



# **Medway Council Parking Enforcement Policy**

**(MPEP)**

**April 2021**

# INDEX

<b>1.0</b>	<b><i>Introduction</i></b> .....	<b>4</b>
1.1	Introduction.....	4
1.2	Purpose .....	4
1.3	Objectives .....	4
1.4	Glossary of Terms .....	5
1.5	Governance and Version Control.....	5
1.6	Definitions .....	6
1.7	Exemptions to the Enforcement Plan .....	7
1.8	Discretion .....	8
1.9	Persistent evader.....	8
1.10	Parking Enforcement by CCTV.....	8
1.11	Bus-Lane Enforcement .....	8
<b>2.0</b>	<b><i>Parking</i></b> .....	<b>9</b>
2.1	Parking Management .....	9
2.2	Parking Enforcement .....	9
2.3	Parking Enforcement Priority .....	10
<b>3.0</b>	<b><i>Enforcement Protocols</i></b> .....	<b>12</b>
3.1	Yellow Lines.....	12
3.2	Double Parked & Dropped Kerbs .....	16
3.3	Residents Parking Bay.....	17
3.4	Paid for Parking Facilities (including car parks).....	19
3.5	Wrong Class Vehicles, Disabled, Doctors, Hospitals & Diplomatic Bays .....	21
3.6	Suspended Parking Places.....	22
3.7	Bus stop and School Zig Zags .....	23
3.8	Bus Lanes and Cycle Lanes .....	24
3.9	Verge Parking .....	25
3.10	Restricted Areas .....	26

<b>4.0</b>	<b><i>Suspension of Parking Places in Controlled Parking Zones</i></b>	<b>28</b>
4.1	How to Arrange For a Suspension	28
4.2	Weddings and Funerals	28
4.3	Private Building Work	28
4.4	Special Events	29
<b>5.0</b>	<b><i>Dispensations from Waiting and/or Loading Restrictions</i></b>	<b>30</b>
5.1	Why and How we give Dispensations	30
5.2	How to Obtain a Dispensation	30
5.3	Removals	30
<b>6.0</b>	<b><i>Collecting Penalty Charges</i></b>	<b>31</b>
6.1	How to Pay	31
6.2	Rights of Appeal	31
<b>7.0</b>	<b><i>Pay and Display</i></b>	<b>33</b>
7.1	Refund of Parking Vouchers	33
<b>8.0</b>	<b><i>Useful Contacts</i></b>	<b>34</b>
	<b><i>APPENDIX 1 (Parking Charter)</i></b>	<b>35</b>
<b>9.0</b>	<b><i>Document updates</i></b>	<b>36</b>

## 1.0 Introduction

### 1.1 Introduction

Medway Council is responsible for the enforcement of parking regulations both on and off-street throughout the Medway towns. Medway Council prioritises its on-street enforcement around four key areas of road safety, reducing congestion, ensuring the road network is moving and managing kerbside parking provisions.

Although parking contraventions have been de-criminalised, they have not been de-legalised. It therefore remains an illegal act to park in contravention of the restrictions.

The contents of this policy seek to clarify those areas where Medway Council has discretion on parking enforcement regulations. This policy does not override the Traffic Management Act (TMA) 2004, Highway Code or any related regulatory framework. Where there may be contradiction please ensure that the Department for Transport (DfT) and Secretary of State's guidance (February 2008 onwards) takes precedent on statutory matters.

The Traffic Management Act (TMA) 2004 also aims to obtain 100% compliance with the parking regulations from motorists.

What is important about this policy is that it represents a foundation upon which fairness and **discretion** can be applied. (**See section 1.8**).

### 1.2 Purpose

A careful balance must be struck between parking provision, parking controls, levels of charges and enforcement, in order to ensure that we obtain optimum value for the economic well being of Medway as well as for the sustainability and environmental issues.

### 1.3 Objectives

Medway's policy helps support a better and safer environment to generally improve parking conditions by:

- Delivering a high quality parking service to all road users in a fair and consistent manner;
- Ensure there is clarity of the enforcement requirements and policy for all Parking Service Officers, Civil Enforcement Officers **and camera operators**;
- Be a single point in which enforcement policy is documented and can be easily updated when change occurs;
- Supporting effective parking management;
- Seeking to improve sustainable access;
- Meeting environmental objectives;
- Co-ordinating and being compatible with neighbouring authorities;
- Ensuring that the needs of disabled people, motorcycles, buses, coaches and local business are taken into account.

Effective enforcement assists Medway Council in delivering its wider transport objectives by:

- Improving traffic management;
- Assist public transport;
- Assist passage of emergency vehicles;
- Improve road safety
- Enhance the general street scene.

#### **1.4 Glossary of Terms**

CCTV	Closed Circuit Television
CEO	Civil Enforcement Officer
CPZ	Controlled Parking Zone
DYL	Double Yellow Lines
MPEP	Medway Parking Enforcement Plan
P&D	Pay and Display
PCN	Penalty Charge Notice
SYL	Single Yellow Lines
TMA 2004	Traffic Management Act 2004
TPT	Traffic Penalty Tribunal
TRO	Traffic Regulation Order
VRM	Vehicle Registration Mark

#### **1.5 Governance and Version Control**

##### **Ownership**

This document is owned by Parking Services, Medway Council.

##### **Previous Editions**

Version	Date
V1	October 2008
V2	September 2011
V3	October 2012
V4	April 2015
V5	February 2019

##### **Approval Authority**

All re-issues must be authorised by the Parking Services Manager. This copy replaces all previous versions which are now obsolete.

Any changes will be communicated via formal instructions that will refer to the section of the Enforcement Plan that is being altered. The full document will then be re-issued when appropriate.

Temporary or trial changes will not be listed in this document.

This document supersedes any information which previously appeared on Medway Council's website or published documentation pertaining to (MPEP) within the towns.

## **1.6 Definitions**

### **Waiting, Parking & Stopping**

Parking Contraventions are contraventions of the relevant Traffic Regulation Order. As described in the Road Traffic Regulation Act 1984, parking and waiting are synonymous. Waiting consists of stopping a vehicle where restrictions apply and can be described as occurring 'where the vehicle has been permitted to remain at rest'.

### **Loading/Unloading**

This activity needs to be visible and the process (i.e. the delivery/collection and obtaining any necessary signature etc) needs to be continuous in order to satisfy the concessions for loading and unloading. It is only permitted in certain bays and on yellow lines where no loading restrictions apply.

### **Picking Up/Dropping Passengers Off**

The definition of picking up/setting down is stopping at the kerbside in order to allow a passenger(s) to board or alight the vehicle. Waiting at the kerbside for passengers to arrive, or after passengers have left the vehicle, is not part of either of these processes.

### **Motorcycle in Permit Bays**

All vehicles wishing to park within Medway Council permit bays do need to display a valid permit. A motorcycle user can display their permit in their property window or the property that is being visited to display a note on the bike stating the address where the permit is displayed and the permit number and try to park as close to the property as possible. Permission is granted to display the permit in a tax disc holder, if possible.

### **Motorcycle in a Pay and Display Bay**

All vehicles wishing to park within a Medway council Pay and Display car park must display a valid ticket to prevent a Penalty Charge Notice being issued.

If a valid ticket is unable to be displayed securely then the ticket should be retained as proof of purchase. Although this will not stop further Penalty Charge Notices being issued, the valid Pay and Display ticket can be submitted with an appeal. Permission is granted to display the ticket in the tax disc holder, if possible. Preference is for motorcyclists to purchase a Ringo session as this will ensure Penalty Charge Notices are not issued needlessly.

### **Zero tolerance parking enforcement**

In line with its priority to make it easier to travel around Medway, the council has a zero tolerance policy towards illegal parking on the main routes through the urban areas. This means that, on these routes, civil enforcement officers will issue an instant penalty charge notice to vehicles seen stopped on restrictions.

The council has set this enforcement in response to public demand to keep Medway moving. Illegally parked vehicles on main roads cause congestion that could easily be avoided if the owners simply used the car parks and parking bays. The council wants to tighten up on the main routes, not the residential areas where an observation time will still apply. There are 49 off-road car parks in Medway, providing 5,500 car parking spaces.

CEO's to give 2 minutes observation period to vehicles parked on yellow lines in school areas during school peak times.

## **Zero tolerance areas:**

This measure applies to all double and single yellow lines on the following streets:

### **Rochester**

High Street (including paved area)  
City Way

### **Chatham**

Maidstone Road  
Best Street  
Brook  
Batchelor Street  
Clover Street  
Military Road  
Railway Street  
Medway Street  
Globe Lane  
Dock Road  
Luton Road  
High Street (including paved area)

### **Rainham**

Station Road  
High Street (A2)

### **Gillingham**

Wood Street  
Canterbury Street  
Brompton Road  
Jeffrey Street  
Green Street  
Duncan Road  
Nelson Road  
Britton Farm Street

### **Strood**

Commercial Road  
Knight Road  
Priory Road  
Cuxton Road

### **Hoo**

Main Street  
Church Street

## **1.7 Exemptions to the Enforcement Plan**

Exemptions and observations listed in this document do not apply to private or commercial vehicles if it appears to the CEO or Camera Operator that the vehicle is not being used in accordance with the exemption. For example, an observation period for a loading contravention may not be given to a commercial vehicle parked on a yellow line if it is evident that the crew are carrying out activities other than loading or unloading. Full notes are to be made by the CEO, CCTV operator and CCTV reviewer in these instances. A comprehensive list of all of Medway's Traffic Order Exemptions is listed.

In all cases there should be evidence that the exempt activity is taking place and that the vehicle concerned is actively engaged in this activity. If the CEO observes no exempt activity, a Penalty Charge Notice will be served and may be upheld unless acceptable evidence is provided to the Traffic Penalty Tribunal.

Generally, Adjudicators have held that where a driver receives a PCN and is claiming an exemption from their respective restrictions, the burden of proof rests with the driver and they should be able to produce evidence that supports this claim. If they can do so, the PCN will be cancelled. However, it is not always possible for a driver to produce proof and each case will need to be considered on its own merits.

## **1.8 Discretion**

The council has the discretion to cancel a PCN at any point in the appeals process. All representations will be considered and each case will be decided upon its own individual merits. Any extenuating or mitigating circumstances will be taken into account.

Every case will be looked into individually and supporting evidence may be requested before a decision on the outcome of an appeal can be made. Whilst every case will differ, it may be appropriate for the council's discretionary power to cancel penalty charges.

As circumstances differ from case to case and as each case is considered on its own merits, we cannot limit or prescribe the factors that we take into account when considering exercising our discretion. Therefore this document cannot cover every situation that may arise or every situation in which we may exercise our discretion to cancel a PCN.

## **1.9 Persistent evader**

Some vehicle owners contravene parking regulations deliberately and often therefore failing 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.

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.

## **1.10 Parking Enforcement by CCTV**

For parking contraventions enforced by CCTV the same exemptions apply, however the observation periods may differ and are listed under the heading of Enforcement Protocols. The requirement to move vehicles on where the driver is present does not apply to CCTV or CCTV car enforcement. The information within this policy should be used in conjunction with Medway's Code of Practice for Operation of CCTV Enforcement Cameras May 2013 v5).

CCTV currently enforces parking and bus lane contravention. CCTV enforcement has a number of advantages; one of which is able to provide enforcement in historically hard to enforce areas. CCTV encourages compliance with the regulations.

This document will highlight which parts apply to both CEO and camera enforcement and which parts refer to CEO enforcement only.

## **1.11 Bus-Lane Enforcement**

Only buses and permitted vehicles may drive in the Medway bus lanes. Drivers are advised to check the signage at each location. Any motorist who contravenes the regulations will be captured by CCTV and once the footage is reviewed and the enforcement officers believe that a contravention has occurred, a PCN will be served to the registered owner/keeper of the vehicle, by post. This enforcement practice will be carried out under the *Transport Act 2000 – Bus lane contraventions (Penalty Charges, Adjudication and Enforcement (England) Regulations 2005)*.



## 2.0 Parking

### 2.1 Parking Management

*Parking management includes the enforcement of on and off-street parking regulations. Vehicles parked inconsiderately and in contravention of traffic orders can be dangerous. Inconsiderate parking on yellow lines and footways can cause a serious road safety hazard and inconsiderate obstruction for wheel chair users and pushchairs.*

*The policy supports effective parking management by:*

- *Co-ordinating on and off-street parking enforcement management to ensure a comprehensive and consistent approach;*
- *Allocating parking permits/waivers with clear conditions of use based on transparent and consistent principles, which give priority in accordance with the defined hierarchy of parking enforcement; and*
- *Maximising the potential of the Council's information technology (IT) to support an effective and efficient parking management operation.*

### 2.2 Parking Enforcement

*The aim of enforcement is to maximise motorist compliance with regulations to make our streets safer for all road users, to prevent obstruction and delays (especially for buses and emergency vehicles), to ensure that parking bays are available for their intended use and to improve the general street scene.*

*Clear and consistent parking enforcement strategies allow for:-*

- ***Safer environment for drivers and pedestrians*** as the focus on enforcement means clearer roads and pavements;
- ***Fewer illegally parked vehicles amount to fewer accidents, better traffic flow and accessibility;***
- ***Emergency and service vehicles will be able to operate more effectively*** along roads as the emergency corridors and public transport routes will have fewer inconsiderately parked vehicles;
- ***The general environment will improve*** by providing a more environmentally efficient transport system in terms of reducing congestion.

*The basis for this enforcement plan is fair, consistent, transparent, policy-driven and quality-led operational enforcement. Enforcement will be targeted to tackle problem areas. The MPEP specification provides a schedule and prescribes the frequency of patrol visits, dependent*

upon the location type. This will ensure a good parking enforcement regime that is both consistent and transparent.

The MPEP focuses on Customer needs by:

- Ensuring an efficient, robust and customer-friendly parking system;
- Ensuring an effective, fair and consistent enforcement operation to maximise compliance with Medway's parking regulations;
- Consulting and communicating with both internal and external stakeholders to inform on parking management issues.

## **2.3 Parking Enforcement Priority**

There is a need for effective and defined on-street parking management protocols as there is an element of conflict and controversy surrounding the industry. The parking enforcement priorities shall be as follows:

### **Highway Safety**

*Preventing dangers due to parking:*

- Near Accident locations such as junctions
- Near Pedestrian Crossings
- Dangerously parked vehicles i.e. double parking

### **Aid to Movement**

*Preventing obstruction and congestion on:*

- Main access roads into Medway (Principal Roads)
- Town Centre shopping areas
- Public Transport routes
- Main traffic routes within Medway (Non-principal Road)
- Other busy streets (Access Roads to Residential Areas/Local Shopping Parades)

### **Obstruction & Nuisance**

*Preventing hindrance to road users at:*

- Bus stops
- Vehicle accesses
- Pedestrian access routes
- Taxi Ranks
- Special entertainment events

### **Deliveries & Servicing**

*Control and enable the conveyance of goods at:*

- Servicing yards
- Permitted loading areas

### **Parking Bays**

*Control effective use of permitted parking areas in:*


- Medway Council Car parks
- Disabled Badge Holder Bays
- On-street Pay & Display
- Residents parking
- Limited waiting


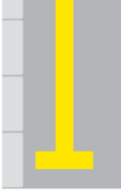
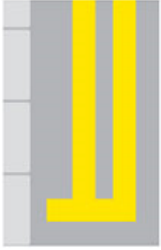
- 2.3.1 Resident parking permits are issued by the Council's Parking Service for the use of designated parking places in resident parking zones.
- 2.3.2 Medway Council administers Blue Badges for disabled people under the Blue Badge Scheme. This allows disabled badge holders considerable flexibility in where they can park on-street and in our car parks. Badge holders can park for free in many areas, provided a valid Blue Badge is displayed, the bay has not been suspended and the vehicle is being used to transport the Blue Badge holder. Blue Badge holders are also allowed to park for a maximum of 3 hours on single and double yellow lines, except where there is a loading ban or dropped kerb or where a bus or cycle lane is in operation where it is safe to do so. A clock should be clearly displayed and set at the time of arrival.
- 2.3.3 Medway Council allows Blue Badge holders to park in permit holder, business and limited waiting bays as long as a valid disabled permit is on display.
- 2.3.4 Medway's parking operation consists of foot patrol officers, mobile patrols and CCTV enforcement.


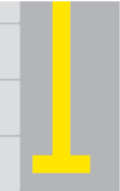
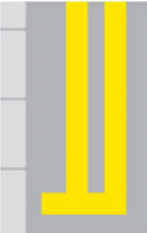
### 3.0 Enforcement Protocols

Separate sections cover each main area of enforcement, e.g. Section 1 sets out yellow line enforcement protocols. An amendment history is included to track changes to individual sections. However, not all restrictions are present in all areas of Medway. Signage and legal traffic regulation orders need to be in place for a contravention to be in situ and enforced.

#### 3.1 Yellow Lines



Restrictions	Class of Vehicle	Enforcement Protocols
<p><b>Loading Restrictions Apply</b></p> <p><b>Contravention Code</b> <b>02 / 25 / 20</b></p> 	<p><b>All</b></p>	<p>Enforcement carried out by CEO only.</p> <p>Instant PCN (vehicles should initially be moved on if driver present) unless exemption below applies issue a PCN.</p> <p>Give 2 minutes observation to vehicles to ascertain whether picking/up setting down is occurring.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. Evidence of picking up or settling down passengers and their luggage observed. Sufficient time must be allowed for this activity, 2 minutes observation is required and driver should be with vehicle.</li> <li>2. Royal Mail vehicles delivering/collecting postal packets. If no movement is observed within the first 5 minutes of constant observation, a PCN will be issued. If loading/unloading activity is observed then 15 minutes of casual observation will continue.</li> <li>3. Cleansing and refuse vehicles collecting rubbish from the side of the road. (NB: This applies to Medway refuse vehicles and commercial refuse company vehicles).</li> <li>4. Emergency service vehicles carrying out their duties (Fire Service, Police, London Ambulance).</li> <li>5. Vehicles used for Fire Service, ambulance or police purposes.</li> <li>6. Vehicle being used for building demolition, excavation or construction; scaffolding lorries and glaziers carrying out work in or adjacent to street displaying a dispensation.</li> </ol>
<p><b>Loading Restrictions Do Not Apply</b></p>	<p>Private cars; Estate vehicles; Non Livered Solo</p>	<p>Enforcement carried out by CEO only.</p> <p>CEO will give 5 minute observation to vehicles to ascertain whether loading/unloading is occurring. Give 3 hours casual observation to vehicles displaying a valid blue badge and clock.</p>

Restrictions	Class of Vehicle	Enforcement Protocols
<p data-bbox="175 157 451 247"><b>Restricted Street Contravention Code 01</b></p>   	<p data-bbox="505 157 659 184">Motorcycles</p>	<p data-bbox="712 157 1528 317">Shopping is not considered as loading therefore time is not given to enable drivers to make purchases. Double yellow lines and single yellow lines are enforceable from the middle of the highway to the highway boundary line. This will include footways and pavements as well as verges.</p> <p data-bbox="712 359 1101 386"><b><u>Exemptions to Enforcement</u></b></p> <ol data-bbox="704 394 1536 1900" style="list-style-type: none"> <li>1. There is evidence of loading/unloading bulky or heavy items. The vehicle must be moved immediately and parked legally after loading/unloading. Activity around the vehicle should be continuous, bulky, adjacent, reasonable and timely. If no loading is observed within zero tolerance areas a PCN will be issued instantly. Otherwise after 5 minutes constant observation with no loading a PCN will be issued. If loading/unloading is seen, then 15 minutes casual observation will continue. If no loading/ unloading is evident then a PCN will be issued. CEO's to give 2 minutes observation period to vehicles parked on yellow lines in school areas during school peak times and pedestrianised zones.</li> <li>2. Any vehicle - do not issue for the first and last 5 minutes of controlled hours (does not apply to double yellow lines which are enforced at any time).</li> <li>3. Multi-drops that may take longer than 20 minutes are permitted as long as the vehicle is moved in the process. A fresh 15 minutes casual observation should be given if vehicle has moved followed by 5 minutes constant observation before issuance of PCN.</li> <li>4. The back of vehicle should be checked to see if driver in attendance and or evidence of loading activity. Full notes to be made by CEO's.</li> <li>5. Notification has been received from Parking Services that special permission has been given to load or unload, as operation cannot be completed within regulation time limits.</li> <li>6. Vehicle is displaying a valid single/double yellow line dispensation issued by parking services. However, a vehicle would not be exempt if stopped over a dropped kerb</li> <li>7. Royal Mail vehicles delivering/collecting postal packets. If no movement is observed within the first 5 minutes of constant observation, a PCN will be issued. If loading/ unloading activity is observed then 15 minutes of casual observation will continue.</li> <li>8. Give 15 minutes casual observation followed by 5 minutes of constant observation.</li> <li>9. Evidence of delivering mail or postal packets by couriers in which case if no movement is observed within the first 5</li> </ol>

Restrictions	Class of Vehicle	Enforcement Protocols
		<p>minutes of constant observation, a PCN will be issued. Thereafter, 15 minutes casual observation should be allowed before issuing a PCN.</p> <ol style="list-style-type: none"> <li>10. Cleansing and refuse vehicles collecting rubbish from the side of the road. (NB: This applies to Medway refuse vehicles and commercial refuse company vehicles).</li> <li>11. Domestic and office removal vehicles with special permission from parking services.</li> <li>12. Vehicle being used for building demolition, excavation or construction; scaffolding lorries and glaziers carrying out work in or adjacent to street displaying a dispensation.</li> <li>13. Visible signs of unavoidable vehicle breakdown or if recovery service in attendance.</li> </ol> <p><b>Note:</b> Traffic Regulation Order allows continuous loading activity for as long as necessary within the prescribed hours. There is no restriction on the nature of goods for commercial loading activity.</p>
<p><b>Loading Restrictions Do Not Apply</b></p> <p><b>Restricted Street Contravention Code 01</b></p>   	<p>Commercial Vehicles (i.e. Vans, Heavy Goods Vehicles, Lorries etc) – Livered or Unlivered.</p> <p>Royal Mail Vehicles</p> <p>Livered Solo Motorcycles</p>	<p>Enforcement carried out by CEO.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. Any vehicles – do not issue PCN's for the first 5 minutes and last 5 minutes due to observation time required of controlled hours.</li> <li>2. Between prescribed hour's if no movement is observed after the first 5 minutes of constant observation, a PCN will be issued. If loading/unloading activity is observed then 15 minutes of casual observation will continue. If no loading/unloading is evident then a PCN will be issued.</li> </ol> <p>Multi-drops that may take longer than 20 minutes are permitted as long as the vehicle is moved in the process. A fresh 20 minutes observation whilst loading/unloading should be given if vehicle moved.</p> <p>The back of vehicle should be checked to see if driver in attendance and or evidence of loading activity. Full notes to be made by Civil Enforcement Officers.</p> <ol style="list-style-type: none"> <li>3. Observe same protocol on double yellow lines between prescribed hours as applies in point (2).</li> </ol>

Restrictions	Class of Vehicle	Enforcement Protocols
		<ol style="list-style-type: none"> <li>4. Notification has been received from Parking Operations that special permission has been given to load or unload, as operation cannot be completed within regulation time limits as shown in (2) above.</li> <li>5. Vehicle is displaying a valid single/double yellow line dispensation issued by parking services. However a vehicle would not be exempt if stopped over a dropped kerb.</li> <li>6. Royal Mail vehicles delivering/collecting postal packets. Give 15 minutes casual observation following a 5 minute constant observation if near sorting office, where 5 minutes constant observation should be given.</li> <li>7. Evidence of delivering mail or postal packets by couriers in which case 20 minutes should be allowed before issuing a PCN.</li> <li>8. Cleansing and refuse vehicles collecting rubbish from the side of the road. (NB: This applies to Medway refuse vehicles and commercial refuse company vehicles).</li> <li>9. Domestic and office removal vehicles with special permission from Parking Services.</li> <li>10. Vehicle being used for building demolition, excavation or construction; scaffolding lorries and glaziers carrying out work in or adjacent to street displaying a dispensation.</li> <li>11. Visible signs of unavoidable vehicle breakdown or if recovery service in attendance.</li> </ol> <p>Heavy Goods Vehicles - if no movement is observed after the first 5 minutes of constant observation, a PCN will be issued. If loading/unloading activity is observed then 15 minutes of casual observation will continue. If no loading/ unloading is evident then a PCN will be issued. This does not apply to coaches - Details of the timeplate is to be recorded.</p> <p>Check the back of the vehicle to see if vehicle attended before commencing enforcement.</p>

### 3.2 Double Parked & Dropped Kerbs

Restrictions	Class of Vehicle	Enforcement Protocol
<p><b>Double Parked</b> <b>(Parked more than 50cm away from the carriageway)</b></p> <p><b>Contravention Code 26</b></p> 	<p><b>All</b></p>	<p>Enforcement carried out by CEO.</p> <p>A 5-minute observation period must be given and noted on handheld computers when issued by CEO. Photographs to be taken when the vehicle is first seen and when the PCN is issued. Do not issue if there is any movement around the vehicle.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. Vehicles that are parked wholly within a designated parking place or any other part of the carriageway where parking is specifically authorized.</li> <li>2. Vehicles used by the fire, ambulance or police services.</li> <li>3. Where loading or unloading is taking place.</li> <li>4. Vehicles used for waste collection, building works or road works.</li> </ol>
<p><b>Dropped Kerb</b></p> <p><b>Contravention Code 27</b></p> 	<p><b>All</b></p>	<p>Enforcement carried out by CEO</p> <p>CEO's may issue an Instant PCN unless exemption below applies.</p> <p>PCN's can only be issued at the request of the owner / resident of the property when vehicles are parked on /adjacent to the drop kerb outside their properties. In order to issue a PCN, the axle of the vehicle needs to be over the dropped kerb. A PCN may not be issued for the overhang of a bonnet or boot alone.</p> <p>Details have to be logged and filed in the "Caller log – 27 offence code" (folder which can be found in the Supervisor's office). The log must be completed in full: for example, name &amp; number of caller, address and vehicle details.</p> <ul style="list-style-type: none"> <li>• PCN's can only be issued to private driveways to a single dwelling.</li> <li>• Pedestrian Dropped Kerbs – PCN's to be enforced when a vehicle is parked adjacent to a dropped footway anywhere within a Special parking area (SPA), Including the Controlled Parking Zone (CPZ) – either random or requested patrol. In order to issue a PCN, the axle of the vehicle needs to be over the dropped kerb. A PCN may not be issued for the overhang of a bonnet or boot alone.</li> </ul>



		<ul style="list-style-type: none"> <li>• Please note that if the vehicle is parked on a yellow line during prescribed hours, a PCN may be issued for the contravention relevant to the yellow line or a 27-offence code can.</li> <li>• There is no observation period required for a CEO to issue this PCN under a 27 offence code. However full notes are to be recorded and photographs are to be taken by Civil Enforcement Officers.</li> <li>• If a PCN is issued under the yellow line offence code, 5 minutes observation time will be applicable with 2 minutes in a zero tolerance area.</li> <li>• Vehicles displaying disabled badges are <b>NOT</b> exempt and can be issued for a 27-offence code or an 01 yellow line offence code when stopped over a dropped kerb.</li> </ul> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. Evidence of picking up or setting down passengers and their luggage observed. Sufficient time must be allowed for this activity (2 min. of casual observation. Driver should be with vehicle.</li> <li>2. Cleansing and refuse vehicles collecting rubbish from the side of the road. (NB: This applies to Medway refuse vehicles and commercial refuse company vehicles).</li> <li>3. Vehicles used for Fire Service, ambulance or police purposes.</li> <li>4. Vehicles parked outside a driveway to residential premises with the occupier's consent.</li> </ol>
--	--	---

### 3.3 Residents Parking Bay

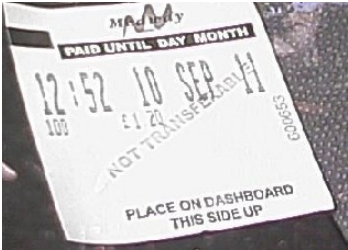
Restrictions	Class of Vehicles	Enforcement Protocol
<p><b>Resident Parking Bays</b></p> <p><b>No Permit, Voucher, P&amp;D (On St) Cont. Code 12</b></p> <p><b>Invalid Permit, Voucher, P&amp;D (On St) Cont. Code 19</b></p>	<p><b>All</b></p>	<p>Enforcement carried out by CEO only.</p> <p>2 minutes observation if no resident permit for appropriate zone is on display. A vehicle displaying an appropriate resident permit, valid blue disabled badge, special permit or business permit in permitted bays all have unlimited time.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. All vehicles – do not issue for the first 10 minutes and last 10 minutes due to observation time required of controlled hours.</li> </ol>

**No Valid Permit  
Cont. Code 16**



2. Vehicle is displaying valid residents parking permit for the appropriate zone.
3. Vehicle is displaying valid visitors permit for zone.
4. If evidence of picking up or setting down passengers and their luggage is observed, a maximum of 2 minutes is allowed. Driver should be with vehicle.
5. Royal Mail vehicles delivering/collecting postal packets. If no movement is observed within the first 5 minutes of constant observation, a PCN will be issued. If loading/unloading activity is observed then 15 minutes of casual observation will continue.
6. Commercial vehicles (Including long wheel based vehicles) If no movement is observed within the first 5 minutes of constant observation, a PCN will be issued. If loading/unloading activity is observed then 15 minutes of casual observation will continue.
7. Private vehicles – if evidence of loading/unloading observed, give 5 minutes constant observation. If no evidence of loading activity seen, issue PCN after 2 minutes observation.
8. Notification has been received from the Parking Services that special permission has been given to load or unload at particular location.
9. If vehicle is displaying valid special permit.
10. If vehicle is displaying a valid blue badge.
11. If vehicle is displaying a valid business permit in permitted bay.
12. Cleansing and refuse vehicles collecting rubbish from the side of the road. (NB: This applies to Medway refuse vehicles and commercial refuse company vehicles).
13. Domestic and office removal vehicles with special permission from Parking Services.
14. Vehicle being used for building demolition, excavation or construction; scaffolding lorries and glaziers carrying out work in or adjacent to street where a suspension is in place.
15. Emergency service vehicles carrying out their duties (Fire Service, Police, London Ambulance).


### 3.4 Paid for Parking Facilities (including car parks)

Restrictions	Class of Vehicle	Enforcement Protocols
<p><b>Pay &amp; Display</b></p> <p><b>Expired P&amp;D (Off St) Cont. Code 82</b></p> <p><b>No Valid P&amp;D (Off St) Cont. Code 73</b></p> <p><b>No Valid Permit (Off St) Cont. Code 85</b></p> <p><b>No Dis. Badge (Off St) Cont. Code 87</b></p> <p><b>Expired P&amp;D (On St) Cont. Code 05</b></p> <p><b>No Valid P&amp;D (On St) Cont Code 11</b></p> 	<p><b>All</b></p>	<p>Enforcement carried out by CEO only.</p> <p>Instant PCN if P &amp; D ticket expired by 10 minutes or more.</p> <p>5-minute observation and follow same protocol as 11 Cont. code.</p> <p>2-minute observation and follow same protocol as 16 Cont. code.</p> <p>Instant PCN to vehicles parked here without displaying a valid disable badge.</p> <p>A 5 minute observation - Unless exemption to enforcement below applies:</p> <p><b>05</b> – Instant PCN if P&amp;D ticket expired by 10 minutes or more.</p> <p><b>11</b> – 5 minutes constant observation then issue a PCN. Vehicles/commercial vehicles cannot load/unload from a pay and display bay. Need to have a valid pay and display ticket on display.</p> <p>If vehicle takes up two bays then two tickets are required for display.</p> <p><b>Note:</b> If vehicle is displaying an obscured Pay &amp; Display ticket or ticket is face down, a PCN will be issued after 5 minutes observation. Issue if Pay &amp; Display ticket is upside down but details can still be read – check ticket for validity. Serial number must be recorded if face down. Photo and details are essential. Pay &amp; Display tickets are not transferrable between car parks. If pay &amp; display machines are out of order parking must be paid for through RingGo, otherwise a Penalty Charge Notice may be issued.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. All vehicles – do not issue a PCN during the first 10 minutes and last 10 minutes due to observation time required of controlled hours.</li> <li>2. Displaying valid residents permit for the zone, a valid All Zones permit, a valid resident, valid permit for Zone.</li> </ol>

Restrictions	Class of Vehicle	Enforcement Protocols
		<p>3. If no ticket is displayed, or if penalty time incurred, do not issue for first 10 minutes or last 10 minutes due to observation time required of controlled hours.</p> <p>4. Pay &amp; Display tickets purchased in off-street car parks are not transferable. Pay &amp; Display tickets purchased from a nearby machine (on-street only) is acceptable providing the tariff and 'maximum stay' period are identical.</p> <p>5. In general, a Pay and Display ticket purchased from a machine in the immediate vicinity (e.g. opposite side of the road), providing tariff and maximum stay are identical.</p> <p>6. Long wheel-based vehicles (PLG) that do not fit into one bay are still permitted to load/unload however two tickets must be purchased and displayed for two bays.</p>
<p><b>Parked to Extend Stay Cont. Code 07 (On St)</b></p> <p><b>Parked to Extend Stay Cont. Code 84 (Off St)</b></p>	<p><b>All</b></p>	<p>To be enforced by CEO only.</p> <p>Instant PCN (vehicles should initially be moved on if driver present).</p> <p>All details of both pay and display tickets seen, including serial numbers, are recorded including valve positions of the offending vehicle and pay and display machine number/numbers from where the tickets were purchased, photographs are required of pay and display tickets.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <p>Evidence of picking up or setting down passengers and their luggage observed. Sufficient time must be allowed for this activity 2 min. of casual observation.</p>
<p><b>Out of Bay Cont. Code 86</b></p>	<p><b>All</b></p>	<p>To be enforced by CEO only.</p> <p>Instant PCN - Log details when the tarmac between the wheel and the white bay markings can be viewed by the CEO. A photo of the vehicle and bay markings is required.</p>
<p><b>Re-parked at same location within 1hr of leaving (On Street) Cont. Code 22 (A, B, C)</b></p>	<p><b>All</b></p>	<p>To be enforced by CEO only.</p> <p>A 10 minute grace period will be given to vehicles found to have returned to a limited waiting bay during the prohibited hours/time. Eg. Limited wait 1 hour no return within 2 hours</p>

Restrictions	Class of Vehicle	Enforcement Protocols
		(stay for 1 hour, not permitted to return until 2 hours have passed from the end of their first hour).  Details of the timeplate and valve positions should be recorded by the Civil Enforcement Officer.
<b>Parked for longer than permitted (On St) Cont. Code 30</b>  <b>Parked for longer than permitted (Off St) Cont. Code 80</b>		To be enforced by CEO only.  A grace period of 10 minutes is permitted after the limited waiting time has ended.  A grace period of 10 minutes is permitted after the limited waiting time has ended.

### 3.5 Wrong Class Vehicles, Disabled, Doctors, Hospitals & Diplomatic Bays

Restrictions	Class of Vehicle	Enforcement Protocols
<b>Wrong Class of Vehicle Cont. Code 23 (On St)</b>  <b>Wrong Class of Vehicle Cont. Code 91 (Off St)</b>  <b>Disabled Bay Contravention Code 40</b> 	<b>All</b>	<p>To be enforced by CEO only. Blue Badge Holders not permitted in this bay.</p> <p>A 2 minute observation for CEO's. Details and photograph of the time plate should be recorded. Blue Badge Holders not permitted in this bay.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. All vehicles – do not issue a PCN during the first and last 5 minutes of controlled hours.</li> <li>2. Cleansing and refuse vehicles collecting rubbish from the side of the road. (NB: This applies to Medway refuse vehicles and commercial refuse company vehicles).</li> <li>3. Emergency service vehicles carrying out their duties (Fire Service, Police, London Ambulance).</li> <li>4. Notification has been received from Parking Services that special permission has been given to load or unload.</li> <li>5. No loading/unloading in this bay unless goods vehicle (Cont 23 only)</li> </ol> <p><b>Note:</b> Vehicles displaying an altered Blue Badge will be issued with an Instant PCN. Photos will be taken of the blue badge and details to be reported to the Supervisor as soon as possible.</p>

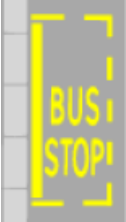

<b>Police Bay Cont. Code 42</b>	<b>All</b>	<p>To be enforced by CEO only.</p> <p><b><u>Exemption to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. Displaying valid permit corresponding to the bay.</li> <li>2. Emergency Service Vehicles during the course of their duties (Fire Service, Police, London Ambulance Service).</li> </ol>
-------------------------------------	------------	--

### 3.6 **Suspended Parking Places**


<b>Restrictions</b>	<b>Class of Vehicle</b>	<b>Enforcement Protocols</b>
<b>Suspended Res. Bay Contravention Code 21</b>	<b>All</b>	<p>To be enforced by CEO only.</p> <p>Instant PCN (vehicles should initially be moved on if driver present).</p> <p>Civil Enforcement Officers need to check sign relative to bay for days and times that suspension is in force and record all details.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. If vehicles displaying Waiver for that Bay.</li> <li>2. Emergency Service Vehicles during the course of their duties (Fire Service, Police, London Ambulance Service).</li> </ol>
<b>Pay &amp; Display (On St) Contravention Code 21</b>	<b>All</b>	<p>To be enforced by CEO only.</p> <p><b>Whole bay</b> - Instant PCN (vehicles should initially be moved on if driver present).</p> <p><b>Part bay</b> - affected bays only. Instant PCN (vehicles should initially be moved on if driver present).</p> <p><b>Vehicle displaying a valid Blue Badge</b> - issue PCN</p> <p>Civil Enforcement Officers need to check sign relative to bay for days and times that suspension is in force. Position of sign(s) to be recorded. Also record location of vehicle relative to machine and suspension sign.</p> <p>Includes Post Office Vehicles – no exemption applies</p>
<b>Free Parking Bays Contravention Code 21</b>	<b>All</b>	<p>To be enforced by CEO only.</p> <p>Instant PCN (vehicles should initially be moved on if driver present)</p> <p>Includes Post Office Vehicles – no exemption applies.</p>

Restrictions	Class of Vehicle	Enforcement Protocols
		<p><b><u>Exemptions to Enforcement</u></b></p> <p>Special events permit displayed. <b>(Waivers)</b></p>


### 3.7 Bus stop and School Zig Zags

Restrictions	Class of Vehicle	Enforcement Protocols
<p><b>Restricted Bus Stop/Stand</b> <b>Contravention Code 47</b></p> 	<b>All</b>	<p>To be enforced by CEOs and CCTV.</p> <p>CEOs to issue an instant PCN to vehicles stopped on a restricted bus stop/stand. CCTV vehicles to obtain as much CCTV footage as possible. However, if a vehicle is seen to stop on school keep clear markings or within a bus stop and then move away, a contravention will still be deemed to have occurred.</p>
<p><b>School Keep Clears</b> <b>Contravention Code 48</b></p> 	<b>All</b>	<p>CEOs to issue an instant PCN to vehicles parked on Zig-Zag Lines outside schools during prescribed hours. Must contain footage of the time plate and road markings. School markings are enforced term time only.</p> <p><b><u>Exemptions to Enforcement:</u></b></p> <ol style="list-style-type: none"> <li>1. Police, Ambulance and Fire Brigade Vehicles.</li> <li>2. Where the person in control of the vehicle is required by law to stop, or is obliged to do so in order to avoid an accident.</li> <li>3. To anything done with the permission or at the direction of a police constable in uniform.</li> </ol>

### 3.8 Bus Lanes & Cycle Lanes

Restrictions	Class of Vehicle	Enforcement Protocols
<p><b>Being in a Bus Lane Contravention Code 34j</b></p> 	<p><b>All</b></p>	<p>To be enforced by static and mobile CCTV only.</p> <p><b><u>Locations:</u></b></p> <p>The Brook, Chatham - permits local buses, taxis and cycles.            High St., Chatham - permits local buses, taxis and cycles.            Waterfront Way, Chatham - allows local buses, taxis, cycles and permitted vehicles. Also permits vehicles requiring access to off-street premises and any vehicles exceeding 15'6" high.            Globe Lane, Chatham North - permits local buses and taxis.            Globe Lane, Chatham South - permits local buses and taxis.            Riverside, Strood - local buses and cycles only.</p> <p><b><u>Exemptions to Enforcement:</u></b></p> <ol style="list-style-type: none"> <li>1. Police, Ambulance and Fire Brigade vehicles.</li> <li>2. A vehicle with the written consent of Medway Council providing that such conditions and requirement that the Council imposed, are being complied with.</li> <li>3. Vehicles when used in the service of the local authority in pursuance of statutory powers/duties.</li> <li>4. A vehicle in connections with the maintenance, improvement or reconstruction of the road.</li> <li>5. A vehicle being used in the service of a local authority for the purpose of collecting refuse.</li> <li>6. Universal postal services bearing the livery of a provider of a universal postal service.</li> <li>7. Military vehicles.</li> <li>8. A vehicle in connection with the maintenance, improvement or construction of any street furniture including bus stop infrastructure.</li> <li>9. To avoid an accident.</li> <li>10. To allow a person to receive or give help in consequence of an accident or emergency or otherwise take action for public safety.</li> </ol>





Restrictions	Class of Vehicle	Enforcement Protocols
<p><b>Being in a Cycle Lane Contravention Code 28</b></p> 	All	<p>Enforcement carried out by CEO</p> <p>CEO's may issue an Instant PCN unless exemption below applies</p> <p><b><u>Exemptions for Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. Cleansing and refuse vehicles collecting rubbish from the side of the road. (NB: This applies to Medway refuse vehicles and commercial refuse company vehicles).</li> <li>2. Emergency service vehicles carrying out their duties (Fire Service, Police, London Ambulance).</li> <li>3. Vehicles used for Fire Service, ambulance or police purposes.</li> <li>4. Vehicles being used for building demolition, excavation or construction; scaffolding lorries and glaziers carrying out work in or adjacent to street displaying a dispensation.</li> </ol>

### 3.9 Verge Parking

Restrictions	Class of Vehicle	Enforcement Protocols
<p><b>Contravention Code 61</b></p> <p><b>Contravention Code 62</b></p>	<p><b>All</b></p> <p><b>All</b></p>	<p><i>"A heavy commercial vehicle wholly or partially parked on a footway, verge or land between two carriageways"</i></p> <p><i>"Parked with one or more wheels on or over a footpath or any part of the road other than a carriageway where there are signs and a traffic regulation order in place"</i></p> <p>For other roads without signs and a traffic regulation order, footway and grass verges can be enforced by single and double yellow lines. Medway can only enforce on footway parking and grass verges if adjacent to a single or double yellow line.</p> <p>Restriction applies at any time. Vehicles should initially be moved on if vehicle present. 5 minute observation period to be given but 2 minute observation period is given in a zero tolerance area.</p>

Restrictions	Class of Vehicle	Enforcement Protocols
		<p>To be enforced by CEO only.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. To enable a person to board or alight from the vehicle or for goods to be loaded on or unloaded from the vehicle.</li> <li>2. A vehicle used in the connection with the removal of the obstruction to traffic, the maintenance of the road, the laying or repair of the lane adjacent to the said sides of the road.</li> <li>3. A vehicle used in the service of a local authority or a water authority in pursuance of statutory powers or duties.</li> <li>4. A vehicle used for the purposes of delivering or collecting postal packets.</li> <li>5. The vehicle is being used for Fire Brigades, Ambulance or Police purposes.</li> </ol>

### 3.10 Restricted Areas

Restrictions	Class of Vehicle	Enforcement Protocols
<p><b>Stopped on a Pedestrian Crossing Contravention Code 99</b></p> 	<b>All</b>	<p>To be enforced by CEO only.</p> <p>Instant PCN.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. The vehicle is being used for Fire Brigades, Ambulance or Police Purposes.</li> <li>2. Vehicles parked on the instruction of a uniformed police officer.</li> </ol>
<p><b>Parked on a Taxi Rank Contravention Code 45</b></p> 	<b>All</b>	<p>To be enforced by CEO only.</p> <p>Instant PCN.</p> <p><b><u>Exemption to Enforcement</u></b></p> <ol style="list-style-type: none"> <li>1. The vehicle is a hackney carriage.</li> <li>2. The vehicle is required to stop by law.</li> <li>3. The vehicle is obliged to stop so as to avoid an accident.</li> </ol>

Restrictions	Class of Vehicle	Enforcement Protocols
		<ol style="list-style-type: none"> <li>4. The vehicle is prevented from proceeding by circumstances beyond the person's control.</li> <li>5. The person is getting or giving help in consequence of an accident or emergency.</li> <li>6. The vehicle is being used for the fire brigade, ambulance or police purposes.</li> <li>7. The vehicle is being used in connection with the removal of any obstruction to traffic.</li> <li>8. The vehicle is being used in connection with the maintenance, improvement or reconstruction of any length or road specified.</li> <li>9. The vehicle is displaying a disabled persons badge in the relevant position to enable a disabled person to get on or off the vehicle.</li> <li>10. To anything done with the permission or at the direction of a police constable in uniform or a parking attendant.</li> </ol>
<p><b>Parked in contravention of a Coach Ban Contravention Code 57</b></p>	<p><b>All</b></p>	<p>To be enforced by CEO only. Instant PCN (vehicles should initially be moved on if driver present).</p> <p><b><u>Exemptions to Enforcement</u></b> Do not issue to coaches during the first and last 5 minutes of controlled hours.</p>
<p><b>A commercial vehicle parked in a restricted street in contravention of the overnight waiting ban. Contravention Code 55</b></p>	<p><b>All</b></p>	<p>Instant PCN to be enforced by CEO only.</p> <p><b><u>Exemptions to Enforcement</u></b></p> <p>The vehicle is being used for Fire Brigades, Ambulance or Police purposes.</p>

## **4.0 Suspension of Parking Places in Controlled Parking Zones**

This guidance applies where there is a need to take away the ordinary parking rights within residential parking bays in CPZ'S for special purposes over a defined period.

### **4.1 How to Arrange a Suspension for 7 Days**

If a suspension is needed for one of the purposes listed above, Parking Services should be contacted on **01634 332266** as early as possible. An application form will have to be completed giving full details and a map of the area to be suspended. We request at least fourteen days' notice and the suspension fee is £30.00 (subject to change) per bay, per day. We may have to make some further enquiries (ie. Traffic Management) before making a decision in order to identify the most acceptable arrangement and may be subject to change. The Council reserves the right to refuse or modify a suspension or to attach conditions to it depending on the circumstances in each case. We will give reasons for a refusal or for partial or conditional consent. The Council reserves the right to cancel the suspension if cleared payment is not received by the start of the suspension period.

The period of a suspension will be kept as short as possible. The Council must be informed immediately if the suspension is no longer needed or can be ended before it expires. The Council must be given at least five days notice if the suspension needs to be extended in duration.

CEO's are unable to move vehicles on. It is the requested party's responsibility to ensure the bays are cordoned off, taking into account the relevant highway legislation.

If you require the suspension for more than 7 days then a temporary Traffic Regulation Order (TRO) is required. Contact will then need to be made with the Traffic Management team at Medway Council.

### **4.2 Weddings and Funerals**

Suspensions may not always be required depending on the time of day and the availability of parking space in the road. We will discuss the situation with the customer when an enquiry is made.

There will be no parking concessions for wedding guests' or mourners' private cars but visitor permits or pay & display parking may be advised.

### **4.3 Private Building Work**

Residents, builders, or developers can apply for the suspension of parking spaces. The number of spaces that can be suspended will depend on the scale of works. During the times when the parking space is under suspension, only trade vehicle involved in or required for the building work will be permitted to use the space. Saloon cars will not be allowed to use the suspended parking space.

If the suspension is for the purpose of providing clearance scaffolding or a hoarding then a protected footway extension may need to be provided and no parking will be allowed in the suspended parking space at any time. If the suspension is for the purpose of enabling a hoist,

crane, disposal chute, or other plant [eg compressor, cement mixer] to be positioned close to the property then no vehicle may occupy the suspended parking space.

Please ensure that you apply for any other consent that may be required. The parking space suspension may be conditional on approval for any of the following:

- a. Skip licence
- b. Licence for deposit of building materials on the highway
- c. Scaffolding licence
- d. Hoarding licence
- e. Footway diversion
- f. Temporary footway crossing
- g. Footway or carriageway excavation
- h. Temporary alteration to street furniture
- i. Temporary road closure

#### **4.4 Special Events**

If a special event is planned that could involve the alteration of parking arrangements, plans need to be discussed with the Council at the earliest opportunity. Special events could include a street party, community festival, neighbourhood activity (eg fair, market or show) or road race/marathon/fun run.

The Council may need to suspend parking places in connection with a special event taking place on land adjacent to the public highway in order to protect public safety, to ensure unrestricted public access and egress, and to enable emergency services. This may be for major public events such as sports match, circus, funfair, concert, exhibition, or festival or for a private event likely to attract large attendants or where the police or licensing authorities otherwise require it. Where such an event is a regular and programmed activity, special area-wide parking arrangements are likely to apply and semi-permanent restriction notices will be revealed as appropriate.

## 5.0 **Dispensations from Waiting and/or Loading Restrictions**

This guidance applies where there is a need to allow waiting or loading/unloading special purposes over a defined period in places where there are waiting or loading restrictions.

### 5.1 **Why and How we give Dispensations**

The Council can issue dispensation from the waiting and loading restrictions for the following purposes:

- a. For building works (construction, maintenance, or demolition of properties adjacent to the public highway)
- b. For household removals
- c. For the delivery of exceptional loads
- d. For film and television production
- e. For special activities

We will issue an official notice to be displayed in the front of the vehicle where it can be clearly seen from the kerb. The notice will give details of the vehicle permitted to occupy the restricted place, state the location where the dispensation applies and the end of the dispensation period.

Dispensations only apply where waiting or unloading is already restricted either for part or the whole of the day or for certain lengths of time. The dispensation gives exemption from those restrictions. No assurance can be given that the designated location will not be occupied at the time covered by the dispensation but the Council will assist with enforcement whenever possible.

Dispensations will not normally be given for use in a bus lane, or on the opposite side of the road to a bus lane, during its operation hours.

### 5.2 **How to Obtain a Dispensation**

If a dispensation is required for one of the purposes listed above, the customer will need to contact Parking Services on **01634 332266** as early as possible. We will require documentation on company headed paper relating to the works being carried out, location of works, date of start, completion of works and full vehicle details. This information needs to be emailed to [permits@medway.gov.uk](mailto:permits@medway.gov.uk) the dispensation forms will then be emailed back and it will need to be printed off and placed in the windscreen of the vehicle so that it can be inspected by a Civil Enforcement Officer. There will be a dispensation fee of £5.50 per vehicle per day or £27.50 per week, subject to change. We might have to make a site visit before making a decision in order to identify the most acceptable arrangement and the Council reserves the right to refuse or modify a dispensation or to attach conditions to it depending on the circumstances in each case. We will give reasons for a refusal or for conditional consent.

The period of a dispensation will be kept as short as possible. The Council must be informed immediately if the dispensation is no longer required or can be ended before it expires.

### 5.3 **Removals**

Dispensations may not be required depending on the time of day and the availability of parking space in the road. We will discuss the situation on a case by case basis. We may issue dispensations for up to two removal vehicles up to four hours each for both the outgoing and incoming removals as long as loading/unloading is observed.

## 6.0 Collecting Penalty Charges

Once a penalty charge notice has been referred to an Enforcement Agent you must contact them regarding payment.

At each stage when correspondence is sent to a registered owner/keeper, that person will be advised of the next course of action to be taken against them.

### 6.1 How to Pay

Medway Council accepts payment by credit or debit card, postal order and cheque. All cheques should be made payable to Medway Council. The PCN number on the parking ticket must be quoted when making your payment.

You can also pay by credit or debit card using our online payments facility. All major credit cards are accepted except American Express (Amex). Please go to the link below for further information.

<http://www.medway.gov.uk/transportandstreets/parking/parkingenforcement/penaltychargenotices.aspx>

By telephone – there is an automated payment line on 01634 334477 or Medway Customer First on 01634 333333.

Cash is only accepted by using the handy till at Kingsley House, Gillingham, ME7 4PF. The PCN number on the parking ticket must be quoted when making your payment.

### 6.2 Rights of Appeal

Drivers committing a contravention of the parking regulations will be issued with a PCN which will normally be affixed to the vehicle or handed to the driver. It is also possible for Parking Services to issue a PCN through the post, if a driver has behaved in an abusive manner or has driven away before it could be served.

If you receive a PCN, which you feel is unfair, you may challenge it. All challenges must be made in writing and your PCN reference number must be clearly displayed on all documentation. Every case that challenges a PCN will be investigated on its own merit and mitigating circumstances will be taken into account. It is standard practice to request proof of these circumstances wherever possible. The council will review your case and advise you whether the PCN will be enforced. Further details of the council's appeal process will be provided on the form.

#### ***Affixed to Car***

Drivers will be given 14 days in which to either pay the PCN at the discounted rate or challenge the charge. If your challenge is rejected but this was received within 14 days of the date of issue, a further 14 days will be allowed for you to pay the PCN at the discounted rate.

If no payment has been received within 28 days after the issue of the PCN, irrespective of whether the driver/owner has previously challenged the charge, then Parking Services will obtain the details of the registered owner/keeper of the vehicle from the Driver Vehicle Licensing Agency (DVLA). The registered owner/keeper of the vehicle is the person responsible for payment of the charge.

A Notice to Owner (NtO) will be dispatched to the registered owner/keeper upon receipt of these details from the DVLA. The owner may then make a formal challenge to the charge and this will be investigated by Parking Services. It is Medway's policy to take a photograph of every contravention in order to prove the contravention and the fact that the PCN was legally placed on the vehicle. This may not be possible in exceptional circumstances ie. the vehicle is driven away. Appeals must be genuine and supported by reasonable evidence. If your appeal is unsuccessful you will then have to pay the PCN at the full rate.

If the challenge to the charge is not accepted then a formal notice of rejection under Part 5 of the 2007 No. 0000 Road Traffic, England The Civil Enforcement of Parking Contraventions General Regulations 2007 will be issued to the appellant. This correspondence will contain details of the steps that can be taken by the appellant if they wish to appeal to the Traffic Penalty Tribunal (2007 No 0000 Road Traffic England, The Civil Enforcement of Parking Contraventions Representations and Appeals Regulations 2007).

A minimum of 28 days after the issue of the NTO, Parking Services will send a Charge Certificate to the registered owner/keeper of the vehicle which will increase the original charge by 50%.

A minimum of 14 days after the issue of the Charge Certificate, Parking Services will register the debt at Northampton County Court. This action will increase the charge by a further £8.00 which is the court fee for this service. The registered owner/keeper will be informed of this debt registration and if no response is received within 21 days of the registration then Enforcement Agents (formerly bailiffs) will be instructed to recover the debt on our behalf.

### **CCTV**

Drivers committing a contravention of the parking regulations will be issued with a postal PCN. Drivers will be given 21 days in which to either pay the PCN at the discounted rate or challenge the charge. Every case that challenges a PCN will be investigated on it's own merit, and mitigating circumstances will be taken into account. It is standard practice to request proof of these circumstances wherever possible. If a challenge to a PCN is received and does not constitute grounds for waiving the charge, then the discounted rate will be held for a further 21-day period from the date of rejection.

As stated above, the same process applies where Parking Services will issue a Charge Certificate to the registered owner/keeper of the vehicle and the original charge will increase by 50%. Again, 14 days after the issue of the Charge Certificate, Parking Services will register the debt at Northampton County Court. This action will increase the charge by a further £8.00, which is the court fee for this service. The registered owner/keeper will be informed of this debt registration and if no response is received within 21 days of the registration then Enforcement Agents will be instructed to recover the debt on our behalf.

### **Bus Lanes**

Drivers committing a contravention of driving in bus-lanes will be issued with a postal PCN. Drivers will be given 14 days in which to either pay the PCN at the discounted rate or make formal representations. Every case that challenges a PCN will be investigated on it's own merit, and mitigating circumstances will be taken into account. It is standard practice to request proof of these circumstances wherever possible. If a representation to a PCN is received and does not constitute grounds for waiving the charge, then the discounted rate will be held for a further 14-day period from the date of rejection.



As stated above, the same process applies where Parking Services will issue a Charge Certificate to the registered owner/keeper of the vehicle and the original charge will increase by 50%. Again, 14 days after the issue of the Charge Certificate, Parking Services will register the debt at Northampton County Court. This action will increase the charge by a further £8.00, which is the court fee for this service. The registered owner/keeper will be informed of this debt registration and if no response is received within 21 days of the registration then Enforcement Agents will be instructed to recover the debt on our behalf.

## **7.0 Pay and Display**

### **7.1 Refund of Parking Vouchers**

In situations where patrons experience difficulties with one of Medway Council's Pay and Display machines and money has been lost over and above the tariff required to cover the stay in car parks or on-street parking and it is subsequently confirmed by the Council's dedicated engineer that a fault has been discovered, a refund will be issued. It should be noted, however, that Medway Council does not make monetary refunds but will issue a Pay and Display voucher which will allow the patron to park in any Medway Council Pay and Display car park or on-street Pay and Display areas.

The Pay and Display voucher can only be used for one day for the maximum time stated on the tariff board and is not transferable between car parks or on-street parking areas.

## 8.0 Useful Contacts

Write to:

Medway Council

Parking Services

Gun Wharf

Dock Road

Chatham

KENT ME4 4TR

Tel: 01634 332266

Email: [parkingenquiries@medway.gov.uk](mailto:parkingenquiries@medway.gov.uk)

Email: [parkingenforcement@medway.gov.uk](mailto:parkingenforcement@medway.gov.uk)

Web: [www.medway.gov.uk](http://www.medway.gov.uk)

Medway Resident and Business Parking Permits:

Web: <http://www.medway.gov.uk/transportandstreets/parking/parkingpermits.aspx>

The Traffic Enforcement Centre (TEC)

5<sup>th</sup> Floor, St Katharine's House

21-27 St Katharine's Street

NORTHAMPTON NN1 2LH

Tel: 08457 704 5007

Email: [customerservice.tec@hmcourts-service.gsi.gov.uk](mailto:customerservice.tec@hmcourts-service.gsi.gov.uk)

Traffic Penalty Tribunal (TPT)

Springfield House

Water Lane

Wilmslow

CHESHIRE

SK9 5BG

Tel: 01625 445555

Fax: 01625 445560

Email: [info@trafficpenaltytribunal.gov.uk](mailto:info@trafficpenaltytribunal.gov.uk)

# APPENDIX 1

## Parking Charter

### What you can expect of us

- We will ensure that we mark streets and car parks with lines and signs as clearly as possible to show where you can and cannot park.
- We have no targets or incentives for the issuing of tickets or for cancellation.
- We will be open and transparent whenever we can. We will publish the policies and guidelines that we follow in running the scheme and will invite public comment on them.
- If you challenge a parking ticket, we will consider your case fairly, objectively and on its merits, in line with our published policies and guidelines. We will take into account any evidence to show that you genuinely tried to comply with the rules but our decision will depend upon individual circumstances.
- If you pay to park but overstay by less than five minutes, we will not issue a parking ticket (or, if we do, we will cancel it).

### What we expect of you

- We expect you to make reasonable efforts to look out carefully for signs, suspension notices and the like and to park sensibly and in accordance with the rules.
- We expect you to buy enough time to cover your stay allowing for the possibility of being delayed.
- If, after buying a ticket, you overstay by ten minutes or more, we expect you to recognise that we have already allowed a reasonable margin and will only cancel your ticket in the most exceptional circumstances.
- We expect you to let us know promptly if you encounter a problem with parking or are not sure of something so that we may sort it out. Don't wait until you get a ticket.
- We expect you to clearly display permits/disabled badges to enable the CEO's to verify their validity.
- We expect you to obtain adequate change in advance when visiting our car parks for the purpose of the Pay & Display machines.

## 9.0 Document Updates

<b>Chapter - Section</b>	<b>Description</b>	<b>Page</b>	<b>Date</b>
3.9	Verge Parking – Addition	25/26	October 2011
3.10	Restricted Areas – Addition	26/27	October 2011
1.10	Parking Enforcement by CCTV	8	May 2013
1.6	Zero Tolerance Areas – Change	6	August 2013
2.3.3	Blue Badge Holder – update	11	September 2014
7.0	Refund Pay & Display	33	December 2014
3.0	Enforcement using Approved Devices and Grace periods	12-26	April 2015
1.6	Zero Tolerance Area - update	6-7	February 2019
3.9	Bus Lane & Cycle Lanes – cycle lane addition	24/25	April 2021