

Traffic Management Act 2004, Part 6

(Civil Parking Enforcement)

What is happening on 31st March 2008?

The Government has reviewed the existing system of Decriminalised Parking Enforcement (DPE) to identify how it could be improved. The Government's aim is to strengthen the existing system of DPE to achieve a higher level of public compliance.

The objectives of the Act are to ensure a consistent approach to parking enforcement across England; achieve a high level of public acceptance and understanding of CPE; to ensure authorities have the necessary powers to secure a high level of compliance with Traffic Regulation Orders; and to ensure that CPE powers are exercised in a fair and reasonable manner by authorities.

What are the main changes?

- Parking Attendants will be called Civil Enforcement Officers (CEOs).
- Differential parking penalties depending on the seriousness of the contravention (described as 'higher level' and 'lower level').
- Powers to serve Penalty Charge Notices (PCN) by post if the CEO has started to issue it but the motorist drives away before it can be served.
- Details of procedures for representations and appeals to be included on PCN.
- Adjudicators will have the power to refer appeals back to the authority for reconsideration where a contravention took place because of mitigating circumstances.
- Send PCNs by post when a CEO has been prevented from serving a PCN by an intimidating motorist.
- Authorities should publish parking policies.
- Stronger emphasis on staff training.
- Authorities are encouraged to use photographic evidence gathered by CEOs as additional evidence that the contravention has occurred.
- Authorities should consider re-offering the 14 day 50% discount period when an informal challenge is rejected.
- Authorities should publish financial and statistical information.

How do I ensure I park legally?

Contrary to popular belief, drivers are not permitted to 'stop for a few minutes' on yellow lines other than to set down or pick up passengers or load and unload goods (in the absence of any loading restrictions). If you are in any doubt where you can park, and for how long, check the markings on the road and nearby signs.

Remember, if there is a yellow line on the road outside your house, it applies to you as well! Doing the school run? Don't park where you will endanger the life of a child. Rochford District Council must patrol fairly and consistently in accordance with its Enforcement Policy.

Think before you park!

Motorists who park in accordance with the regulations need have no fear of these new enforcement arrangements. As has always been the case, the Council's policy will be to target areas of greatest congestion and where there is a danger to pedestrians.

You will get a parking ticket if you:

- Park in areas where waiting or loading restrictions are in force - WAITING RESTRICTIONS APPLY TO THE ENTIRE WIDTH OF THE ROAD (INCLUDING VERGES, PAVEMENTS ETC).
- Park in a space controlled by 'pay & display' ticket machines without paying the correct amount and clearly displaying the ticket as instructed.
- Park for longer than you have paid for.
- Return to the same parking place within the prescribed time (as shown on the traffic sign) of leaving the parking place.
- Park in a specifically reserved bay, e.g. a loading place, a disabled bay or taxi rank unless you are authorised to do so.
- Park at a bus stop during prohibited hours.
- Park in a restricted area outside a school.

Who will benefit from the change in legislation?

Many recommendations in the Act are already common practice within Rochford's parking enforcement administration. The more consistent approach across the whole country will hopefully make parking regulations, and enforcement of them, easier to understand for the public. All residents, visitors and businesses will benefit from improved enforcement of parking and the reduction in numbers of illegally parked vehicles.