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DEPARTMENT FOR TRANSPORT

TRAFFIC MANAGEMENT ACT 2004

**THE SECRETARY OF STATE'S STATUTORY GUIDANCE TO LOCAL
AUTHORITIES ON THE CIVIL ENFORCEMENT OF PARKING
CONTRAVENTIONS**

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STATUTORY GUIDANCE TO LOCAL AUTHORITIES ON THE CIVIL ENFORCEMENT OF PARKING CONTRAVENTIONS

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(I) Introduction and legal basis

1. This Statutory Guidance is published by the Secretary of State for Transport under section 87 of the Traffic Management Act 2004 (TMA).
2. This document is also the Secretary of State's guidelines on uniforms that Section 76(3) of the TMA allows the appropriate authority to issue.
3. The Guidance sets out the policy framework for Civil Parking Enforcement (CPE). It explains how to approach, carry out and review parking enforcement. It attempts to strike the balance between:
 - as much national consistency as possible, while allowing parking policies to suit local circumstances; and
 - a system that is fair to the motorist, but also effective in enforcing parking regulations.
4. All enforcement authorities¹ in England should use this Guidance in conjunction with the Regulations that give effect to the parking provisions in Part 6 of the TMA².
5. The Guidance has no special authority in regard to matters of legal interpretation. Where there appear to be differences between the Guidance and the legislation (the TMA and the Regulations), the legislation always take precedence.
6. Where the Guidance says that something **must** be done, this means that it is a requirement in either primary or secondary legislation, and a footnote gives the appropriate provision. In all other instances, section 87 of the TMA stipulates that local authorities **must have regard** to the information contained in this Guidance.
7. This Guidance uses the same terminology as the TMA, so it refers to:
 - *Civil Parking Enforcement* (CPE) rather than *Decriminalised Parking Enforcement*;
 - *Civil Enforcement Officer* (CEO) rather than *Parking Attendant*; and
 - *Civil Enforcement Area* (CEA) rather than *Special Parking Area / Permitted Parking Area* (SPA/PPA)³.

¹ See the TMA, Schedule 8

² See the Traffic Management Act 2004 Sections 72 to 93 and Schedules 7 to 12; The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (SI 2007/3483); The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007(SI 2007/3482); The Civil Enforcement Officers (Wearing of Uniforms) (England) Regulations 2007(SI 2007/3485); The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007(SI 2007/3486); The Removal and Disposal of Vehicles (Amendment) (England) Regulations 2007(SI 2007/3484); and The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007(SI 2007/3487).

³ Areas which before 31st March 2008 were designated as special parking areas in London or as permitted parking and special parking areas outside London automatically become civil enforcement areas on that date: see Traffic Management Act 2004 Schedule 8, paragraphs 24) and 8(4).

8. The Guidance applies to all enforcement authorities in England exercising CPE powers conferred on them by or under the TMA. The Mayor of London should consider revising the Mayor's Transport Strategy to make the parking aspects in it consistent with the new Regulations and this Guidance. The Welsh Assembly will issue Statutory Guidance for Wales.
9. Authorities **must** have regard to this Statutory Guidance (as stipulated by section 87 of the TMA) when exercising their functions. These functions include developing, implementing and reviewing their CPE regimes. They should also read this Guidance in conjunction with the more detailed Operational Guidance (the replacement for Local Authority Circular 1/95). The Statutory Guidance sets out the skeleton for how CPE should be operated which is given greater depth in the Operational Guidance.
10. CPE is a legal process. Enforcement authorities should make sure that their employees and contractors who operate CPE regimes have a clear and full understanding of what the law requires. If enforcement authorities are themselves uncertain about any aspects of these requirements, they should get the appropriate legal advice.

(II) Objectives of CPE

CPE policy objectives

11. CPE should contribute to the authority's transport objectives. A good CPE regime is one that uses quality-based standards that the public understands, and which are enforced fairly, accurately and expeditiously.
12. Enforcement authorities should aim to increase compliance with parking restrictions through clear, well designed, legal and enforced parking controls. CPE provides a means by which an authority can effectively deliver wider transport strategies and objectives. Enforcement authorities should not view CPE in isolation or as a way of raising revenue
13. Enforcement authorities should design their parking policies with particular regard to:
 - managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the TMA Network Management Duty⁴;
 - improving road safety;
 - improving the local environment;
 - improving the quality and accessibility of public transport;
 - meeting the needs of people with disabilities, some of whom will be unable to use public transport and depend entirely on the use of a car; and
 - managing and reconciling the competing demands for kerb space.

CPE financial objectives

14. For good governance, enforcement authorities need to forecast revenue in advance. But raising revenue should not be an objective of CPE, nor should authorities set targets for revenue or the number of Penalty Charge Notices (PCNs) they issue.
15. Enforcement authorities should run their CPE operations (both on- and off-street⁵) efficiently, effectively and economically. The purpose of penalty charges is to dissuade motorists from breaking parking restrictions. The objective of CPE should be for 100 per cent compliance, with no penalty charges. Parking charges and penalty charges should be proportionate, so authorities should not set them at unreasonable levels. Any penalty charge payments received (whether for on-street or off-street enforcement) **must** only be used in accordance with section 55 (as amended) of the Road Traffic Regulation Act 1984.
16. Previous guidance said that local authority parking enforcement should be self-financing as soon as practicable. This is still a sensible aim, but compliant

⁴ See the TMA, Section 16.

⁵ CPE can only apply to privately owned car parks that are regulated by an order made under the Road Traffic Regulation Act 1984, Section 35 and provided under any letting or arrangement made by a local authority with some other person (such as a privately-owned company) under Section 33(4) of that Act.

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applications for CPE (see next section) will be granted without the scheme being self-financing. However, authorities will need to bear in mind that if their scheme is not self-financing, then they need to be certain that they can afford to pay for it from within existing funding. The Secretary of State will not expect either national or local taxpayers to meet any deficit.

(III) Issues to consider before starting to use CPE powers

17. The detailed Operational Guidance sets out how an enforcement authority can apply for designation as a CPE area⁶. The key criteria on which DfT will be need to be satisfied are that
 - the authority has reviewed its existing parking policies and analysed how CPE will contribute to overall transport objectives;
 - the authority has consulted as required and taken account of their views in finalising the application;
 - proposed penalty charges are proportionate to the scale of the traffic management issues facing the enforcement authority;
 - there is consistency with neighbouring schemes so that motorists and others affected can understand how it works; and
 - all Traffic Regulation Orders (TROs), traffic signs and road markings are in compliance with legal requirements and the traffic signs and road markings are consonant with the orders.

18. Before making an application for CPE designation to the Secretary of State, the authority should consult:
 - other traffic authorities (including the Highways Agency) who may be affected;
 - the emergency services;
 - the DVLA;
 - the adjudication service; and
 - the Traffic Enforcement Centre at Northampton County Court.

19. The TMA enables authorities with CPE power to enforce in a Special Enforcement Area (SEA)⁷ prohibitions of double parking⁸ and parking at dropped footways⁹ as if they had been introduced using a Traffic Regulations Order (Traffic Management Order in London). An SEA must be within a CEA or cover the same area as one. An authority should consider whether to apply for SEA designation as part of their CEA application. If they do, they will have to apply under Schedule 10 paragraph 3 (1) – (4) asking the Secretary of State to designate the relevant part of their area as an SEA.

20. Any Special Parking Area that existed before commencement of the TMA 2004 automatically becomes an SEA¹⁰ but authorities should ensure that the public are aware of the new restrictions before starting enforcement.

⁶ In the TMA this is referred to as a “Civil Enforcement Area for parking contraventions”: see Schedule 8.

⁷ TMA, Schedule 10.

⁸ TMA, Section 85.

⁹ TMA, Section 86.

¹⁰ TMA, Schedule 10, paragraphs 1(5) and 3(5).

(IV) Setting charges

21. The primary purpose of penalty charges is to encourage compliance with parking restrictions. In pursuit of this, enforcement authorities should adopt the lowest charge level consistent with a high level of public acceptability and compliance. The enforcement authority **must**¹¹ ensure that the public knows what charge levels have been set by publishing them well in advance of their introduction. They **must** also publish any subsequent change to the charge levels¹². In London, charges will be set by the London local authorities acting jointly and by Transport for London (in respect of GLA roads), with the approval of the Mayor (and provided that the Secretary of State does not object). Outside London, the charges **must** accord with guidelines set by the Secretary of State¹³.
22. Parking in a place where it is always prohibited (such as on a red route, on double yellow lines, or in a disabled bay without displaying a valid badge) is considered more serious than overstaying where parking is permitted (e.g. in a parking place). There is a perceived unfairness of receiving the same penalty regardless of the seriousness of the contravention. For this reason, and in order to emphasise the traffic management purposes of CPE, enforcement authorities **must**¹⁴ apply different parking penalties to different contraventions. Outside Greater London, the current three-band system has been reduced to two, and the higher and lower penalty charges in these bands are specified in the Guidelines Order¹⁵. The full lists of contravention codes is set out by the London Councils and reproduced in the Operational Guidance. The higher list is specified in the Guidelines Order¹⁶. This Order will be varied from time to time and enforcement authorities should check with the London Councils and on the DfT website that they are using the most up to date version.
23. Where an authority has to immobilise or remove a vehicle outside London, the charges **must** accord with guidelines set by the Secretary of State¹⁷. In London, the charges will be set by the London local authorities acting jointly, with the approval of the Mayor (and provided the Secretary of State does not object). The charges should be set no higher than required to meet the reasonable costs of the immobilisation/removals procedure. They should not generate a surplus.

¹¹ TMA, Schedule 9 paragraphs 5 (Greater London) and 9 (outside Greater London).

¹² *Ibid.*

¹³ S.I. 2007/3487 (for outside London) and Section 284 of the Greater London Authority Act 1999 (for inside London).

¹⁴ S.I. 2007/3487, Schedule, Paragraph 1.

¹⁵ S.I. 2007/3487, Schedule, Table 1

¹⁶ S.I. 2007/3487, Schedule, Table 2

¹⁷ S.I. 2007/3487, Schedule, Table 4

(V) Communicating CPE

24. It is important that the public understand why an authority has introduced CPE and what parking restrictions are in place. Motorists and other road users need to be aware that parking enforcement is about supporting wider transport objectives, in particular keeping traffic moving, rather than raising revenue.
25. It is also important that motorists and other road users understand the details of the scheme. Unclear restrictions, or restrictions that do not comply with regulations or with the Secretary of State's Guidance, will confuse people and ultimately undermine the operation and enforcement of the scheme overall. Once authorities have finalised their parking enforcement policies, they should publish and promote them openly. There should be regular communication after CPE is introduced and when changes are made.
26. Enforcement authorities should consider the full range of media available to them when communicating with the public. They should consider telling every household in the CEA when they propose changes e.g. to the operation of a scheme.
27. Enforcement authorities should try to work regularly with neighbouring authorities to ensure a consistent approach to communication, across regions and not just local boundaries, as well as to enforcement.

(VI) Appraising CPE

28. Enforcement authorities should monitor their parking policies, CPE regimes and associated regulatory framework (including penalty charge levels). They should appraise them when reviewing their Local Transport Plans (LTP) (known as Local Implementation Plans in London) and make recommendations for improvements to members. If an authority does not have an LTP/LIP, the appraisal should be part of the review of the local development framework or community strategy.
29. Appraisals should take account of any relevant information that has been collected as part of the parking enforcement process, in particular about the practical effectiveness of the scheme. They will benefit from interviews with CEOs, who are in a unique position to identify changes to parking patterns, and with office staff, who see challenges and representations and the reasons for them.
30. The Secretary of State recommends that enforcement authorities consult locally on their parking policies when they appraise them. They should seek the views of people and businesses with a range of different parking needs as well as taking into account the views of the police.
31. The appraisal should take account of:
 - existing and predicted levels of demand for parking;
 - the availability and pricing of on- and off-street parking places;
 - the justification for, and accuracy of, existing traffic orders;
 - the adequacy, accuracy and quality of traffic signing and road markings which restrict or permit parking within or outside a Controlled Parking Zone;
 - the level of enforcement necessary for compliance;
 - the levels of penalty charges;
 - the need to resource the operation effectively and ensure that all parking staff are appropriately trained; and
 - impact on traffic flow, i.e. traffic or congestion outcomes.
32. The appraisal should ensure that parking policies still apply at the right place and time. It is particularly important to check that the policies are properly underpinned by TROs that are valid, up-to-date and properly indicated with traffic signs and road markings. A parking contravention is often a breach of a provision of a TRO, which **must** have been made under the correct section of the Road Traffic Regulation Act 1984 (RTRA)¹⁸. Flawed orders may be unenforceable, and can damage both the aims of CPE and the public perception of how it is managed.

¹⁸ For complete lists of parking contraventions which are civilly enforceable, please see the TMA, Schedule 7, Paragraphs 2, 3 and 4.

(VII) Training and professionalism in CPE

33. Once a solid foundation of policies, legitimate TROs, and clear and lawful signs and lines are in place, the success of CPE will depend on the dedication and quality of the staff that deliver it. It is essential to give staff at all levels the skills and training to do their jobs effectively if the service is to command public confidence and respect. This should also improve the self-esteem and job satisfaction of staff, resulting in higher retention rates. Training should be seen as a legitimate and important aspect of CPE running costs and training budgets should be protected from cuts.
34. The office processes involved in CPE are important and staff carrying them out need similar levels of skill, training and professionalism as the more visible on-street enforcement officers. Enforcement authorities should provide enough staff for the volume of work. They should also make sure that those staff (whether employed directly by the authority or by a contractor to deal with informal challenges) have the skills, training, authority and resources to give the public a high quality, professional, efficient, timely and user-friendly service.
35. Authorities that outsource any area of parking enforcement to private companies should ensure that the contractor fulfils all the requirements set down for the authority itself.

Civil Enforcement Officers

36. CEOs are the public face of CPE and the way they perform their functions is crucial to the success, and public perception, of an authority's CPE operation. It is recommended that all CEOs achieve minimum standards through recognised training courses.
37. CEOs may be required to work near schools and similar sensitive areas and be seen as a uniformed figure of authority. The Secretary of State recommends that an applicant for a job as a CEO undergoes a Criminal Records Bureau check.
38. The main objective of a CEO should be to ensure parking controls are observed and enforced in a fair, accurate and consistent manner. CEO duties will also include related activities such as the following:
 - inspecting parking equipment;
 - checking and reporting defective traffic signs and road markings;
 - issuing information leaflets or warning notices;
 - providing witness statements; and
 - where appropriate, appearing before a parking adjudicator.

If CEOs have the time available, the authority may wish to consider asking them to carry out tasks such as:

- informing the police of criminal parking activity;
- reporting suspected abandoned vehicles;

- reporting vehicles with no valid tax disc to the DVLA;
- putting in place and removing notices about the suspension of parking places;
- checking that shops selling parking vouchers have adequate stocks;
- reporting on changes in parking patterns;
- assisting with on-street enforcement surveys; and
- checking that non-mobile objects in parking places (for example, skips) are in compliance with the authority's license.

It is important that these supplementary duties do not stop CEOs carrying out their principal duties and that the authority complies with the restrictions on the use of parking income set out in Section 55 (as amended) of the RTRA 1984¹⁹.

The exercise of discretion

39. The Secretary of State considers that the exercise of discretion should, in the main, rest with back office staff as part of considering challenges against PCNs and representations against NtOs. This is to protect CEOs from allegations of inconsistency, favouritism or suspicion of bribery. It also gives greater consistency in the enforcement of traffic regulations.
40. However, the enforcement authority may wish to set out certain situations when a CEO should not issue a PCN. For example, an enforcement authority may wish to consider issuing a verbal warning rather than a PCN to a driver who has committed a minor contravention and is still with, or returns to, the vehicle *before* a PCN has been served. The enforcement authority should have clear policies, instructions and training for CEOs on how to exercise such authority. These policies should form the basis for staff training and should be published.
41. Enforcement authorities should ensure that CEOs are properly trained to enforce parking controls fairly, accurately and consistently. As well as formal training, it is recommended that authorities include some supervised on-street training to familiarise CEOs with the area and any special parking provisions. Enforcement authorities should make sure that CEOs understand all relevant exemptions, such as those applying to diplomatic vehicles and the Blue Badges issued to disabled people. CEOs should be aware of their powers to inspect Blue Badges²⁰ and the sensitivity required should they need to exercise them.

¹⁹ S.I. 2007/3483, Regulations 25 and 26

²⁰ Department for Transport: Guidance on the inspection and enforcement of blue badges for police, traffic wardens, local authority parking attendants, civil enforcement officers and issuing local authorities.

(VIII) On-street activities

42. When exercising prescribed functions²¹ a CEO **must**²² wear a uniform. The uniform should clearly show:
- that the wearer is engaged in parking enforcement;
 - the name of the local authority/authorities of whose behalf s/he is acting; and
 - a personal identity number.
43. It is recommended that CEOs carry a photo-identity card, showing their identification number and the name of their employer. However, to protect the safety of staff, it is strongly recommended that the photo-identity card does not include the CEO's name on it.

Collecting evidence of contraventions

44. The local authority **must**²³ provide evidence of the contravention either from a CEO's direct observation, or from the record of an approved device²⁴.
45. The PCN **must**²⁵ either be fixed to the vehicle or given to the person who appears to be in charge of that vehicle, although there are three exceptions to this²⁶ - see paragraph 47. The information that a PCN **must**²⁷ contain is set out in the Regulations. It is recommended that the PCN also gives:
- vehicle make and colour (if evident);
 - detailed location of vehicle (full street name);
 - the contravention code;
 - observation start and finish times;
 - PCN number (all PCNs should be uniquely identifiable);
 - CEO's identification number; and
 - the vehicle's tax disc number and expiry date.
46. Photographs and notes by the CEO about the circumstances should be kept as further evidence that the contravention took place and to help resolve any disputes. Authorities should provide CEOs with the appropriate equipment, training and guidance to collect such evidence in the circumstances that the authority has prescribed. The use of digital cameras and similar technology is strongly encouraged. Authorities should disclose their evidence at the earliest possible opportunity.
47. There are three circumstances in which a PCN may be served by post²⁸. One is where the contravention has been detected on the basis of evidence from an approved device. The second is if the CEO has been prevented, for

²¹ TMA, Section 78(2)(a) and (b) and Section 79, and RTRA, Section 99

²² TMA, Section 76(3)(a)

²³ S.I. 2007/3483, Regulation 6

²⁴ A device specified in S.I. 2007/3486

²⁵ S.I. 2007/3483, Regulation 9.

²⁶ S.I. 2007/3483, Regulation 10(1).

²⁷ S.I. 2007/3483, Schedule, Paragraphs 1 and 2, and S.I. 2007/3482, Regulations 3(2) and 3(4).

²⁸ S.I. 2007/3483, Regulation 10.

example by force, threats of force, obstruction or violence from serving the PCN either by affixing it to the vehicle or by giving it to the person who appears to be in charge of that vehicle. The third is if the CEO had started to issue the PCN but did not have enough time to finish or serve it before the vehicle was driven away and would otherwise have to write off or cancel the PCN. In these circumstances a PCN is served by post on the owner (whose identity is ascertained from the DVLA), and also acts as the Notice to Owner. The Regulations set out what information **must**²⁹ be stated on a PCN sent by post. The Secretary of State suggests that postal PCNs should be sent within 14 days of the contravention.

Enforcement using Approved Devices

48. TMA Regulations³⁰ give the power to authorities throughout England to issue PCNs for contraventions detected with a camera and associated recording equipment (approved device). The Secretary of State **must**³¹ certify any type of device used solely to detect contraventions (i.e. with no supporting CEO evidence). Once certified they may be called an 'approved device'. The Secretary of State recommends that approved devices are used only where enforcement is difficult or sensitive and CEO enforcement is not practical. Approved devices should not be used where permits or exemptions (such as resident permits or Blue Badges) not visible to the equipment may apply.
49. It is recommended that the authority sends a copy of the record of the contravention (in the form of a still image or images) with the PCN.
50. The primary objective of any camera enforcement system is to ensure the safe and efficient operation of the road network by deterring motorists from breaking road traffic restrictions and detecting those that do. To do this, the system needs to be well publicised and indicated with lawful traffic signs.

Immobilisation/ removal: general

51. Very few authorities now use immobilisation. The Secretary of State is of the view that it should only be used in limited circumstances such as where the same vehicle repeatedly breaks parking restrictions and it has not been possible to collect payment for penalties, primarily because the keeper is not registered, or is not properly registered, with the DVLA. Where a vehicle is causing a hazard or obstruction the enforcement authority should remove rather than immobilise. Immobilisation/removal activity should only take place where it gives clear traffic management benefits.
52. An enforcement authority should formulate and publish clear guidelines for CEOs on when it will be appropriate to use immobilise or remove. The guidelines should cover the order of priority in which vehicles should be dealt with, based on the nature of the contravention. Powers should not be used

²⁹ S.I. 2007/3483, Schedule, Paragraph 2, and TS.I. 2007/3482, Regulation 3(4).

³⁰ S.I. 2007/3483, Regulation 10.

³¹ S.I. 2007/3486 and S.I. 2007/3483, Regulation 10.

randomly and authorities should draw up guidelines in consultation with the police.

53. The decision on whether to immobilise or to remove a vehicle requires an exercise of judgement and **must**³² only be taken following specific authorisation by an appropriately trained CEO. The immobilisation/removal operatives should not take the decision. Vehicles should not be immobilised or removed by contractors unless a suitably trained CEO is present to confirm that the contravention falls within the guidelines.
54. When a vehicle is parked where parking is permitted, authorities **must not**³³ immobilise or remove in the first 30 minutes following the issuing of the PCN, with the exception of 'persistent evader' vehicles (see paragraphs 65-66) where the time limit is 15 minutes. When a vehicle has been immobilised, a CEO **must**³⁴ affix a notice to it. The regulations set out what that notice **must**³⁵ say. The immobilisation device may only be removed by or under the direction of a person authorised to do so by the enforcement authority, following payment of the release fee and the penalty charge.
55. Where a vehicle is causing a hazard or obstruction the enforcement authority should remove rather than immobilise. If the vehicle is parked where parking is prohibited (such as on double yellow lines), then the vehicle can be removed as soon as a PCN has been served³⁶.
56. If a driver returns to the vehicle whilst immobilisation or removal is taking place, then unless they are a persistent evader, it is recommended that the operation is halted, unless the clamp is secured or the vehicle has all its wheels aboard the tow truck. If immobilisation or removal is halted the PCN should still be enforced.
57. When a vehicle is immobilised and subsequently removed to the pound, the driver does not have to pay the clamp release fee³⁷.
58. Where vehicles are removed, enforcement authorities should contact the police or, in London, TRACE³⁸ and advise them of the time, place, vehicle registration number, and pound to attend for retrieval so they can deal with queries from motorists who report their vehicle stolen.
59. Where a vehicle has been immobilised or removed, an authority should seek to make it available to its owner immediately upon payment. In the case of clamp release, enforcement authorities should set maximum times for

³² S.I. 2007/3483, Regulation 13(5)(a) and (b) and The Removal and Disposal of Vehicles Regulations 1986, Regulation 5C(2) (inserted by S.I. 2007/3484)

³³ The Removal and Disposal of Vehicles Regulations 1986, Regulation 5C(3) (inserted by S.I. 2007/3484)

³⁴ S.I. 2007/3483, Regulation 12

³⁵ S.I. 2007/3483, Regulation 12

³⁶ The Removal and Disposal of Vehicles Regulations 1986, Regulation 5C(3) (inserted by S.I. 2007/3484)

³⁷ RTRA, Section 101A(1), and TMA Section 79(1)

³⁸ TRACE is operated by the London Councils

releasing vehicles once they have received payment. They should publish these along with their parking policy guidelines. It is recommended that these should be within one hour from payment being received, with a maximum time limit of two hours. The immobilisation or removal is the penalty and further inconvenience and potential cost from prolonged release times is not appropriate. Enforcement authorities should publish their performance against these targets.

60. On the release of a vehicle from a clamp or from the vehicle pound the authority **must**³⁹ immediately inform the vehicle owner or person in charge of the vehicle about their right to make representations and their subsequent right to appeal against representations that are rejected. The vehicle will already have been issued a PCN that sets out the grounds on which representations can be made. However, the Secretary of State recommends that the notice about representations against the immobilisation or removal also gives full particulars of the grounds, procedure and time limit for representations. This is particularly important when credit or debit payments are made over the telephone.
61. Storage charges should apply for each day or part of day, reckoned from 2400 midnight on the day following removal of a vehicle.

Immobilisation and removals: special consideration for disabled badge holders and vehicles with diplomatic registration plates

62. CEOs should be aware of special considerations in respect of valid Blue Badge holders⁴⁰ and vehicles with diplomatic plates⁴¹.
63. Vehicles displaying a valid Blue Badge **must not**⁴² be immobilised and, as a general rule, should not be removed. In exceptional circumstances (for example, where a vehicle displaying a Blue Badge is causing a safety hazard), the vehicle should be moved to a safe spot nearby, where possible within sight of its original location. The authorities should not charge a removal fee for the relocation of vehicles displaying a Blue Badge. They should notify the police (in London TRACE) in case the owner reports the vehicle stolen.
64. Diplomatic vehicles have registration plates marked with a D or an X, or have personalised plates composed of a country's initials or an abbreviation of its full name. In general, diplomatic vehicles should not be immobilised. The exception is for X registered vehicles which have been identified as persistent evaders. X registered vehicles can be removed but diplomatic vehicles with D or personalised plates that are causing an obstruction or danger should only

³⁹ S.I. 2007/3482, Regulation 11(2) and (3), and Regulation 8(2) and (3)

⁴⁰ Further guidance can be found in the DfT Blue Badge Scheme Leaflet, Parking concessions for disabled and blind people

⁴¹ Article 31.1 of the Vienna Convention on Diplomatic Relations; Diplomatic Privileges Act 1964; White Paper on Diplomatic Immunities and Privileges (Cmnd 9497, April 1985)

⁴² S.I. 2007/3483, Regulation 13 (1)

be repositioned close by as an extreme measure. In such a circumstance, an enforcement authority should not try to recover the costs of removal.

Persistent evaders

65. Some vehicle owners contravene parking regulations deliberately and often, and fail to settle the debts they incur. A vehicle owner can be classed as a 'persistent evader' if there are three or more recorded contraventions for the vehicle and the PCNs for these have not been paid, represented against or appealed against within the statutory time limits, or their representations and appeals have been rejected but they have still not paid. Usually this is because the vehicle keeper is not registered, or is not correctly registered, on the DVLA database and the owner is confident that they can avoid paying any penalty charges. Where a vehicle appears to be registered in the UK, but the identity and address is not registered, or is not correctly registered on the DVLA database, authorities should consider making the information available to the police who can, if appropriate, investigate any criminal offence.
66. When parked in contravention, a persistent evader's vehicle should be subject to the strongest possible enforcement following the issue of the PCN and confirmation of persistent evader status. This is likely to involve immobilisation or removal. The benefit of removal is that it requires proof of ownership and a registered address before release of the vehicle, whereas immobilisation prevents law abiding motorists from using valuable kerb space. If a vehicle of a persistent evader is in a designated parking place, the TMA and regulations made under it prohibit an enforcement authority from immobilisation or removing the vehicle until at least 15 minutes⁴³ have elapsed following the issue of a PCN. Currently, under TMA regulations an authority can only obtain payment for the PCN of the contravention for which the vehicle is immobilised or removed and not any other outstanding PCNs.

⁴³ TMA, Section 79 (6); S.I. 2007/3483, Regulation 13(5)(a); The Removal and Disposal of Vehicles Regulations 1986, Regulation 5C(4)(a) (inserted by S.I. 2007/3484)

(IX) Policy and administrative functions

Providing a quality service

67. Enforcement authorities should make sure that their processes for recovering outstanding penalties and handling challenges, representations and appeals are efficient, effective and impartial. Processes **must** comply with all relevant primary legislation, regulations, traffic regulation orders and local byelaws. Authorities are encouraged to seek independent quality assurance of their CPE processes.
68. Enforcement authorities should deal with motorists promptly and professionally. Authorities are encouraged to set time and quality targets for dealing with queries, in addition to any statutory time limits and those set out in this Guidance. They should report on performance against these targets in their annual report. Enforcement authorities **must**⁴⁴ use first class post for any notice or Charge Certificate.
69. Authorities should remember that an appeal is a judicial proceeding and that time limits for correspondence may be laid down in legislation or set using adjudicator's judicial powers. Authorities are advised to respond promptly to contacts from the adjudicator concerning appeals.
70. Enforcement authorities should offer motorists flexible and efficient ways to contact them, including e-mail and telephone. They should ensure there is an adequate audit trail to rebut any accusations of unfairness.

Collecting penalty charges

71. The penalty charge is usually payable by the owner⁴⁵ of the vehicle, unless the vehicle was hired at the time of the contravention. Enforcement authorities should offer motorists a range of facilities for paying penalty charges. Where they provide payment centres these should be safe and accessible. Enforcement authorities should ensure that any payment facility (particularly telephone and online payments) can confirm any amount outstanding if part payment only has been received.
72. If there are unusual delays with the postal system, authorities should make allowances for late payments made by post when considering whether a payment was received within the statutory period. Enforcement authorities may wish to keep the envelope that the payments came in, as the franking can be used as evidence of the date of posting.
73. A PCN is deemed 'paid' as soon as the payment arrives at any payment office belonging to the enforcement authority that issued the PCN. Whether this is

⁴⁴ S.I. 2007/3483), Regulation 3 (2)

⁴⁵ This expression is defined by the TMA, Section 92 as follows: "owner", in relation to a vehicle, means the person by whom the vehicle is kept, which in the case of a vehicle registered under the Vehicle Excise and Registration Act 1994 (c. 22) is presumed (unless the contrary is proved) to be the person in whose name the vehicle is registered

the parking payment office or another payment office, the enforcement authority should promptly close the case. An authority's systems should accurately record the day on which it receives payments so that no further enforcement action is taken.

74. Where the enforcement authority receives full payment within 14 days of the service of the PCN, it **must**⁴⁶ accept the discounted amount. Unless the Secretary of State authorises a departure from the guidelines on the levels of penalty charges, the discount **must** be set at the applicable discount - currently 50 per cent of the penalty charge⁴⁷. The authority should then close the case. When a PCN has been served by post using evidence from an approved device, the discount period is 21 days from the date of service of the notice⁴⁸.

Issuing the Notice to Owner

75. If the penalty charge is not paid the enforcement authority may issue a Notice to Owner (NtO). The purpose of the NtO is to ensure that the PCN was received by the vehicle owner and to remind the vehicle owner that the PCN is now due to be paid in full and if it is not paid within a further 28 days it may be increased. The NtO may be issued 28 days after serving the PCN, and we expect authorities to send them within 56 days after serving the PCN. The ultimate time limit, in exceptional circumstances, is six months⁴⁹ from the "relevant date". There should be a very good reason for waiting that long to serve a notice to owner⁵⁰. The Regulations set out the information that the NtO **must**⁵¹ give. There are different requirements when the PCN acts as the NtO (see paragraph 47).
76. Authorities **must**⁵² specify on the NtO (or PCN when served by post) the statutory grounds on which representations may be made. Where a photograph or other camera evidence shows that the parking contravention took place, authorities should send this with the NtO, as it should help to prevent unfounded representations.
77. Where a PCN is served on a vehicle with a diplomatic registration plate but no payment is received within 28 days, an enforcement authority should not issue an NtO but keep a record of the unpaid penalty charge. Every year the Foreign and Commonwealth Office will request details of all unpaid PCNs and then seek payment from the relevant contraveners.

⁴⁶S.I. 2007/3483, Schedule, Paragraph 1(h)

⁴⁷S.I. 2007/3487

⁴⁸S.I. 2007/3483, Schedule, Paragraph 3(a)

⁴⁹S.I. 2007/3483, Regulation 20

⁵⁰S.I. 2007/3483, Regulation 20

⁵¹S.I. 2007/3483, Regulation 19(2) and S.I. 2007/3482, Regulation 3(3)

⁵²S.I. 2007/3483, Regulation 19(2) Schedule, Paragraph 2, and S.I. 2007/3482, Regulation 3(3) and 3(4)

Charge Certificate

78. The Charge Certificate tells the vehicle owner that the penalty charge has been increased and that action will be taken to recover the amount due through the County Court if it is not paid within 14 days. Unless the Secretary of State authorises a departure from the guidelines, the increase in the penalty charge **must**⁵³ be set at the applicable surcharge - currently 50 per cent.
79. The authority may issue a Charge Certificate where an NtO has been served, the penalty charge has still not been paid and no representation or appeal is under consideration. This **must not**⁵⁴ be done before the end of 28 days beginning with the date on which the NtO was served.
80. Where representations have been made and rejected, and no appeal has been made, the enforcement authority **must not**⁵⁵ issue the Charge Certificate before the end of 28 days beginning with the date on which the Notice of Rejection (NoR) was served. This is to give the vehicle owner time in which to appeal.
81. Where cases go to adjudication, authorities **must not**⁵⁶ issue a Charge Certificate before all due processes have been completed. If an appeal is made and withdrawn before the hearing the authority may, after 14 days beginning with the date on which the appeal was withdrawn, issue the Charge Certificate. If an authority issues a Charge Certificate before an appeal is decided, the adjudicator may then cancel the PCN on the grounds of procedural impropriety. The authority should cancel the void Charge Certificate.
82. If the penalty charge has not been paid 14 days after the Charge Certificate was served, the authority may apply to the Traffic Enforcement Centre at Northampton County Court to recover the increased charge as if it were payable under a county court order.

⁵³ S.I. 2007/3487, Schedule, Paragraph 1 (3)

⁵⁴ S.I. 2007/3483, Regulation 21

⁵⁵ S.I. 2007/3483, Regulation 21

⁵⁶ S.I. 2007/3483, Regulation 21, and S.I. 2007/3482, Regulation 4(5)(b)

(X) Considering challenges / representations / appeals

83. The vehicle owner may dispute the issuing of a PCN at three stages:
- Owners may make so-called 'informal challenges' or 'informal representations' against the PCN before the authority has served an NtO (this does not apply when the PCN is issued by post as the PCN then acts as the NtO)⁵⁷;
 - Once an NtO has been served, an owner may make a formal representation against the NtO to the authority; and
 - If a formal representation is rejected the owner may appeal against the Notice of Rejection to an independent adjudicator.
84. It is in the interests of the authority and the vehicle owner to resolve any dispute at the earliest possible stage. Authorities should take account of the CEO's actions in issuing the PCN, but should always give challenges and representations a fresh and impartial consideration.
85. An authority has a discretionary power to cancel a PCN at any point throughout the CPE process. It can do this even when an undoubted contravention has occurred if the authority deems it to be appropriate in the circumstances of the case. Under general principles of public law, authorities have a **duty** to act fairly and proportionately⁵⁸ and are encouraged to exercise discretion sensibly and reasonably and with due regard to the public interest.
86. Enforcement authorities have a **duty**⁵⁹ not to fetter their discretion, so should ensure that PCNs, NtOs, leaflets and any other advice they give do not mislead the public about what they may consider in the way of representations. They should approach the exercise of discretion objectively and without regard to any financial interest in the penalty or decisions that may have been taken at an earlier stage in proceedings. Authorities should formulate (with advice from their legal department) and then publish their policies on the exercise of discretion. They should apply these policies flexibly and judge each case on its merits. An enforcement authority should be ready to depart from its policies if the particular circumstances of the case warrant it.
87. The process of considering challenges, representations and defence of appeals is a legal process that requires officers dealing with these aspects to be trained in the relevant legislation and how to apply it.

Challenges - also known as informal representations

88. It is likely that an enforcement authority will receive informal challenges against PCNs before they issue the NtO (this does not apply to PCNs issued by post where the PCN will act as an NtO). They are likely to receive these

⁵⁷ S.I. 2007/3482, Regulation 3(2). The enforcement authority **must** consider representations made at this stage but if it proceeds to serve a notice to owner after receiving such representations, then those or other representations can be made in accordance with S.I. 2007/3482, Regulation 4

⁵⁸ Failure to act in accordance with the general principles of public law may lead to a claim for a decision to be judicially reviewed

⁵⁹ *Ibid*

within the 14 day discount period. Enforcement authorities should give proper consideration and respond to these challenges with care and attention, and in a timely manner in order to foster good customer relations, reduce the number of NtOs sent and the number of formal representations to be considered. The Secretary of State suggests that authorities should respond within 14 days. Enforcement authorities should also have suitably trained staff with the appropriate authority to deal with these challenges. If the evidence or circumstances (including mitigating circumstances) provide grounds for cancelling the PCN, then the enforcement authority should do so and let the vehicle owner know. If the enforcement authority considers that there are no grounds for cancellation, it should tell the vehicle owner and explain its reasons.

89. If a challenge is received within the discount period and subsequently rejected, the Secretary of State recommends that the enforcement authority should consider re-offering the discount for a further 14 days to incentivise payment. Authorities should always make it clear that an owner who has an informal challenge rejected may still make a formal challenge if an NtO is served⁶⁰.

Formal representations

90. Many enforcement authorities contract out on-street and car park enforcement and the consideration of informal representations. Enforcement authorities should not contract out the consideration of formal representations. Enforcement authorities remain responsible for the whole process, whether they contract out part of it or not.
91. Where CPE on-street and car park enforcement and associated operations are done by in-house staff, there should be a clear separation between the staff that decide on the issuing and processing of PCNs and the staff that decide on representations. This is particularly important for cases referred back by the adjudicators. It ensures that decisions are seen to be impartial.
92. Elected members may wish to review their parking representations policies, particularly in the area of discretion, to ensure consistency with published policies. However, elected members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. This is to ensure that only fully trained staff make decisions on the facts presented. The authority's standing orders should be specific as to which officers have the authority to cancel PCNs. There should also be a clear audit trail of decisions taken with reasons for those decisions.
93. The grounds on which representations may be made are set out in the Regulations⁶¹ and **must**⁶² be stated on the Notice to Owner. Authorities

⁶⁰ S.I. 2007/3482, Regulation 3(2)

⁶¹ S.I. 2007/3482, Regulations 4, 8 and 11

⁶² S.I. 2007/3482, Regulation 3(3)

must⁶³ consider representations made on any grounds. Representations must be made within 28 days of service of the NtO. Authorities have the discretion to accept late representations, and we encourage them to use this discretion when a vehicle owner gives a valid reason for the delay and has strong grounds for representations.

94. The enforcement authority **must**⁶⁴ consider representations and any supporting evidence against a Notice to Owner or immobilisation or removal, and serve notice of its decision on the person making the representations within 56 days of the service of the representations. The 56 day period in the Regulations should be seen as the maximum period and authorities should aim to decide representations as quickly as possible. The Secretary of State considers that all decision notices should be served within 21 days.
95. If an authority accepts a representation against a notice to owner, it **must**⁶⁵ cancel the NtO and refund any sum already paid. Cancellation does not prevent the authority from serving another NtO for the same contravention to another person⁶⁶. Where an authority accepts a representation against immobilisation or removal, it **must** refund any sums paid to release the vehicle, except to the extent (if any) to which those sums were properly paid⁶⁷. Where the removed vehicle has already been sold and representations against removal are accepted, the enforcement authority **must**⁶⁸ refund all the sale proceeds to the vehicle owner. It is likely that the vehicle owner will already have received the proceeds of the sale minus the cost of removal, storage and sale, and if this is the case the enforcement authority **must**⁶⁹ at this point refund the costs of removal, storage and sale. Any authority that undertakes immobilisation or removal should ensure that its staff are full familiar with the relevant legislation⁷⁰.
96. Where a response or notice of decision is likely to be delayed for any reason, the enforcement authority should acknowledge receipt of the representation and explain the representation process, including when a decision notice will be dispatched.

Notification of the outcome of representations

97. Once an authority has come to a decision about a representation, it should promptly tell the person making the representation (usually the owner of the

⁶³ S.I. 2007/3482, Regulation 4 (2)(b)(ii)

⁶⁴ S.I. 2007/3482, Regulations 5, 9 and 12

⁶⁵ S.I. 2007/3482, Regulation 5(3)

⁶⁶ S.I. 2007/3482, Regulation 5(4)

⁶⁷ S.I. 2007/3482, Regulation 9(4)

⁶⁸ The Road Traffic Regulation Act 1994, Section 101A (2)

⁶⁹ *Ibid*

⁷⁰ The removal and disposal of vehicles by local authorities is governed by the RTRA, Sections 99 to 103, and The Removal and Disposal of Vehicles Regulations 1986 (SI 1986/183) as amended. S.I. 2007/3484 inserted a new regulation 5C into the 1986 Regulations whereby CEOs are authorised to remove illegally parked vehicles from roads in CEAs. Representations and Appeals against charges for removal, storage and disposal are governed by Part 4 of S.I. 2007/3482 and the setting of those charges by Schedule 9 to the TMA and, outside London, by S.I. 2007/3487

vehicle) what they have decided to do and why. If the person making the representation is not the owner (but is acting officially on their behalf) then the owner should be informed, where possible, of the decision.

98. If the authority rejects the representation, it **must**⁷¹ serve a notice of rejection (NoR) stating that it will issue a Charge Certificate unless the PCN is paid or an appeal made to an adjudicator. The notice of rejection **must**⁷² set out the general form and manner in which an appeal can be made and that the adjudicator has the power to award costs against either party. The authority should give the owner clear and full reasons for its decision on a representation, in addition to the minimum required information.
99. If, following an unsuccessful representation, an authority decides to offer a new discount period for prompt payment, it should set out the dates of this period in the Notice of Rejection.

Adjudication

100. Adjudicators are appointed jointly by all the relevant local authorities with CPE powers, with the agreement of the Lord Chancellor, and are wholly independent. They have a judicial position and should be treated accordingly.
101. If a local authority rejects a formal representation, the person who made the representation has the right to appeal to an adjudicator within 28 days of the date of service of the NoR⁷³. An adjudicator has the discretion in appropriate circumstances to consider an appeal made after 28 days. The grounds for appeal are the same as those for formal representations and are set out in the Regulations⁷⁴.
102. If an adjudicator allows the appeal, s/he may direct the authority to cancel the NtO and refund any sum already paid in respect of the penalty charge. The authority **must**⁷⁵ comply with this direction without delay.
103. The adjudicator's decision is final, subject to the power of adjudicators to review a decision⁷⁶. No further challenges can be made other than on a point of law through an application to the High Court for judicial review. The Government's Tribunals for Users programme emphasises the importance of feedback to improve the representations and appeals procedure and help prevent unnecessary appeals.

Cases referred back to the authority by the adjudicator

104. An adjudicator may only allow an appeal if one of the statutory grounds for appeal applies. Where a contravention has taken place but the adjudicator

⁷¹ S.I. 2007/3482, Regulation 6

⁷² S.I. 2007/3482, Regulation 6

⁷³ S.I. 2007/3482, Regulation 7

⁷⁴ S.I. 2007/3482, Regulation 13 and Schedule, Paragraphs 7 and 10

⁷⁵ S.I. 2007/3482, Regulation 13 and Schedule, Paragraphs 7 and 10

⁷⁶ S.I. 2007/3482, Schedule, Paragraph 12

considers that the enforcement authority should have used its discretion to cancel the NtO, the adjudicator may refer the case back for the enforcement authority to reconsider⁷⁷. Such cases should be directed to the Office of the Chief Executive and a decision **must**⁷⁸ be reached within 35 days from the notice of the adjudicator's decision. If the enforcement authority does not reach a decision within this period, it is deemed to have accepted the adjudicator's recommendation and **must**⁷⁹ cancel the NtO. The enforcement authority **must**⁸⁰ have regard to the reasons given by the adjudicator for his/her recommendation. Where it does not accept this recommendation it **must**⁸¹ notify the adjudicator and the appellant of the reasons for its decision before issuing the Charge Certificate.

105. If the enforcement authority decides to accept the recommendation of the adjudicator, it **must**⁸² cancel the NtO without delay and refund any sums paid in relation to the NtO.

⁷⁷ S.I. 2007/3482, Regulation 13(5) and Regulation 10(5)

⁷⁸ S.I. 2007/3482, Regulation 13(6) and Regulation 10(6)

⁷⁹ S.I. 2007/3482, Regulation 13(8) and Regulation 10(8)

⁸⁰ S.I. 2007/3482, Regulation 13(8) and Regulation 10(8)

⁸¹ S.I. 2007/3482, Regulation 13(7) and Regulation 10(7)

⁸² S.I. 2007/3482, Regulation 13(8) and Regulation 10(8)

(XI) Ensuring the effectiveness of CPE

106. Enforcement authorities can improve the efficiency and effectiveness of their CPE regimes by maintaining a regular dialogue - and undertaking joint activity where appropriate - with their on-street contractor (if there is one), the police, neighbouring authorities, the DVLA, the Traffic Enforcement Centre (TEC) and representatives of road user groups.
107. In particular, authorities should maintain good relations with the police. The police continue to have responsibility for enforcing endorsable and most types of moving traffic offences, and for taking action against vehicles where security or other traffic policing issues are involved. Regular liaison will help to ensure that civil and criminal enforcement operate effectively. Good relations between the police and an enforcement authority can also help in tackling threats and abuse aimed at CEOs.
108. It is recommended that enforcement authorities keep abreast of developments in neighbouring authorities' CPE operations and look into the benefits of consistent, and possibly collaborative, approaches to enforcement.
109. Authorities should develop good working relations with the DVLA, in particular with regards local authorities receiving keeper information promptly. Authorities should also consider helping the DVLA track down Vehicle Excise Duty (VED) evaders by notifying them of any vehicles that are not displaying a valid VED disc.
110. As far as possible, the performance of contractors and of staff should be judged according to how far desired transport objectives have been achieved. An enforcement authority should base performance measures and rewards or penalties, wherever possible, on outcomes rather than outputs. Performance and rewards/penalties should never be based on the number of PCNs, immobilisations or removals. Outcome indicators might include compliance statistics, the number of appeals, the number and length of contraventions and the localised impact they appear to have had on road safety and congestion. Incentives could work towards good customer service. For example, indicators for immobilisation and removals might be based on the release time of the vehicle after the owner has paid the appropriate fees.
111. When enforcement operations are carried out 'in house', there should be a service level agreement (SLA) incorporating the specification terms and conditions required by the client department - the same as for a contract with an external service provider.
112. The Secretary of State recommends that enforcement authorities use a balanced SLA or model contract, such as the one developed by the British Parking Association⁸³.

⁸³ For further details contact the BPA ref: Parking Model Contract 2005 or go to <http://www.britishparking.co.uk>

Reporting

113. Reporting is an important part of accountability. The transparency given by regular and consistent reporting should help the public understand and accept CPE. Monitoring also provides the authority with management information for performance evaluation and helps to identify where it needs to improve its CPE regime. It provides a framework for performance comparisons between councils.
114. Enforcement authorities should produce an annual report about their enforcement activities within six months of the end of each financial year. The report should be published and as a minimum it should cover the financial, statistical and other data (including any parking or CPE targets) set out in Annex A.
115. Enforcement authorities should make annual returns to the Government about the number and speed of payment of PCNs. They should also advise the appropriate adjudication service in a timely fashion how many PCNs they have issued.
116. The income and expenditure of local authorities in connection with their on-street charging and their on-street and off-street enforcement activities are governed by Section 55 (as amended) of the Road Traffic Regulation Act 1984. This means that *all* their income and expenditure *as enforcement authorities* (i.e. related to the issue of and income from PCNs) in respect of off-street parking places is covered by section 55. London authorities **must**⁸⁴ keep an account of all income and expenditure in respect of designated (i.e. on-street) parking places and their functions as enforcement authorities, within paragraphs 2 and 3 of Schedule 7 to the TMA. English authorities outside London **must**⁸⁵ keep an account of all income and expenditure in respect of designated (i.e. on-street) parking places which are not in a Civil Enforcement Area, designated (i.e. on-street) parking spaces which are in a Civil Enforcement Area and their functions as an enforcement authority. London authorities **must**⁸⁶ send a copy of the account to the Mayor of London.
117. Where an authority makes a surplus on its on-street parking charges and on-street and off-street enforcement activities, it **must**⁸⁷ use the surplus in accordance with the legislative restrictions in Section 55 (as amended) of the RTRA 1984.

⁸⁴ See amendments to Section 55 Road Traffic Regulation Act 1984 in S.I. 2007/3483, Regulation 25

⁸⁵ S.I. 2007/3483, Regulation 25

⁸⁶ S.I. 2007/3483, Regulation 25

⁸⁷ S.I. 2007/3483, Regulation 25

Annex A

What enforcement authority annual reports should include

Financial

- Total income and expenditure on the parking account kept under section 55 of the Road Traffic Regulation Act 1984 as modified by regulation 25 of the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 (see paragraph 116 above).
- Breakdown of income by source (i.e. on-street parking charges and penalty charges)
- Total surplus or deficit on the parking account
- Action taken with respect to a surplus or deficit on the parking account
- Details of how any financial surplus has been or is to be spent, including the benefits that can be expected as a result of such expenditure.

Statistical

- Number of higher level PCNs issued
- Number of lower level PCNs issued
- Number of PCNs paid
- Number of PCNs paid at discount rate
- Number of PCNs against which an informal or formal representation was made
- Number of PCNs cancelled as a result of an informal or a formal representation is successful)
- Number of PCNs written off for other reasons (e.g. CEO error or driver untraceable)
- Number of vehicles immobilised
- Number of vehicles removed

Performance against targets

- Performance against any parking or CPE targets. Authorities should note the recommendations throughout this Guidance on the areas where such targets might be appropriate.

Annex B

Abbreviations

CEA	Civil Enforcement Area
CEO	Civil Enforcement Officer
CPE	Civil Parking Enforcement
CPZ	Controlled Parking Zone
DfT	Department for Transport
DPE	Decriminalised Parking Enforcement
DVLA	Driver and Vehicle Licensing Agency
GLA	Greater London Authority
LC	London Councils
LIP	Local Implementation Plan
LTP	Local Transport Plan
NoR	Notice of Rejection
NtO	Notice to Owner
PA	Parking Attendant
PCN	Penalty Charge Notice
PPA	Permitted Parking Area
RTRA	Road Traffic Regulation Act 1984
SEA	Special Enforcement Area
SLA	Service Level Agreement
SPA	Special Parking Area
TEC	Traffic Enforcement Centre
TfL	Transport for London
TMA	Traffic Management Act 2004
TRO	Traffic Regulation Order
VED	Vehicle Excise Duty
WAG	Welsh Assembly Government