execution being applied for by the Council at TEC. Once issued, the Council may instruct an Enforcement Agent (Bailiff) to collect the debt on behalf of the Council. Once the warrant is issued to the Enforcement Agent, any communication regarding the PCN should be made them and not the Council. The Enforcement Agent may then contact the Council on behalf of the debtor.

### **Dental or Doctors' Appointment**

Motorists should be well aware that it is not unusual for dentist/doctor's appointments to over-run. PCN's will therefore not be cancelled in response to a challenge/representation made for this reason.

## Description of the vehicle on the PCN

When issuing a PCN, a CEO notes the make, colour and registration number of the vehicle. These details appear on the PCN. The CEO also notes other supporting details such as tyre valve positions when enforcing some parking restrictions such as limited waiting bays.

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, it is possible for an incorrect make to be entered unintentionally. Although consideration will be given to cancel the PCN in these circumstances, if the registration number matches with the registration number on photographic evidence taken at the time of the PCN issue, the PCN will be enforced.

Colours can be interpreted differently by different people, particularly metallic colours (for example, silver and blue, black and grey, white and cream). While a difference in the colour of a vehicle compared with the detail supplied by the DVLA may be an indication of incorrect vehicle description, the vehicle registration is the one thing that is unique to a vehicle.

If the keeper cannot provide evidence that the registration number differs from that recorded, the PCN will usually be enforced irrespective of any other error regarding colour or make.

## Disabled badge

See [Blue Badge](#) section.

## Disabled drivers/passengers

See [Blue Badge](#) section.

## Disabled parking bays

See [Blue Badge](#) section.

## Dispensation

See [Contractor parking](#) section and [ontractor parking on waiting restrictions \(single or double yellow lines\)](#), **except where a loading restriction is in place.**

section.

## Drink driving or other arrests

If a driver of a vehicle has been arrested and as a direct result, has been forced to leave the vehicle in contravention of a parking restriction and a PCN has been issued, evidence of the arrest must be provided.

Evidence of the arrest should include the date and time of the arrest and release, custody number, officer and police station involved.

If written evidence is not provided, the PCN will be enforced.

## **Dropping off/ picking up passengers**

Except on designated clearways, zigzags (schools and pedestrian crossings), any vehicle is allowed a reasonable amount of time to drop off or pick up passengers irrespective of any waiting or loading restriction in force.

Observation time of five minutes is given for certain parking contraventions to ensure that this activity is taking place, including assisting the elderly, disabled persons or young children or dealing with large amounts of luggage. No special consideration is given to Hackney Carriages or Private Hire vehicles.

## **Dropped kerbs**

Parking alongside a dropped footway can cause inconvenience to a number of users, e.g. pedestrians crossing the carriageway; wheelchair and mobility scooter users; cyclists entering or leaving the carriageway; vehicles entering or leaving the carriageway across the footway, cycle track or verge.

Leicester City Council has powers under The Traffic Management Act 2004 to issue PCN's at the higher rate of £70.00 to vehicles (including vehicles with Blue Badge on display) that are parked at dropped crossings, where parking restrictions are in place and also where there are no parking restrictions.

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

#### **Pedestrian dropped crossings**

- 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.
- Where the crossing has non-tactile paving, 50% or more of the dropped kerb will need to be blocked.
- Where the crossing has tactile paving, then any part of the dropped kerb will be sufficient for a PCN to be issued.

As there is an exemption for loading/unloading, a CEO will determine if these activities are taking place. A maximum of 20 minutes must be allowed provided that the vehicle is not parked longer than is necessary to enable loading/unloading to take place. If no activity 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.

#### **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. Enforcement is there to protect those dropped kerbs for cyclists therefore, if any portion of it is parked over a PCN will be issued.

#### **Dropped kerbs at residential properties.**

Once the resident has reported that their access is blocked by a vehicle parked over a dropped kerb outside of their property, the appropriate Manager/Supervisor will decide the level of importance given the other pressures and priorities for enforcement at that time.

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

The CEO will determine if the vehicle is in contravention and a PCN will only be issued if this is established.

The CEO will observe the vehicle to determine if loading/unloading is taking place. Exceptions may include:

- Passengers boarding or alighting the vehicle.
- Vehicles used by the fire, ambulance or police service
- Vehicles used for bin collections, building works or road works.

The CEO will confirm with the resident that enforcement has been requested. They will make a note to this effect on their hand held device. It should be noted that the officer will only visit the front door of the property.

CEO's have no power to enforce against any vehicles which are parked opposite driveway entrances or that are just inconvenient.

It should be noted that if Blue Badge holder parks at dropped kerbs, normal enforcement action could be taken.

If access to premises is blocked and no parking restrictions are present, the police can also be contacted.

Also see H markings

### **Emergency and exempt vehicles**

Emergency vehicles are exempt from parking regulations within the Traffic Regulation Orders, provided they are on emergency duties. Vehicles on routine duties (for example, without sirens or blue lights in use) are not considered to be on emergency duty.

Drivers of covert police vehicles must prove they were on duty at the time the PCN was issued by providing a letter signed and authorised by a Police Inspector or higher ranking officer.

However, if the CEO observes a police vehicle parked in contravention and the Police Constable in uniform informs them that they are attending an emergency situation, a PCN will not be issued and the vehicle details will be communicated to other officers.

The following vehicles are exempt from parking restrictions provided that they are on emergency duty:

- Fire brigade vehicles;
- Marked police vehicles;
- Ambulance vehicles;
- Official bullion vehicles

The following vehicles are exempt in the circumstances described:

- Local authority vehicles (or subcontractors) whilst being used to carry out statutory duties that require the vehicle to be parked in close proximity during refuse collection,



street cleansing, highway maintenance, grass cutting, parking enforcement. Any unattended vehicles will be issued with a PCN.

- Royal Mail vehicles liveried with the crown sign engaged in the delivery of postal packets. This does not include private vehicles being used by postal staff while carrying out letter deliveries. Such vehicles are expected to be parked in compliance with any parking restrictions.
- Utility and communications companies while actively laying or undertaking repairs to pipes, cables or other apparatus. This does not include installation of lines or systems to premises or routine service and repair calls.
- Furniture vans while moving furniture to or from a dwelling, office or depository. Wherever possible, these vehicles should not be parked in contravention of a loading restriction. The continuous loading or unloading activity should be seen by a CEO at all times; otherwise, a PCN will be issued.
- Special vehicles (such as excavators, cranes) involved in building, excavating and demolition work, while lawfully and actively engaged on those duties. A licence may be required from the Council's Licensing Team and Highway department permission to authorise this type of work if sections of the highway are involved.
- Public Service vehicles and other company vehicles whilst waiting at an authorised stopping place, terminus or turning point.

All exempt vehicles should be liveried, not private cars or unmarked vans.

### **Emergency medical duties**

Medical professionals engaged in emergency duties are, wherever possible, expected to park legally. Should a PCN be issued, it may be cancelled upon evidence of the emergency assistance being provided. Under no circumstances, PCNs will be cancelled for parking on loading restrictions or in disabled bays.

Routine or scheduled visits are not considered an emergency.

### **Enforcement Agents (Bailiffs)**

Enforcement Agents, as agents of the court, are court officers. They perform many functions, including executing warrant.. These are court orders for the collection of money or goods of sufficient value to cover the required amount. They may park their vehicle on a restriction to facilitate the collection of goods and will be considered to be loading or unloading; otherwise, they must adhere to parking restrictions.

For other activities where they do not need a vehicle nearby (for example, if they are serving a summons or a warrant, not enforcing it) they are expected to comply with parking restrictions.

## Enforcement requests

Customers are advised to notify the Parking & Moving Traffic Team of any parking issues they are experiencing.

However, we can only enforce if there are parking restrictions in place. If obstruction or dangerous parking is taking place and there are no parking restrictions, this is the responsibility of the police and they should be contacted on 101.

## Estate Agents and Landlords

Estate Agents and Landlords are not exempt from parking restrictions therefore, a PCN will be issued to any vehicle parked in contravention

Estate Agents and Landlords visiting a client's property within a resident's parking zone should display a valid permit.

See [Permits](#) section for further information.

## F

## Footway and pavement parking

Most waiting and loading restrictions cover the whole highway and are usually valid from the centre of the carriageway to the property boundary (including all pavements, footways and grass verges).

Therefore, if a vehicle is parked on a pavement or grass verge beside the parking restriction (e.g. single, double yellow lines, kerb markings, bays for specific road uses), a PCN will be issued for contravention of the relevant restriction.

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 a HGV is parked with two or more wheels on the footway or verge.

## Fraud, including identity fraud

If you are subject to fraud, please contact the police. You will be given a crime reference number. Please also contact Action Fraud.

If you received PCNs in your name, but your name and address have been used fraudulently, please contact Parking Services quoting the police crime reference number and Action Fraud reference number. You are also advised to contact DVLA.

## Funerals and weddings

Vehicles actively involved in a funeral or wedding will be given due consideration, and PCNs are not issued. Examples are, an official hearse and cortege vehicles or an official car transporting the bride and groom.

However, such vehicles must not park on loading restrictions, bus stops, zigzag lines.

Vehicles belonging to other mourners or wedding guests should seek alternative legal parking.

## G

### Garages – vehicles left unattended

If a garage employee parks a vehicle on the highway in contravention of a restriction while maintenance of the vehicle is being carried out, a PCN will be issued and the responsibility for payment rests with the registered keeper of the vehicle.

Garages have no right to utilise the highway in such a manner and PCNs would always be enforced.

### Glaziers

Claims of glazier companies that a vehicle needed to be parked close to the location for an emergency repair are treated leniently providing the CEO's notes confirm, that such activity was taking place at the time the PCN was issued.

PCNs will not be cancelled when issued to vehicles that are not actively involved in such work.

### Government Department Vehicles

PCNs issued to vehicles owned or operated by government departments will be enforced. They are not exempt purely because they are operated by a government department

If vehicles are involved in exceptional activities, such as surveillance by HM Revenue and Customs, evidence to support this in the form of a written statement from a senior manager on headed paper must be supplied.

Wherever possible, government agencies involved in such activities should be encouraged to give the Council advance notice of the vehicles involved.

### Grace periods

In pay and display bays or Council run pay and display car parks, a 10 minute grace period is allowed after the expiry of paid for time, after which a PCN will be issued.

In limited waiting bays, a 10 minute grace period will be given after the expiry of allowed parking time, after which a PCN will be issued.

A grace period of 5 minutes will be given in order to pay for parking after which time a PCN will be issued.

### Grass verge parking

See [Footway and pavement parking](#) section.

## H

### H - Markings

If vehicles are parked on a H-marking and blocking access, a PCN can be issued if a request is made from the household whose access is blocked. The requester will need to confirm their details and also provide some vehicle details at the time of the request.

## Hackney Carriages and Private Hire Vehicles

Hackney carriages/private hire vehicles may stop to allow passengers to board or alight for long as reasonably necessary for this purpose .

If a licensed hackney carriage or private hire vehicle is left unattended and no activity is seen, it is liable to receive a PCN.

See [Dropping off/ picking up passengers](#) section for further information.

## Hazardous Chemicals and Substances

Claims by companies that toxic or dangerous substances were delivered to or collected from premises and as a result a PCN was issued, are given careful consideration.

If the PCN was issued for contravention of a 'no waiting' restriction, and it can be established from the CEO's notes whether the activity of loading was taking place, the PCN may be cancelled. If no loading activity were taking place, the PCN would be enforced.

There is no reason to differentiate between toxic and non-toxic deliveries, as it is the driver's responsibility to ensure that the vehicle is moved immediately once the loading or unloading activity is complete.

Any such representations should be accompanied by documentary evidence showing the nature of delivered goods, date, time and the location of the delivery which corresponds with the location, date and time of the issued PCN.

## Hired vehicles

In the case of a hired vehicle, the hirer is responsible for the PCN, provided that a hire agreement has been signed. The NTO is issued to the registered keeper of the vehicle, i.e., the hire company and the hire company must then make a formal representation to the Council.

The representation must be accompanied by a copy of the relevant hire agreement.

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 PCNs incurred during the hire period.

If any of the above is unclear, absent or in contradiction of the date and time of the PCN issue, the PCN is enforced against the hire company.

## Hospital visits

A PCN may be cancelled in cases where the driver of a vehicle attended an emergency visit to a hospital and supporting evidence, in the form of a letter from the hospital, is provided.

The letter should state the date and time of the emergency visit, which must correspond with the PCN details. All cases are looked at and decided on an individual basis.

Pre-arranged appointments are not deemed to be emergency visits. PCNs issued to drivers visiting sick relatives are not usually cancelled.

## K

### Kerb markings

Kerb markings denote a loading restriction. They are painted on the kerb at right angles to the carriageway. They are used in conjunction with single or double yellow lines. A double kerb marking denotes no loading at any time, and a single kerb marking denotes loading restrictions at particular times of the day.

There is usually a sign indicating the times of restriction or stating “no loading” or “no loading at any time”.

In respect of a double kerb marking there is no requirement for a time plate.

## L

### Legislation

The legal provisions governing parking enforcement include:

- The Highways Act 1980;
- The Road Traffic Regulation Act 1984;
- The Road Traffic Act 1988;
- The Road Traffic Offenders Act 1988;
- The New Roads and Street Works Act 1991;
- The Traffic Management Act 2004;
- The Traffic Signs Regulations and General Directions 2016;
- The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022;
- The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

If the keeper is querying the authority behind a specific restriction, reference should be made to the relevant Traffic Regulation Order, held by the Council.

### Limited Waiting Bays

Some parking bays allow parking for a limited time (such as a maximum stay of one hour between Monday and Friday 9 am to 4 pm). If a vehicle is observed parked for a longer period during the controlled hours, a PCN may be issued.

### Loading or Unloading

Delivered or collected goods must comply with the definition of "goods" (see [Definition of goods](#) section below for further information).

Stopping in a loading bay or on a waiting restriction to order and then wait and collect a take away or to pop into a shop and similar type activities is not permitted.

This does not meet the definition of goods and where observed can result in an instant PCN being issued without the requirement of a 5 minute vehicle observation.

Loading or unloading is generally permitted when waiting restrictions are in place, except when there is also a loading restriction, pay and display and residents bays. However, this only applies while carrying out the legitimate activity of continuous loading or unloading, provided:

- Continuous loading or unloading activity involving the vehicle is observed by a CEO while the vehicle is parked. The observation period is five minutes. A PCN is only issued if no activity is seen during the five minute observation period;
- Delivered or collected goods must comply with the definition of "goods" (see [Definition of goods](#) section below for further information).
- Stopping in a loading bay or on a waiting restriction to order and then wait and collect a take away or to pop into a shop and similar type activities is not permitted. This does not meet the definition of goods and where observed can result in an instant PCN being issued without the requirement of a 5 minute vehicle observation.

If a PCN is issued, a challenge will be considered when supported by evidence confirming that the driver was involved in moving heavy goods and it matches the location, date and time of the issued PCN.

In all cases, the vehicle should never be parked for longer than necessary. Other activities such as installation or repairs are not permitted and are not classed as loading or unloading.

### Definition of goods

In claims for loading or unloading, permitted goods are deemed to be any that are of sufficient bulk, weight, size and quantity that that have been pre purchased and cannot easily be transported to or from the vehicle and require the vehicle to be parked in a loading bay or on a waiting restriction and as close to the point of collection or delivery.

If the goods collected or delivered comply with the above description and is being carried out to a trade, business or residential premises by a commercial or private vehicle, this will be seen as compliant with the above.

### Loading bays

A loading bay may only be used by a vehicle to or from which goods are being loaded or unloaded.

### Deliveroo, Uber eats etc

Vehicles are only permitted to stop in a loading bay to carry out continuous loading and unloading activity. Vehicles should only stop and park at the time a collection is ready.

If the goods or items are not ready for collection at the time of arrival and there is likely to be a delay resulting in the collection and returning to the vehicle taking longer than 5 minutes, then the vehicle driver should move the vehicle and return at the time the collection is ready.

A PCN may be issued to a vehicle where no continuous activity is seen for 5 minutes

See [Loading or Unloading](#) section for further information.

## Loading prohibitions

Loading prohibitions are denoted by kerb markings and 'no loading' signs. See [Kerb markings](#) section for further information.

Where there is a loading prohibition in place, a CEO will issue an instant PCN to any vehicle parked. No observation period is given in respect of a loading prohibition.

However, in instances where designated parking bays change into a loading restriction during the specified time (e.g. between 4 pm and 6 pm), a PCN will only be issued 10 minutes after the time the loading restriction has come into force.

## Location incorrect (street or car park name)

Where a PCN is issued and the street or car park name is incorrectly stated on it, this is deemed to be a material error and the PCN will be cancelled.

## Lost keys

Where it is claimed that car keys have been lost, stolen or locked in a vehicle thus preventing its removal from a parking area and resulting in the issuing of a PCN, due consideration will be given to its cancellation.

The representation should be accompanied by supporting evidence from the police, garage or motoring organisations

Consideration will be given to whether the vehicle should have been parked at the location in the first place (for example, on a yellow line) and whether the loss of keys prevented the purchase of additional parking time. Each PCN is looked at individually depending on the evidence provided.

## M

### Medical conditions

A PCN issued as a result of the effect of a medical condition is not usually cancelled; however, individual circumstances are taken into consideration.. While we sympathise with medical conditions, drivers should not park illegally due to medical conditions.

See [Emergencies](#) section for further information.

### Misspelling of keeper's name

The misspelling of the keeper's name or address on the NTO does not invalidate the PCN or discharge the liability of the person receiving it. The onus is still on the genuine keeper to deal with the matter.

Such names and addresses are, in most cases, obtained from the DVLA and the keepers supply them themselves.

## Mitigating circumstances

Each case will be judged on its individual merits and particular circumstances are referred to elsewhere within this document. Below are a few general guidelines:

### Children/ elderly people

Claims made by people that they were accompanied by young children or older people and were delayed by them are not accepted as reasons to cancel a PCN. Allowance should be made for this when purchasing parking time. Claims that PCNs were issued while dropping off or collecting children from the school will not be cancelled. In these circumstances, a vehicle should be parked legally.

### Delays

Delays due to queues at shops, meetings or appointments overrunning are not 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.

### Emergencies

An emergency is an unforeseen situation that prevented the driver from moving the vehicle. They are usually medical in nature and leniency is exercised where it can be seen that the driver could not foresee this situation. Such claims should be supported by independent evidence.

## N

### Notice to Owner (NTO)

For Regulation 9 PCNs (see [PCNs served by hand - Regulation 9](#) section), when it remains unpaid for 28 days, the Council will make enquiries with the DVLA to ascertain the identity of the registered keeper.

Once details of the keeper are received from the DVLA, a NTO is sent to the keeper informing him/her about the PCN and outstanding amount. For regulation 10 PCNs (see [PCNs served by post - Regulation 10](#) section), the Council will make an enquiry with the DVLA within 24-48 hours of the PCN issue.

The NTO contains full details of the PCN and requests payment within 28 days. It also allows the keeper to make a formal representation against the PCN within 28 days.

The form to make a formal representation is included with the NTO form. Additional sheets and any supporting documentation may be added.

### Notice of Acceptance or Rejection of formal representation

When the keeper of a vehicle makes a formal representation to the Council in response to a NTO, the Council has 56 days from receipt of the representation to respond.

A Notice of Acceptance confirms that the representation has been accepted and that liability for the PCN has been cancelled.

A Notice of Rejection formally rejects the representation and gives specific reasons as to why the Council has come to this conclusion. The rejection also includes the necessary instructions



which enable the keeper to make an online appeal to the TPT. The appeal must be received by the TPT within 28 days of the Notice of Rejection of Representation. Link to the PATROL website is as follows:

<https://www.patrol-uk.info/>

## O

### Observation periods

In general, a CEO continuously observes a vehicle for a period of 5 minutes in a designated parking space, such as a loading bay, residents parking bay or on single or double yellow lines prior to issuing a PCN. The vehicle's details are entered into the CEO's handheld computer terminal when first seen. The first observation time and the PCN issue time appears on the face of the PCN and is recorded by the enforcement software system.

However; with certain contraventions, this observation time is not appropriate and the CEO will judge each situation as it arises, especially where vehicles are causing obstruction or dangerously parked, where drivers persistently contravene parking restrictions to access a cash point or parking outside schools and shops. In these situations, no observation time is given.

In the case of non-payment in on-street pay and display bays and council run pay and display car parks, only 5 minute observation period is given.

For contraventions on loading restrictions, in disabled bays or other bays reserved for specific types of vehicles, the observation period does not apply and a PCN is issued immediately as in these cases, there is no exemption for loading or unloading.

An observation period differs from a grace period. See [Grace periods](#) section for further information.

## P

### Parking zones

See [Controlled Parking Schemes](#)

### Pavement parking

See [Footway and pavement parking](#) section.

### Pay and display bays/ pay and display car parks operated by Leicester City Council

Payment bays (pay & Display and/or pay by phone) and pay and display car parks require the purchase of a ticket at the time of parking either from a ticket machine or electronically by a mobile device.

It is the driver's responsibility to check signs and tariffs and purchase a ticket for the necessary time.

All physical tickets have the expiry date and time printed on them along with the fee paid and the location or number of the pay and display machine. For a virtual electronic ticket the

information will be displayed on the phone App. The fees payable are displayed on or adjacent to each pay and display machine or information plate. Vehicles should be parked in the correct bay.

Pay and display tickets must be:

- clearly and correctly displayed while the vehicle is parked;
- unexpired;
- for the car park or street purchased.

PCNs are issued for:

- failing to display a valid ticket;
- displaying a ticket that has expired;
- parking in an incorrect bay (for example, parking in a residents' parking bay instead of a pay and display bay);
- parking outside bay markings;
- display of a ticket for another car park or street;
- parking the wrong class of vehicle.
- parking the wrong class of vehicle.
- for virtual ticket, the expiry of the paid for time

#### Criteria followed when considering challenges or representations

Scenario	Outcome
Pay and display ticket not displayed correctly, preventing the CEO from checking the ticket.	First PCN cancelled if proof of valid ticket is provided. Further PCN's for similar offences are not cancelled.
Pay and display machine was out of order.	<p>If the fault has been reported and pay by phone or a nearby alternative machine is not available consideration will be given to cancelling the PCN.</p> <p>Claims that a pay and display machine was not working will also be considered by reference to the maintenance records, CEO's notes, machine fault logs, test records and the Enforcement Team telephone logs for machine faults. Consideration will then be given to cancelling the PCN.</p>
Needed change for a pay and display machine and gone to obtain change.	Not cancelled. 5 minutes observation period is allowed

		for on-street pay and display bays and pay and display car park.
Pay and display ticket expired because the pay and display machine. did not register all change fed into the machine		Not cancelled. It is a customer's responsibility to check the machine display prior to pressing the issue ticket button.
Customer claims that he/she did not realise that the pay and display was in place.		Not cancelled, as there will always be appropriate signs in place.
<b>Scenario</b>	<b>Outcome</b>	
Pay and display ticket not displayed correctly, preventing the CEO from checking the ticket	First PCN cancelled if proof of valid ticket is provided. Further PCN's for similar offences are not cancelled	
Pay and display machine was out of order	<p>If the fault has been reported and pay by phone or a nearby alternative machine is not available consideration will be given to cancelling the PCN.</p> <p>Claims that a pay and display machine was not working will also be considered by reference to the maintenance records, CEO's notes, machine fault logs, test records and the Enforcement Team telephone logs for machine faults. Consideration will then be given to cancelling the PCN.</p>	
Needed change for a pay and display machine and gone to obtain change	Not cancelled. 5 minutes observation period is allowed for on-street pay and display bays and pay and display car park	
Pay and display ticket expired because the	Not cancelled. It is a customer's responsibility	

pay and display machine did not register all change fed into the machine	to check the machine display prior to pressing the issue ticket button
Customer claims that he/she did not realise that the pay and display was in place	Not cancelled, as there will always be appropriate signs in place

Motorist should be aware that payment can be made by either using a pay and display or by using the Pay by Phone app.

## Payments

### Challenge or representation accompanied by a partial payment

If a partial payment is accompanied by a challenge (before an NTO is sent out) and the challenge is rejected by the Council, the partial payment will be taken, and the Council will pursue the remaining outstanding balance.

If the partial payment is accompanied by a challenge/representation and the challenge/representation is accepted by the Council, the payment will be returned.

## Pedestrian Preference Zone (PPZ)

See Controlled Parking Schemes

## Penalty Charge Notice (PCN) process

The PCN process chart can be viewed online: [www.patrol-uk.info/](http://www.patrol-uk.info/).

### PCNs served by hand - Regulation 9

Under Regulation 9 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (The Regulations), PCNs are affixed to a vehicle within a sealed plastic carrier or handed to a driver.

The PCN contains details including the following:

- Name of the enforcement authority;
- The date and time of the alleged contravention;
- Registration mark of the vehicle;
- The make and colour of the vehicle;
- Location of the vehicle;
- Details of the alleged contravention;
- the amount of the PCN;
- instructions on how and where to pay;
- instructions on how and when an enquiry or formal representation against the issue of the PCN may be made;
- the CEO's identification number.

## **PCNs served by post - Regulation 10**

Under Regulation 10 of The Regulations, the Council may serve a PCN by post in the following circumstances:

- where a contravention has been detected based on evidence from an approved device;
- if a CEO was prevented by some person from serving a PCN under Regulation 9;
- if a CEO had started to issue the PCN, but did not have enough time to serve it before the vehicle was driven away.

In this case, a PCN is served by post to the registered keeper of the vehicle (based on information from the DVLA) and the PCN also acts as the NTO. Postal PCNs will be sent within 14 days of the date of contravention, and the registered keeper has 21 days to pay the PCN at the discounted rate from the date the PCN was served..

The PCN includes additional information and states that it is being served by post because a CEO attempted to serve a PCN by affixing it to the vehicle or giving to the person in charge of the vehicle but was prevented from doing so by some person.

### **Prevention of service, e.g. by violence**

A PCN may be served by post if the CEO attempted to serve it by affixing it to the vehicle or giving it to the person in charge of the vehicle but was prevented from doing so by some person. This includes situations where the person who appears to be in charge of the vehicle is abusive or prevents service indirectly through intimidation or directly through threats or actual physical force.

### **Prevention of service by “drive away”**

A PCN may be served by post if a CEO had begun to issue it, but the vehicle was driven away from the place in which it was parked before the CEO had finished issuing the PCN or been able to serve it.

In both circumstances, the actual PCN issued by the CEO on patrol cannot be sent by post because the information recorded against the PCN is insufficient. The Regulation 9 PCN issued by the CEO is cancelled and a Regulation 10 PCN is served by post.

### **PCN levels (rates) and discounted period**

PCN rates are currently set at £50 (lower rate) and £70 (higher rate). If a Regulation 9 PCN is paid within 14 days of issue and Regulation 10 within 21 days a discounted rate of £25 and £35 (50%) respectively will apply.

If an informal challenge against a PCN is received within 14 days of issue, 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.

If a challenge is received later than 14 days after the issue date of the PCN, the discount period will not be frozen, and the full amount will be payable if the challenge is rejected.

If a keeper states in his/her representation against the NTO that the PCN was not received at the time of the contravention, the discounted amount may be reinstated and the keeper will have 14 days to pay the discounted rate from the date of the rejection of representation.

**Important note:** When it is claimed that the PCN was not received, the computer system will be checked to ensure that the same person has not made similar claims previously. If there is a history of such claims, the discounted period may not be reinstated, and the full amount will be payable.

### Disputing PCNs

The vehicle owner may dispute the issue of the PCN at three stages:

- After the PCN has been issued, but before the NTO is issued. This is known as ‘informal representation or challenge’.
- Within 28 days after the NTO has been issued. This is known as ‘formal representation’.
- If the formal representation is rejected, the vehicle owner may then appeal to the Traffic Penalty Tribunal.

See [Appealing parking Penalty Charge Notice \(PCN\)](#) section for further information.

### PCN – Early issue of PCN

The issue of PCNs is controlled by the handheld computer terminal carried by each CEO. These have integrated clocks which has an integrated and calibrated clock. It is not possible for a CEO to influence the time stated on the PCN. Claims that a PCN was issued prior to the time that a contravention is deemed to have been committed requires careful investigation.

## Permits

Our parking permits are now digital, meaning you no longer have to display a printed permit in your vehicle. Our Enforcement Officers enter vehicle number plates to check whether a vehicle has a valid parking permit. It is the responsibility of the resident to enter the correct vehicle registration when applying for a permit.

You can buy (and make changes) to a permit via the MiPermit link below, where you will find the full list of virtual parking permits currently available in Leicester

Any vehicle which does not have a valid permit and is parked in a residents only parking bay or area, will be issued with a PCN.

Motorists should ensure that they have obtained and are using the correct type of permit.

The following permits are available by visiting [MiPermit Leicester City Council Digital Permits and Cashless Parking](#)

- Residents parking permit
- Annual visitor
- Visitor
- Student
- New residents scratch card
- Business

- Dispensations, Maintenance, Suspension & Contractors

## Plumbers, Electricians and Gas Engineers

### Emergency call-outs

An emergency is considered to last as long as it takes to make the premises safe (for example, to turn off the mains supply). After this has been done, any vehicle should be moved to a permitted parking place before any subsequent repairs are undertaken.

If a PCN is issued to the vehicle, the motorist should make a challenge to the authority providing evidence that the emergency was legitimate. Evidence should show detailed information, including the date and time of the emergency. If this cannot be provided, the PCN will not be cancelled.

PCNs will not be cancelled for parking on a red route, loading restrictions, bus stop/stand, clearways, disabled bays, taxi clearway, zigzag lines and for parking dangerously or inconsiderately on a parking restriction.

### Heavy equipment

See [Loading or Unloading](#) section.

## Pocketbook of a CEO

CEOs will take electronic notes detailing relevant information whilst carrying patrols. They are made available to the Adjudicator in the event of a PCN being appealed through the independent adjudication process and are used to assist the investigation of any challenge/representation received by the Council.

## Police officers on duty

PCNs are issued to marked and unmarked police vehicles parked in contravention of parking regulations. PCNs can be subsequently cancelled if written documentation is provided and signed by an Inspector or above confirming that the officer was on official business and that it was inappropriate for the vehicle to be parked legally elsewhere.

PCNs are not issued to marked police vehicles parked in designated police bays. Unmarked police cars parked in designated bays can be issued with a PCN which is cancelled if proved to be a police vehicle. Police officers should not park their own vehicles in designated police bays, and if a PCN is issued, it will not be cancelled.

## Police Officer or CEO gave permission to park

When details of the officer who gave permission to park are given (such as a CEO's LE number), confirmation from an officer will be sought prior to the cancellation of the PCN.

Where these details are not received, the PCN will be enforced.

## Pregnancy and Carers with young children

Generally, pregnancy is not considered to be a disability and delays caused by young children do not usually lead to a cancellation of a PCN.

However, each case is treated on its merits. If the delay was short or was caused by a medical emergency, leniency may be shown. However, an enquiry will be made to ensure that the same person has not repeatedly made similar claims before.

If the delay was caused by the driver simply not allowing enough time, the PCN would be enforced.

### **Private Property**

Parking restrictions placed on private property are outside the Council's jurisdiction and the scope of its enforcement operation. Any query concerning such parking restrictions should be referred to the relevant landlord or owner.

There are some locations within Leicester where a highway or an area of land is deemed as private property. At the request of the land owners, they have authorised the making of a Traffic Regulation Order or an Off-street Order by the highway authority.

These areas would have signing and/or lining to support the TRO or Order and they can be enforced by a CEO.

### **Public Utility Vehicles (gas, electricity, water or telephone)**

Vehicles belonging to a public utility and actively involved in undertaking statutory obligations are generally exempt from restrictions. However, the following criteria apply:

- The vehicle is on an emergency call and is involved in emergency work.
- 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.
- The activity should normally be seen to be taking place.
- The relevant permit has been obtained.

If abuse is suspected, a PCN will be issued, and a CEO will note the reason why the PCN has been issued e.g. vehicle parked, no activity observed, no indication of local emergency. In such a case, the PCN will be enforced unless the utility company supplies evidence of the emergency.

## **R**

### **Registered Keeper's liability for PCNs**

Under the Traffic Management Act 2004 and the Road Traffic Act 1991, the responsibility for any PCN rests with the registered keeper of the vehicle as recorded at the DVLA.

Even if the keeper was not the driver at the time of the contravention, it remains his/her responsibility to pay or appeal the PCN.

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.



## Removal of Vehicles (tow away)

Vehicles are removed in accordance with legislation, The Removal and Disposal of Vehicles Regulations 1986 (as amended).

### Festivals and events

There are a number of festivals and events that take place in the city throughout the year.

The towing of vehicles may be in operation for these events. Legal notices are in place to notify drivers.

### Illegally parked vehicles

Illegally parked vehicles are not towed away by the Council, but PCNs are issued.

However, if the vehicle belongs to a persistent evader or an offender, we may remove it.

See [Illegally parked Persistent Evaders and Offenders](#) section for further information.

### Illegally parked Persistent Evaders and Offenders

A persistent evader is defined as a person who has three or more recorded contraventions which have not been paid, represented or appealed against within the statutory time limits i.e. the PCN's must be at Charge Certificate stage..

A persistent offender is defined as a person who commits regular contraventions and then pays the penalty charges.

The Council may remove a vehicle of a persistent evader or offender if it is parked on a parking restriction. The Council must not remove the vehicle for the first 15 minutes following the issuing of the PCN.

### Vehicles causing hazards, dangerously or inconsiderately parked

The police should be contacted.

In exceptional circumstances, the Council may remove a vehicle causing a hazard to other road users or parked dangerously or inconsiderately, and it is parked on a parking restriction. If no parking restrictions are in place, only the police may remove vehicles.

It is unlikely that the Council will tow away a vehicle displaying a Blue Badge unless instructed to do so by the police.

## Relocation of Vehicles

The Council will relocate where works on the highway are taking place and contact with the householder fails.

If there is sufficient signage for a TTRO or suspension, then the Council would issue a PCN first. If there isn't then they would simply re-locate. We relocate to the closest place possible avoiding any other form of parking restrictions.

## Restricted hours on sign plates

The hours during which restrictions are in force may vary. Generally, restrictions are as follows:

- Permitted parking bays:
  - As per adjacent sign.
- Yellow lines
  - Single lines: no waiting during the time shown on the adjacent sign; or, if within a controlled zone, during the times shown on the zone entry sign;
  - Double lines: no waiting at any time, sign plates are not mandatory.
- Loading restrictions (yellow kerb markings)
  - One kerb mark: no loading during the time shown on the adjacent sign;
  - Two kerb marks: no loading at any time.
- Designated loading bays:
  - As indicated on the adjacent sign.
  - Legends (road markings) are not mandatory.
- Bus stops:
  - Usually, 7 am to 7 pm but may vary (see the adjacent sign).
- Red Routes:
  - 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). This is to improve and maintain the free flow of traffic along the public highway.



- 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.
- 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; which means that there is an absence of red lines marked on that entire length of road
- Certain parking places (bays) may have the outline of the bay painted red. The traffic sign will inform drivers that the bay 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 bay. Any bay painted in white or yellow, means that the parking bay 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 bay.
- 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 driving 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. There are a number of exemptions where a vehicle may be required to stop on a Red Route and not be in breach of the Traffic Regulation Order.
    - To stop for traffic signals, a signalised pedestrian crossing or a Zebra Crossing;
    - To avoid an accident;
    - Being forced to do so by other traffic;
    - Instructed to do so by a Police Officer in uniform;
    - A Police, Fire or Ambulance vehicle in an emergency;
    - A bus at a Bus Stop or Stand;
    - The Royal Mail liveried vehicle collecting the post;
    - In a parking bay when it is signed that waiting/parking is permitted for that class of vehicle and only during the specified times;
    - Refuge collection vehicle collecting waste at specified times;
    - A vehicle being used to remove an obstruction from the highway i.e. a Tow Away vehicle;
    - To stop in order to open gates or doors so to gain access to an off-street parking area;
    - 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;
    - 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
    - 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.

### **Restricted Parking Zone (RPZ)**

See Controlled Parking Schemes

## Road Signs and Markings – missing, obscured or broken

### Broken or worn out lines and kerb markings

Where it is claimed that a yellow line is worn away or has been covered by a highway repair, the area will be inspected and remedial work will be undertaken as soon as possible.

However, it should be noted that when the intention of the restriction is clear, a PCN can be issued.

Where weather conditions (such as snow) have obstructed the lines, then a decision is made as to whether it is appropriate or not to enforce parking restrictions.

### Missing signs

If a sign is claimed to be missing, the location will be inspected as soon as possible. If it is confirmed that there are insufficient signs to comply with current legislation arrangements will be made for replacement.

Where there are insufficient signs, the PCN will be cancelled (except where the restriction is double yellow lines, when a sign is not required).

For certain bays, if they operate at all times on all days and the bay has a text legend showing the specified type of user for that bay (i.e. Loading Only).

There is no requirement for a time plate and a PCN can be issued to any motor vehicle in contravention of the requirements for that bay.

### Obscured signs

Information signs accompanying waiting and loading restrictions must be clearly visible at all times.

If it is claimed that a sign was obscured and could not be read (for example, because of graffiti or overhanging trees), the sign will be inspected, and remedial action will be taken.

If the claim proves to be correct, consideration will be given to cancelling the PCN, although the degree to which the sign was obscured will be taken into account.

If the sign can be easily read, the PCN should be enforced however, it should be returned to serviceable condition if required.

## Royal Mail vehicles

Royal mail vehicles 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 activities.

Royal Mail vehicles parked for long periods with no activity observed are subject to the same restrictions as ordinary motorists, and a PCN will be issued.

Cancellation of a PCN will only be considered if written confirmation is received from the appropriate area manager that the vehicle was actively involved in the collection or delivery of mail.

See [Emergency and exempt vehicles](#) section for further information.

## S

### Schools – Entrance Clearway

Keep Clear (zigzag) markings outside schools can either be advisory or mandatory. Any mandatory markings are governed by the relevant Traffic Regulation Order and have an adjacent time plate, showing hours of operation. An advisory bay does not have a time plate and shows road markings only.

Any vehicle parked on any mandatory entrance clearway (Police, Fire, Ambulance, Hospital or School) restriction during the times shown on the plate is issued with a PCN, which will not be cancelled under any circumstances.

**Important note:** No observation time is given, and a PCN is issued immediately.

### CCTV camera enforcement

Leicester City Council may use a fixed camera or camera enforcement vehicle to carry out certain parking restriction such as Keep Clear Markings outside of schools.

### Security vans

Security cash vans (bullion vehicles) are exempt from restrictions, as long as they can be seen to be actively involved in the cash collection or delivery activities. As a security measure, they are required to park in close proximity to the business premises to facilitate safe delivery and collection of cash.

PCNs issued under such circumstances may be cancelled upon receipt of a representation from the security company confirming collection or delivery of cash at the time, unless it can be clearly shown that the vehicle was parked for longer than was necessary.

Security vans involved in the delivery of mail or other low-value items are expected to comply with parking restrictions.

### Skips and scaffolding

All skips, scaffolding, hoardings and deposits on the highway must be licensed before being used on the highway. Further information can be found online at.

<https://www.leicester.gov.uk/business/licences-and-permits/trade-and-industry/skips-scaffolding-and-hoarding-licensing/>

### Suspension of pay and display bays

On-street pay and display bays may be suspended for the following reasons:

- To allow maintenance of adjacent property where highway access is required for deliveries, essential vehicles, skips etc. (Cars are not considered as “essential vehicles” and are expected to park in accordance with parking restrictions);
- Maintenance to highway trees;
- At the request of the police;
- For security reasons.
- Events

Applications for suspensions must be received at least three working days prior to the required date and must be made using the following link:

<https://secure.mipermit.com/leicester/application>

If granted, suspensions of parking bays or spaces will be clearly signposted using temporary signs which will indicate the exact location and extent of the suspension with the start and finish dates and times. These signs are displayed at least three days before the suspension comes into operation. Cones will also be placed out.

Vehicles parked in contravention of a suspension will receive a PCN.

T

### **Tariffs/ charges for parking – on- and off-street**

Parking charges are available to view on the Council's website.

Visit [www.leicester.gov.uk/transport-and-streets/parking-in-leicester/parking-charges](http://www.leicester.gov.uk/transport-and-streets/parking-in-leicester/parking-charges) for details.

The Council regularly reviews the level of charges for parking on-street and in its car parks. Any recommendations are placed before appropriate councillors in accordance with the Council's constitution.

### **Taxi ranks**

Taxi ranks are only for the use of hackney carriages licensed by Leicester 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. PCNs are issued to any vehicle parked in contravention of the restriction.

In addition, unattended hackney carriages are issued with PCNs, as the regulations require the driver to be present. The vehicle will be continuously observed for five minutes before the PCN is issued.

Details of taxis that over-rank onto any other parking restrictions are recorded by CEOs. A central database is updated, and action is taken. If the driver continues to park in contravention, further enforcement action may be taken against the driver.

The Council may also issue an instant ticket without five minutes' observation time in some circumstances. These areas are communicated to the hackney and private hire trade. Where it is clear that a taxi is overstaying in parking such as blocking pay and display bays or blocking access for buses, no observation time is given. The CEO will issue an instant PCN.

### **Time and date calibration of CEOs' hand held computers and pay and display machines**

The handheld devices are calibrated once they are docked and downloaded which is at the end of each day ready for the following.

A test ticket is printed each morning to ensure the date and time are correct.

Civil Enforcement Officers will obtain a test ticket from the Pay and Display machine to establish if it is operational when no ticket is displayed in the vehicle.

The Pay and Display machine picks up the date and time via a sim that talks to the back-office system.

### **Traffic Enforcement Centre (TEC)**

The TEC is located in Northampton. It is a branch of the County Court which specifically deals with motoring contraventions and offences.

All communications from the Council with the TEC are carried out electronically for PCN processing.

### **Traffic Penalty Tribunal (TPT)**

The TPT is an independent body supported by subscriptions from local authorities by means of a levy on each issued PCN and an annual fee.

Once a formal representation against a PCN has been rejected, the keeper of a vehicle can appeal to the TPT within 28 days of the rejection. The TPT reviews the case and makes an independent decision.

The Council will only take into account mitigating circumstances, however, each case is looked at on an individual basis.

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

## **U**

### **Unauthorised movement or use of a vehicle**

Movement of any vehicle by the police is considered to be authorised.

If there is clear evidence that a vehicle has been removed by an unauthorised person, (Not the police) PCNs will be enforced.

#### **Stolen vehicles**

If a PCN is issued to a stolen vehicle, consideration will be given to cancel the PCN. However, confirmation from the police that the vehicle was reported stolen, including the crime reference number along with confirmation from the insurance company, must be provided.

Please note that times and dates of the theft must be included with the supporting evidence.

#### **Unauthorised use of a vehicle by a family member or friend**

Unauthorised use of a vehicle by a family member or friend is difficult to prove, and under these circumstances, the PCN will 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.

### **Uniform of a Civil Enforcement Officer (CEO)**

When exercising prescribed functions, a CEO must wear a uniform to show:

- that the wearer is engaged in parking enforcement;
- the name of the local authority on whose behalf he or she is acting; and

- a personal identity number.

**Important note:** A PCN is valid even if it is issued when a CEO is not wearing appropriate headgear.

## V

### Vandalised vehicle

When a vehicle has been vandalised to such an extent that it is prevented from being safely moved, any PCNs issued are cancelled providing acceptable supporting evidence is provided. This evidence should be from either:

- the police and a crime number;
- the motoring organisation or garage service which removed the vehicle from the site.

CEOs' observations recorded in their handheld device will also be considered.

Failure to provide supporting evidence that the vehicle was damaged at the time the PCN was issued will lead to the PCN being enforced.

### Vehicle idling

The Highway Code (rule 123) states: You MUST NOT leave a parked vehicle unattended with the engine running or leave a vehicle engine running unnecessarily while that vehicle is stationary on a public road.

Generally, if the vehicle is stationary and is likely to remain so for more than a couple of minutes, you should apply the parking brake and switch off the engine to reduce emissions and noise pollution.

However it is permissible to leave the engine running if the vehicle is stationary in traffic or for diagnosing faults.

Leicester City Council's policy is to ask the driver to switch the engine off or move the vehicle on.

### Vehicles left unattended to gain access

When a driver has to collect a key to gain access to a property, this should take no longer than five minutes and should 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 or user).

Vehicles should not be parked in locations where a loading restriction is in place to collect a key. In such circumstances, any PCN will be enforced.

### Vehicle not at the scene (cloned vehicle)

Where a keeper of the vehicle receives an NTO and claims that their vehicle was not parked at the relevant location at the time, a written request will be made to the keeper to confirm the make and colour of the vehicle, to provide photographs of the vehicle and any other evidence to prove that the vehicle was not at the scene at the time of the contravention.



On receipt of the information, the Council will investigate the case and inform the motorist if the PCN is cancelled or upheld.

### **Visitors to Britain**

Visitor's vehicles displaying foreign registration numbers should park legally. If a PCN is issued to a vehicle displaying foreign registration plates, this will automatically be recognised by the processing system as the registration number is not in DVLA format.

Foreign vehicles are not exempt from parking regulations.

If a PCN is issued to a UK registered vehicle which has been borrowed or driven by a foreign resident, the PCN will be enforced against the registered keeper as he or she remains liable for it.

### **Vulnerable customers**

A customer is vulnerable if, for reasons of age, health, disability or severe financial insecurity, they are unable to safeguard their welfare or the welfare of other members of their family. Each case is looked at on an individual basis.

## **W**

### **Weddings**

See [Funerals and weddings](#) section.

## Definitions

**Approved devices.** TMA regulations give the power to authorities throughout England to issue PCNs for contraventions detected with a camera and associated recording equipment. The Secretary of State must certify any device used solely to detect contraventions. Once certified, they may be called an ‘approved device’. Leicester City Council CEOs use handheld computer terminals to record issued PCNs.

**Civil Enforcement Officers (CEO).** CEOs are the public face of parking enforcement. They are deployed by the Council to enforce parking restrictions both on-street and off-street in car parks.

They wear an appropriate uniform identifying them as Leicester City Council enforcement officers. The hours of operation and the beats are flexible to address parking management issues and vary between streets.

The beat of each CEO is established by the management of the enforcement team, taking into account traffic management and road safety concerns.

## Abbreviations used in this document

**CEO** – Civil Enforcement Officer

**CPZ** – Controlled Parking Zone

**DVLA** – Driver and Vehicle Licensing Agency

**GDPR** – General Data Protection Regulation

**NTO** – Notice to Owner

**PCN** – Penalty Charge Notice

**PPZ** – Pedestrian Preference Zone

**RPZ** - Restricted Parking Zone

**TEC** – Traffic Enforcement Centre

**TMA** – Traffic Management Act

**TPT** – Traffic Penalty Tribunal

**TRO** – Traffic Regulation Order