

# **Appendix X**

## **Cancellation guidance**

### **Cancellation Guidance**

This appendix provides examples where we may or may not cancel a Penalty Charge Notice (PCN). Table 1.1 is a list of contravention codes and descriptions currently enforced by Wigan Council. The table also includes the relevant level of charge for each contravention. For each contravention we have provided an outline of the restriction and cancellation policy.

Wigan Council will always consider all correspondence that includes compelling reasons or mitigating circumstances. It is also important to note that each and every case is considered on its own merits, and the following information is for guidance only and is not exhaustive. Should you feel that there are compelling reasons as to why your PCN should not be paid you should write to us at Parking Services providing as much information as possible and relevant evidence (if applicable) to support your case.

Late representations will be considered if compelling reasons or mitigating circumstances are provided detailing why the representations are late. Evidence to support your reasons for the delay in sending your representations may be required.

Wigan Council will consider extending the discounted period if compelling or mitigating circumstances are provided as to why the penalty charge could not be paid within the discount period.

### **User Guide**

If we have issued you with a PCN you should refer to the contravention code printed on your PCN or Notice to Owner (NtO). Once you have the code you should click on the relevant contravention code in the table below. This will take you to the relevant section which should explain why the PCN was issued and whether we may or may not cancel your PCN.

#### **1.1 On Street Contraventions**

<b>Contravention Code</b>	<b>Contravention Description</b>	<b>Charge Level</b>
<a href="#"><u>01</u></a>	Parked in a restricted street during prescribed hours.	Higher Level - £70.00
<a href="#"><u>02</u></a>	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force.	Higher Level - £70.00
<a href="#"><u>05</u></a>	Parked after the expiry of paid for time.	Lower Level - £50.00
<a href="#"><u>06</u></a>	Parked without clearly displaying a valid pay & display ticket or voucher.	Lower Level - £50.00

<a href="#">12</a>	Parked in a residents or shared use parking place or zone without clearly displaying either a permit or voucher or pay display ticket issued for that place	Higher Level - £70.00
<a href="#">16</a>	Parked in a permit space without displaying a valid permit	Higher Level - £70.00
<a href="#">19</a>	Parked in a residents' or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay & display ticket	Lower Level - £50.00
<a href="#">21</a>	Parked in a suspended bay or space or part of bay/space	Higher Level - £70.00
<a href="#">22</a>	Re-parked in the same parking place or zone within x hour of leaving	Lower Level - £50.00
<a href="#">23</a>	Parked in a parking place or area not designated for that class of vehicle	Higher Level - £70.00
<a href="#">24</a>	Not parked correctly within the markings of the bay or space	Lower Level - £50.00
<a href="#">25</a>	Parked in a loading place during restricted hours without loading	Higher Level - £70.00
<a href="#">30</a>	Parked for longer than permitted	Lower Level - £50.00
<a href="#">40</a>	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher Level - £70.00
<a href="#">45</a>	Parked on a taxi rank	Higher Level - £70.00
46	Stopped where prohibited (on a red route or clearway)	Higher Level - £70.00
<a href="#">47</a>	Parked on a restricted bus stop/stand	Higher Level - £70.00
<a href="#">48</a>	Stopped in a restricted area outside a school when prohibited	Higher Level - £70.00
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher Level - £70.00
<a href="#">99</a>	Stopped on a pedestrian crossing and/or crossing area marked by zigzags	Higher Level - £70.00

**Off Street Contraventions (ticket issued in a car park)**

80	Parked for Longer than maximum period permitted	Lower Level - £50.00
81	Parked in a restricted area in a car park	Higher Level - £70.00
<a href="#">82</a>	Parked after the expiry of paid for time	Lower Level - £50.00
<a href="#">83</a>	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower Level - £50.00
85	Parked in a permit bay without clearly displaying a valid permit	Higher Level - £70.00
<a href="#">86</a>	Parked beyond the bay markings	Lower Level - £50.00
<a href="#">87</a>	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher Level - £70.00
92	Parked causing an obstruction	Higher Level - £70

## **General Cancellation Guidance**

Table 1.2 indicates general reasons why we may or may not cancel your PCN. For more specific cancellation guidance please view the table relevant to the contravention code to which you were issued your PCN.

<b>1.2 General Cancellation Guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"><li>1. Where the motorist claims that the vehicle had been stolen and documentary evidence (including the crime reference number) can be provided to confirm that this was the case.</li><li>2. Where the motorist claims that their vehicle had broken down and evidence can be supplied to confirm this was the case.</li><li>3. Where the motorist was involved in an unavoidable medical issue or Police matter and acceptable documentary evidence can be provided to confirm that this was the case.</li></ol>	<ol style="list-style-type: none"><li>1. Where the motorist claims that their vehicle had broken down but they have not provided evidence to confirm that this was the case.</li><li>2. Where the motorist claims that the vehicle had been stolen but the motorist has not provided evidence to confirm that this was the case.</li><li>3. If the motorist simply thinks the ticket is unfair but has no legitimate or compelling reason for being parked in contravention.</li></ol>

## Contravention 01: Parked in a restricted street during prescribed hours



Fig.1

A contravention occurs when a vehicle is parked on double or single yellow lines during restricted hours. Where double or single yellow lines are present on the road they apply from the centre of the road to the building line, and can include the pavement or off road areas such as grass verges or unused entrances e.g. to a car park.

Single yellow lines within a controlled parking zone (CPZ) do not require a time plate, the CPZ sign indicates the operational hours of the Pay & Display bays and single yellow lines within the zone. Single yellow lines outside of the CPZ will be accompanied by a time plate (see Fig.1 above) indicating the hours of operation of the parking restriction. Double yellow lines do not require any time plate, as they are operational at all times.

<b>Contravention 01. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"> <li>1. Where evidence of loading or unloading is supplied. Evidence must be in the form of a delivery note, job sheet or invoice or on letter headed paper. Note: the act of purchasing goods does not constitute loading or unloading.</li> <li>2. Where a valid disabled badge is supplied. Note: We have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN's received after the second may not be cancelled.</li> </ol>	<ol style="list-style-type: none"> <li>1. The vehicle was legitimately parked for the purposes of loading or unloading but was then left parked on the restricted street.</li> <li>2. The vehicle was legitimately parked for the purposes of loading or unloading but the motorist has failed to provide satisfactory evidence.</li> <li>3. Where the disabled badge holder failed to display their badge and time clock, has supplied a valid copy, but has had two previous PCN's cancelled for the same reason.</li> </ol>

<b>Contravention 01. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	4. Where the disabled badge holder stayed for longer than the permitted three hours.

**Contravention 02: Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force**

A contravention occurs when a vehicle is parked or stopped on a street where loading restrictions apply.

Where there are double yellow lines and double yellow kerb marking there will be a time plate (see Fig.1) informing motorists that it is not permitted to park or stop, even to load or unload at any time. **This rule also applies to disabled badge holders.**



Fig.1

Where there are double or single yellow lines with a single kerb markings there will be a time plate stating when loading or unloading is **NOT** permitted (see Fig.2). **This rule also applies to disabled badge holders.**



Fig.2

<b>Contravention 02. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<p>1. Where emergency works are taking place (e.g. gas, electric, water, highway works, or glaziers). Normally the work must be seen to be actively taking place. Note: Where a PCN is issued and one of the above applies, evidence must be supplied.</p>	<p>1. Where a disabled badge is displayed in the vehicle or is provided with the appeal. 2. Where the motorist states loading/unloading was taking place.</p>

## **Contravention 05: Parked after the expiry of paid for time**

A contravention occurs when a vehicle is parked in a Pay & Display bay after the Pay & Display ticket displayed in the vehicle has expired.

The front of each Pay & Display machine shows the tariff that applies and the operational hours.

<b>Contravention 05. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"><li>1. Where a disabled motorist purchases a ticket in error but is able to produce a copy of a valid disabled badge.</li><li>2. Where a valid ticket is supplied for the time period. Note: We have a policy of five cancellations where a motorist fails to correctly display their Pay &amp; Display ticket. Any Penalty Charge Notices received after the fifth may not be cancelled.</li></ol>	<ol style="list-style-type: none"><li>1. Where the motorist states they were late back to the vehicle because they were delayed. (unless the motorist was involved in an unavoidable medical issue or Police matter and acceptable documentary evidence can be provided to confirm that this was the case).</li><li>2. Where the motorist stated loading/unloading was taking place after the ticket expired.</li><li>3. Where the motorist failed to display their valid Pay &amp; Display ticket, has supplied a copy of their valid Pay &amp; Display ticket but has had five previous Penalty Charge Notices cancelled for the same reason.</li></ol>

**Contravention 06: Parked without clearly displaying a valid pay & display ticket or voucher.**

A contravention occurs when a vehicle is parked in a Pay & Display bay without a valid ticket on display in the windscreen.

The front of each Pay & Display machine shows the tariff that applies and the operational hours.

<b>Contravention 06. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"> <li>1. Where the motorist provides a copy of their valid disabled badge. Note: we have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN's received after the second may not be cancelled.</li> <li>2. Where the motorist provides a copy of a valid Pay &amp; Display ticket for the relevant time period. Note: we have a policy of five cancellations where a motorist fails to correctly display their Pay &amp; Display ticket. Any Penalty Charge Notices received after the fifth may not be cancelled.</li> <li>3. Where evidence of loading or unloading is supplied. Evidence must be in the form of a delivery note, job sheet or invoice or on letter headed paper. Note: the act of purchasing goods does not constitute loading or unloading.</li> </ol>	<ol style="list-style-type: none"> <li>1. Where the motorist states the machine was out of order and there were a number of alternative machines that were in working order and a reasonable distance from the bay. Or where there is no record of the fault and the Civil Enforcement Officer was able to obtain a test ticket.</li> <li>2. Where the motorist supplied a copy of a Pay &amp; Display ticket purchased in a different charging zone.</li> <li>3. Where the disabled badge holder failed to display their badge and time clock, has supplied a valid copy, but has had two previous Penalty Charge Notices cancelled for the same reason.</li> <li>4. Where the motorist failed to display their valid Pay &amp; Display ticket, has supplied a copy of their valid Pay &amp; Display ticket, but has had five previous Penalty Charge Notices cancelled for the same reason.</li> </ol>

<b>Contravention 06. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<p>3. Where a number of machines are found to have been out of order at the relevant time. (Note: this does not just mean the machine in the immediate vicinity).</p>	<p>5. The vehicle was legitimately parked for the purposes of loading or unloading but the motorist has failed to provide satisfactory evidence.</p>

**Contravention 12: Parked in a residents or shared use parking place or zone without clearly displaying either a permit or voucher or Pay and Display ticket issued for that place**



**Fig.1**



**Fig.2**

A contravention occurs where a vehicle is parked in a residents bay or zone or shared use parking place without a valid permit or valid ticket.

Residents zones are indicated by controlled zone boundary signs (see Fig.1). Individual signs are not required within a resident's zone.

In each scheme a series of streets are grouped together in a zone. Each zone is given a unique number and expires on the 31 May for all Swinley zones and 31 October for Leigh:

All owners and occupiers of premises within the zone are allowed to apply for permits. Holders of a permit for one zone (such as W2A) cannot use that permit to park in any other zone (such as W2D) in the Borough.

Residents parking bays will be signed similar to the example shown above (see Fig.2).

<b>Contravention 12. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<p>1. Where a valid Residents Permit is supplied. Note: we have a policy of two cancellations where a motorist fails to correctly display their permit. Any PCN's received after the second may not be cancelled.</p>	<p>1. Where permit supplied is not for correct zone.                  2. The vehicle was legitimately parked for the purposes of loading or unloading but the motorist has failed to provide satisfactory evidence.                  3. Where the motorist failed to display their valid Permit, has supplied a copy of their valid Permit, but has had two previous Penalty Charge Notices cancelled for the same reason.</p>

<b>Contravention 12. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<p>2. Where the motorist is able to supply a valid copy of the disabled badge when they have parked in a permit bay mistaking it for and Pay and Display bay. Note: we have a policy of one cancellation, any PCN's received after the first may not be cancelled.</p> <p>3. Where loading or unloading evidence is supplied. Evidence should be in the form of a delivery note, job sheet or invoice or on letter headed paper. Note: the act of purchasing goods does not constitute loading or unloading.</p> <p>4. Where the motorist is able to supply a valid pay and display ticket when they have parked in a permit bay mistaking it for an pay and display bay. Note: we have a policy of one cancellation any PCN's received after the first may not be cancelled.</p>	

**Contravention 16: Parked in a permit space without displaying a valid permit**

A contravention occurs when a vehicle is parked in a permit space without displaying a valid permit.

<b>Contravention 16. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"><li>1. Where the valid permit has fallen out of view or is displayed incorrectly and cannot be read by the Civil Enforcement Officer and the motorist of the vehicle is able to supply a valid copy of the permit. Note: we have a policy of two cancellations where a motorist fails to correctly display their permit Any PCN's received after the second may not be cancelled.</li><li>2. Where the valid permit has not been displayed by the motorist and has therefore not been seen by the Civil Enforcement Officer and the motorist of the vehicle is able to supply a valid copy of the permit. Note: we have a policy of two cancellations where a motorist fails to correctly display their permit Any PCN's received after the second may not be cancelled.</li></ol>	<ol style="list-style-type: none"><li>1. Where the motorist has not obtained a valid permit.</li><li>2. Where the motorist states that they have a valid permit but has not provided a valid copy of the permit.</li></ol>

**Contravention 19: Parked in a residents’ or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay & display ticket**

A contravention occurs when a vehicle is parked in a residents or shared use parking place or zone without clearly displaying either a valid permit or valid voucher or valid Pay & Display ticket issued for that place

<b>Contravention 19. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"> <li>1. Where the motorist has displayed an invalid permit but they have a renewed valid permit but have neglected to display it. The motorist of the vehicle must be able to supply a valid copy of the permit.</li> <li>2. Where a motorist states that they are a resident of the area but has not yet applied for a renewed permit to replace their invalid one. Note: the motorist must supply documentary evidence to show that they are a resident; such as a utility bill dated within 3 months. They must also apply for a renewed permit by providing a copy of their V5 logbook.</li> </ol>	<ol style="list-style-type: none"> <li>1. Where the motorist does not have a valid permit.</li> <li>2. Where a motorist states that they are a resident of the area but has not provided any evidence to demonstrate this.</li> <li>3. Where the vehicle was legitimately parked for the purposes of loading or unloading but the motorist has failed to provide satisfactory evidence.</li> </ol>

<b>Contravention 19. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<p>3. Where loading or unloading evidence is supplied. Evidence should be in the form of a delivery note, job sheet or invoice or on letter headed paper. Note: the act of purchasing goods does not constitute loading or unloading.</p> <p>4. Where the motorist is able to supply a valid copy of the disabled badge when they have parked in a permit bay mistaking it for a Pay and Display bay. Note: we have a policy of one cancellation any PCN's received after the first may not be cancelled.</p> <p>5. Where the motorist is able to supply a valid copy of a pay and display ticket when they have parked in a permit bay mistaking it for a Pay and Display bay. Note: we have a policy of one cancellation any PCN's received after the first may not be cancelled</p>	

**Contravention 21: Parked in a suspended bay or space or part of bay or space**

A contravention occurs when a vehicle is parked in a Pay & Display bay that has been suspended from use.

Signs will be affixed to lampposts and other street furniture, and to the Pay & Display machine. The signs give the dates and times that the bays are suspended. Also, there may be cones placed in the suspended bays as additional visible notification to motorists.

<b>Contravention 21. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
1. If the motorist claims that there was no clear indication of the restriction, i.e. that there were no signs or other notification that the Pay & Display bays were suspended.	1. If the signs relating to the suspended bay were correctly displayed.

**Contravention 22: Re-parked in the same parking place within x hour of leaving**



**Fig 1**

A contravention occurs when a vehicle leaves a free bay parking place and then returns to the same parking place within a specified time. This also includes if a motorist moves to another free bay in the same parking place within a specified time.

A sign similar to the image above accompanies the parking place. The sign indicates the operational hours of the parking place and also states that motorists are not permitted to re-park in that parking place within the specified time. In the example above, indicates no return within 40 minutes.

<b>Contravention 22. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	<ol style="list-style-type: none"><li>1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention.</li></ol>

**Contravention 23: Parked in a parking place or area not designated for that class of vehicle**

A contravention occurs when a vehicle that is not of the class authorised to park, parks in the parking place or area

Signs and road markings indicate the class of vehicle authorised to park in the parking place or area, and the times that they are permitted to do so.

<b>Contravention 23. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	1. If th e m ot or is t si m

**Contravention 24: Not parked correctly within the markings of the bay or space**

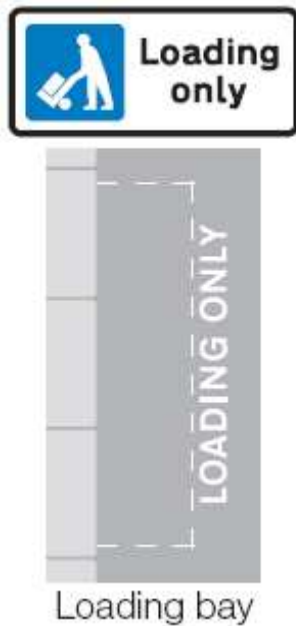
A contravention occurs when a vehicle is parked outside of the markings of the Pay & Display bay or space.

On the front of every Pay & Display machine is a sign that states the tariff for the Pay & Display bays or space. This sign also states the conditions for parking in a Pay & Display bay. One of these conditions is that all motorists must park correctly within the white Pay & Display bay markings. Failure to comply with this and the other conditions will result in a Penalty Charge Notice being issued.

Even if you feel the vehicle next to yours has not provided sufficient room to park, you cannot park outside of the bay markings and you should find an alternative place to park.

<b>Contravention 24. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	<ol style="list-style-type: none"><li>1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention.</li></ol>

**Contravention 25: Parked in a loading place during restricted hours without loading**



**Fig. 1**

A contravention occurs when a vehicle is parked in a loading bay and no loading or unloading is seen to be taking place.

Signs and road markings similar to those in Fig. 1 above show that a loading bay is in place and that vehicles may only park there if loading. The operational times of the loading bay are stated on the sign. If a sign has no times stated on it then the loading bay is in operation at all times.

<b>Contravention 25. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<p>1. Where the motorist states that they were in fact loading and have supplied evidence. Evidence should be in the form of a delivery note, job sheet, invoice, or letter on company headed paper. Note: The act of purchasing goods does not constitute loading or unloading.</p>	<p>1. Where the motorist states that they were in fact loading but have not supplied any evidence to confirm that this was the case.</p>

### Contravention 30: Parked for longer than permitted



Fig.1

A contravention occurs when a vehicle is parked in a limited waiting parking place for longer than the maximum permitted period.

A sign, similar to Fig. 1, above, shows how long a motorist is permitted to park in the limited waiting parking place.

<b>Contravention 30. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention

**Contravention 40: Parked in a designated disabled person’s parking place without clearly displaying a valid disabled person’s badge in the prescribed manner.**

A contravention occurs when a vehicle is parked in a disabled persons parking place without displaying a valid disabled persons parking badge.

Signs and road markings, indicate that a disabled persons bay is in place and that vehicles may only park there if a valid disabled persons parking badge is displayed in the vehicle.

<b>Contravention 40. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"> <li>1. Where the valid disabled badge has fallen out of view or is displayed incorrectly and cannot be read by the Civil Enforcement Officer and the motorist of the vehicle is able to supply a valid copy of the disabled badge. Note: We have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN’s received after the second may not be cancelled.</li> <li>2. Where the valid disabled badge has not been displayed by the motorist and has therefore not been seen by the Civil Enforcement Officer and the motorist of the vehicle is able to supply a valid copy of the disabled badge. Note: We have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN’s received after the second may not be cancelled.</li> </ol>	<ol style="list-style-type: none"> <li>1. Where the motorist does not possess a valid disabled persons badge.</li> <li>2. Where the motorist has had two previous PCN’s cancelled for failing to display a valid disabled badge. Note: We have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN’s received after the second may not be cancelled.</li> </ol>

### **Contravention 45: Parked on a taxi rank**

A contravention occurs when a vehicle that is not a licensed Hackney Carriage with a license plate on the back, parks on a taxi rank.

Signs and road markings show that a taxi rank is in place and that vehicles may only park there if they are a licensed Hackney Carriage with a license plate on the back. The operational times of the taxi rank are stated on the sign. If a sign has no times stated on it then the taxi rank is in operation at all times.

<b>Contravention 45. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
1. Where the vehicle does not appear to be a licensed Hackney Carriage, i.e. that the license plate is not visible to the Civil Enforcement Officer, but the motorist is able to provide evidence to confirm that their vehicle is a licensed Hackney Carriage.	1. Where the motorist states that their vehicle is a licensed taxi but has not provided evidence to confirm that this is the case.

**Contravention 46: Stopped where prohibited (on a red route or clearway)**

A contravention occurs when a vehicle stops where prohibited on a red route or clearway.



No stopping  
(Clearway)

Fig 1

A sign as shown above (fig 1) confirms that it is a clearway. The clearway operates 24 hours 7 days a week.

<b>Contravention 46. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
1. If the Vehicle has broken down and proof of the breakdown is provided for example breakdown or recovery invoice / report from a garage or emergency breakdown company.	1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention.

## Contravention 47: Parked on a restricted bus stop or stand

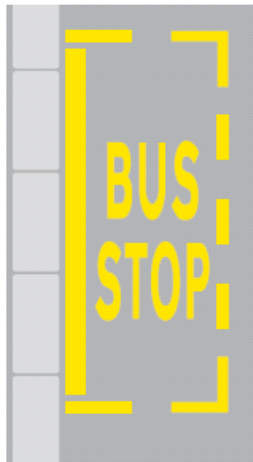


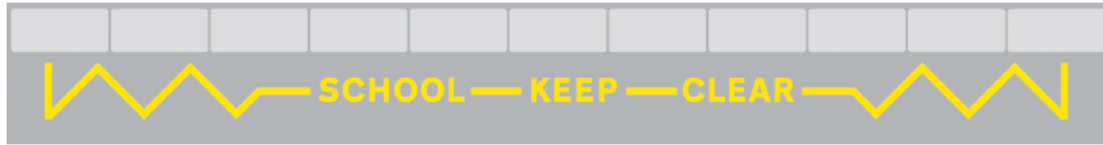
Fig. 1

A contravention occurs when a vehicle that is not a bus, stops or parks on a bus stop or stand.

Signs and road markings similar to Fig. 1 above, confirm that a bus stop/stand is in place. The operational times of the bus stop/stand are stated on the signs. Where there are no times stated on the signs, the bus stop/stand is operational at all times.

<b>Contravention 47. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	<ol style="list-style-type: none"><li>1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention.</li></ol>

**Contravention 48: Stopped in a restricted area outside a school when prohibited**



**Fig. 1**

A contravention occurs when a vehicle stops or parks on 'school keep clear' markings (zigzags) during the restricted hours.

Signs and road markings, similar to those in Fig. 1 above, confirm that school restrictions are in place.

<b>Contravention 48. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	<ol style="list-style-type: none"> <li>1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention.</li> </ol>

**Contravention 61: A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways**

A contravention occurs when a heavy commercial vehicle wholly or partly parks on a footway, verge or land between two carriageways.

<b>Contravention 61. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	<ol style="list-style-type: none"><li>1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention.</li></ol>

**Contravention 99: stopped on a pedestrian crossing and/or crossing area marked by zigzags**

A contravention occurs when a vehicle stops or parks on a pedestrian crossing and/or crossing area marked by zigzags.

Road markings show that a pedestrian crossing is in place. It is not permitted to stop or park on the zigzagged area leading up to or on a pedestrian crossing.

<b>Contravention 99. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"><li>1. Where the motorist claims that the police have issued a fixed penalty notice for the same incident. Evidence must be supplied.</li></ol>	<ol style="list-style-type: none"><li>1. Where the motorist claims that the police have issued a fixed penalty notice for the same incident but no evidence has been supplied.</li></ol>

### **Contravention 80: Parked for longer than the maximum period permitted**

A contravention occurs where a vehicle is parked for longer than the maximum period permitted.

<b>Contravention 80. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	1. If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention.

### **Contravention 81: Parked in a restricted area in the car park**

A contravention occurs when a vehicle parks in a restricted area in the car park.

Pay & Display car parks have tariffs boards. The tariff board advises motorists of the relevant parking charge, and the Pay & Display car park hours of operation. It also states that a Penalty Charge Notice will be issued to any vehicle parked out of a marked bay. This includes restricted areas of the car park usually marked by hatch markings.

<b>Contravention 81. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	1.If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention

## **Contravention 82: Parked after the expiry of paid for time**

A contravention occurs when a vehicle is parked in a Pay & Display car park after the Pay & Display ticket in their vehicle had expired.

Pay & Display car parks have tariffs boards. The tariff board advises motorists of the relevant parking charge, and the Pay & Display car park hours of operation. It also states that a Penalty Charge Notice will be issued to any vehicle parked after the expiry of their Pay & Display ticket on display in their vehicle.

<b>Contravention 82. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"><li>1. Where a disabled motorist purchases a ticket in error and produces a copy of a valid disabled badge.</li><li>2. Where a valid ticket is supplied for the time period. Note: We have a policy of five cancellations where a motorist fails to correctly display their Pay &amp; Display ticket. Any tickets received after the fifth may not be cancelled.</li></ol>	<ol style="list-style-type: none"><li>1. Where the motorist states they were late back to the vehicle because they were delayed. (unless the motorist was involved in an unavoidable medical issue or Police matter and acceptable documentary evidence can be provided to confirm that this was the case).</li><li>2. Where the motorist stated loading/unloading was taking place after the ticket expired.</li><li>3. Where the motorist failed to display their valid Pay &amp; Display ticket, has supplied a copy of their valid Pay &amp; Display ticket, but has had five previous Penalty Charge Notices cancelled for the same reason.</li></ol>

**Contravention 83: Parked in a car park without clearly displaying a valid Pay & Display ticket or voucher or parking clock.**

A contravention occurs when a vehicle is parked in a Pay & Display car park without a valid ticket on display in the windscreen.

Pay & Display car parks have tariffs boards. The tariff board advises motorists of the relevant parking tariff and also states that a Penalty Charge Notice will be issued to any vehicle parked without a valid Pay & Display ticket on display in the windscreen.

<b>Contravention 83. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"> <li>1. Where the motorist provides a copy of their valid disabled badge. Note: we have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN's received after the second may not be cancelled.</li> <li>2. Where the motorist provides a copy of a valid Pay &amp; Display ticket for the relevant time period. Note: We have a policy of five cancellations where a motorist fails to correctly display their Pay &amp; Display ticket. Any PCN's received after the fifth may not be cancelled.</li> <li>3. Where the Pay &amp; Display machine/s are found to have been out of order at the relevant time.</li> </ol>	<ol style="list-style-type: none"> <li>1. Where the motorist states the machine was out of order but there is no record of any fault and the Civil Enforcement officer was able to purchase a test ticket.</li> <li>2. Where another Pay &amp; Display machine was in working order in the same car park.</li> <li>3. Where the disabled badge holder failed to display their badge, has supplied a valid copy, but has had two previous PCN's cancelled for the same reason.</li> <li>4. Where the motorist failed to display their valid Pay &amp; Display ticket, has supplied a copy of their valid Pay &amp; Display ticket, but has had five previous Penalty Charge Notices cancelled for the same reason.</li> </ol>

**Contravention 85: Parked in a permit bay without clearly displaying a valid permit**

A contravention occurs when a vehicle is parked in a permit bay within a car park without clearly displaying a valid permit.

<b>Contravention 85. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
1. Where the motorist has displayed an invalid permit but they have a renewed valid permit but have neglected to display it. The motorist of the vehicle must be able to supply a valid copy of the permit.	1. Where the motorist does not have a valid permit.

**Contravention 86: Parked beyond the bay markings**

A contravention occurs when a vehicle is parked outside of the bay markings in a Pay & display car park.

The terms and conditions of parking, indicated on the car park tariff board informs motorists that a Penalty Charge Notice will be issued to any vehicle failing to park wholly within the bay markings.

Even if you feel the vehicle next to yours has not provided sufficient room to park, you cannot park outside of the bay markings and you should find an alternative place to park. This contravention includes vehicles parked in hatched areas or non-parking bays within the car park.

<b>Contravention 86. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	1. Where the motorist claims that they only parked in this manner as other motorists were parked incorrectly.

**Contravention 87: Parked in a designated disabled person’s parking place without clearly displaying a valid disabled person’s badge in the prescribed manner.**

A contravention occurs where a vehicle is parked in a designated disabled bay in a car park without clearly displaying a valid disabled badge.

These bays are operational at all times and parking is not permitted in these bays without clearly displaying a valid disabled badge.

<b>Contravention 87. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
<ol style="list-style-type: none"> <li>1. Where the valid disabled badge has fallen out of view or is displayed incorrectly and cannot be read by the Civil Enforcement Officer and the motorist of the vehicle is able to supply a valid copy of the disabled badge. Note: We have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN’s received after the second may not be cancelled.</li>   <li>2. Where the valid disabled badge has not been displayed by the motorist and has therefore not been seen by the Civil Enforcement Officer and the motorist of the vehicle is able to supply a valid copy of the disabled badge. Note: We have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any PCN’s received after the second may not be cancelled.</li> </ol>	<ol style="list-style-type: none"> <li>1. Where the motorist does not possess a valid disabled persons badge.</li> <li>2. Where the motorist has had two previous PCN’s cancelled for failing to display a valid disabled badge. Note: We have a policy of two cancellations where a disabled badge holder fails to correctly display their badge. Any tickets received after the second may not be cancelled.</li> </ol>

## **Contravention 92 : Parked causing an obstruction**

A contravention occurs when a vehicle is parked causing an obstruction.

The terms and conditions of parking, indicated on the car park tariff / terms and conditions board informs motorists that a Penalty Charge Notice will be issued to any vehicle failing to park wholly within the bay markings, which includes any vehicles parked causing an obstruction.

<b>Contravention 92. Cancellation guidance</b>	
<b>Circumstances in which we may cancel</b>	<b>Circumstances in which we may not cancel</b>
	1.If the motorist simply thinks that the Penalty Charge Notice is unfair but has no legitimate or compelling reasons for being parked in contravention