



# **Civil Enforcement Officer Standard Operating Procedure**

*This document aims to standardise our approach to enforcement matters and ensure that there are clear processes in place for Civil Enforcement Officers when they are on street. Enforcement must be objective and consistent*

*This document will be updated as new situations arise and where guidance is required*

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## **Introduction**

The management of Civil Parking Enforcement within the County of Devon by the Council will:

- Maintain and, where possible, improve the flow of traffic thereby making the County a more pleasant and environmentally safe place to live and visit.
- Take into account the needs of local residents, shops and businesses, thereby sustaining the County and District Council's economic growth.
- Actively support the needs of disabled people bearing in mind that, in some cases, they are unable to use public transport and are entirely dependent upon the use of a car. This will ensure that people with disabilities are able to have equal access to all facilities within the County.
- Actively discourage indiscriminate parking that causes obstruction to other motorists, public transport, pedestrians, cyclists and people with disabilities. This will ensure that the Districts remain accessible to all equally and safely.

The policy shall be regularly reviewed and will take into account:

- a) Existing and predicted levels of demand for parking.
- b) The availability and pricing of both on and off -street parking.
- c) The nature and extent of on-street parking restrictions.
- d) The accuracy and quality of existing signs and plates.
- e) The level of compliance that Devon County Council considers acceptable and the level of enforcement necessary to achieve them.
- f) The views of the public who shall be actively consulted on all matters relating to the extension of parking restrictions.
- g) The views of the Devon & Cornwall Constabulary.
- h) The provision of suitable parking facilities for disabled people.
- i) The provision of suitable parking facilities for cyclists and motorcyclists.
- j) Consideration of the Council's overall aims with regard to the environment, and the sustained economic growth of the County and District Councils.
- k) Changes to the enforcement regime as a result of changes to legislation, statutory guidance or best practice.

## **Enforcement of parking controls**

Parking controls were decriminalised under the Road Traffic Act 1991 (which was replaced by the Traffic Management Act 2004, implemented in 2008). The provisions

of the Road Traffic Act resulted in the ability of local authorities to apply for the powers to become responsible for the enforcement of parking and other restrictions throughout their own areas. Devon County Council adopted these powers in 2008 and enforcement is carried out using a direct workforce of trained Civil Enforcement Officers (CEOs).

Enforcement of parking controls can take place at any time when restrictions apply. For double yellow lines this is 24 hours and across the County there are residents only parking areas which are operational 24 hours daily.

In order to best utilise resource, deployment will be planned and prioritised, managed, intelligence led and not fitting into any predictable pattern. It is managed at local level by Operation Team Leaders, supported by Senior CEOs with input of local knowledge and feedback from CEO's on the ground.

In practice, enforcement in Devon is concentrated during the hours of 7am and 6pm, including Sundays and Bank Holidays, when the majority of restrictions are in force. Bank Holidays and Sunday trading are relied upon by many small businesses in our region for a large part of their income. It is important that enforcement is undertaken on these days to ensure that the network is managed efficiently and safely and visitors and shoppers access to available on street parking is readily available.

Bank holidays are not the same as 'Sundays' and our enforcement officers will enforce restrictions and times as they are signed on the street. Where an exemption applies for a Bank Holiday the adjacent signs will state 'except bank holidays'. Where a variation in restriction times and charges applies in Pay & Display spaces on a bank holiday, and the machine tariff card will show two sets of charges.

Due to requests from local communities the service is expanding to deliver more frequent enforcement from 6am to 10pm. Enforcement outside of these hours is usually carried out in response to special needs.

Deployment of CEOs will generally be aimed at larger urban communities with a high demand for parking management. Some key communities, such as Exeter, Barnstaple and Newton Abbot can expect an "all day, every day" presence. For other town communities there will not necessarily be a daily attendance but will be planned without any predictable pattern. Smaller, rural communities will be serviced more on a reactive basis.

The Council does not currently remove or clamp vehicles, or enforce restrictions using CCTV cameras, so enforcement is carried out through CEOs patrolling and issuing Penalty Charge Notices (PCNs) to vehicles parked in contravention of the regulations. We do however have powers to remove vehicles belonging to persistent offenders, and whilst rare this may occur.

CEOs undertake a comprehensive training programme before enforcing the regulations within local communities.

CEOs use hand held computers to record observations of vehicles and to issue PCNs. These computers have many safeguards to ensure that notices are issued correctly, and that the correct information is gathered to support the issue of the PCN. In addition, CEOs make comprehensive notes on their hand held units, at times supplemented with further details in their pocketbooks. Photographs of vehicles parked in contravention are also generally taken when they issue a PCN. This evidence is made available to drivers who query the issue of a PCN.

The Council takes the protection of CEOs very seriously and in addition to the training they have received in Health and Safety and conflict management, risk assessments have been carried out on their roles and all CEOs have body worn camera or other corporate safety measures, in the event of threats whilst they are carrying out their duties.

### **Parking Enforcement – general aims**

The parking regime in Devon is designed to achieve the following policy objectives –

- To encourage a high level of compliance by motorists with the parking controls and waiting and loading restrictions.
- To integrate traffic management policies with effective on-street enforcement to improve road safety and the movement of public transport and to reduce congestion by encouraging the free flow of traffic.
- To ensure the equitable distribution and management of the availability of parking space.
- To discourage long term parking in streets close to town centres.
- To provide dedicated on-street enforcement.
- To be responsive to changing priorities, local factors and demand.
- To provide parking permits and exemptions for residents and businesses, the disabled, and others as appropriate.

The way in which parking restrictions are enforced is designed to meet these aims. Clearly, it is essential that traffic flow is maintained and illegally parked vehicles may cause congestion and compromise the safety of other drivers and pedestrians.

Vehicles overstaying in limited waiting spaces or pay and display bays on street may mean that other vehicles will not be able to park. Reducing the accessibility to shops, medical facilities or amenities could prove damaging to trade or put the well being of others at risk.

Non-permit holders parked in permit bays may mean that residents cannot park close to their homes.

The Traffic Management Act and its associated guidance is clear that parking enforcement should relate to traffic management objectives and cannot be used for revenue-raising purposes. The County Council endorses and complies fully with these requirements.

Parking enforcement will be ‘fair but firm’ and community support for, or acceptance of parking controls, is conditional upon achieving this balance in the enforcement operation. The procedures set out in this document have been designed to assist in this objective and establishes the “ethos” of the way parking enforcement will be conducted whilst individual areas will minimise the potential for misunderstanding and dispute over specific parking issues. In general, enforcement activity will comply with the following principles –

- Fairness in applying the legislation and securing compliance.
- Consistency of approach.
- Transparency about what enforcement action is taken and why.

## **Parking Controls**

The issue of parking enforcement cannot be considered without an understanding of the basis for parking regulations.

Parking regulations are introduced through the powers contained in the Road Traffic Regulation Act 1984, which also defines the objectives for which parking regulations can be introduced. These can be summarised as:

- Safety.
- Maintenance of access to premises.
- Congestion reduction.
- Management of the kerb space where demand for parking exceeds supply.

Raising revenue is not a lawful objective for either introducing or enforcing controls and this has been reinforced by the Secretary of State in the guidance which accompanies the Traffic Management Act 2004, stressing that the aim of enforcement is to encourage compliance with the regulations.

The precise regulations made by the Council will depend on the circumstances at the location. Regulations introduced for safety reasons or to ensure that access is maintained for emergency vehicles are more likely to be in the form of double yellow lines which prevent vehicles from parking at that location. Where congestion reduction or access to premises for deliveries is the issue, single yellow lines may be sufficient. Resident parking schemes are introduced in areas when demand exceeds supply and there is a need to ensure that residents can park more easily, whilst disabled bays will cater for blue badge holders.

Typically, residents' permit holders will be given priority in residential areas, while short stay parking and deliveries will be given priority in commercial and shopping areas. Double yellow lines and loading restrictions will be introduced for safety reasons, where parked vehicles could cause danger and compromise traffic flow.

It is not always possible to meet all the demand for parking spaces. In some residential areas the demand for residents' parking may be greater than the supply of spaces. In mixed use areas such as those where shops are situated, there are competing demands from shoppers, residents and deliveries. The Council must sometimes make difficult decisions over the allocation of kerb space between these demands and it may therefore be impossible to accommodate all groups of motorists to the extent they would wish.

Where there is a particularly high demand for on-street short stay parking, pay and display bays may be used which encourage a high turnover and enable more effective enforcement by the CEOs.

The procedure for introducing new restrictions requires that a Traffic Regulation Order be made and put into place. This is the legal instrument through which the Council implements most parking restrictions, both on-street and in car parks. Traffic Regulation Orders are made under the powers contained in the Road Traffic Regulation Act 1984. The Council must legally consult before introducing controls and the making of a Traffic Regulation Order follows a statutory process which also involves public advertisement following consultation and the consideration of any objections received following advertisement.

On occasions the Council may introduce temporary Traffic Regulation Orders to

cover road works or special events, for a short period of time. Experimental Traffic Regulation Orders may also be introduced (for up to 18 months) to test controls where the outcome may not be clear. The trial period also constitutes the consultation period in this case.

Without a valid Traffic Regulation Order, the Council is not able to legally enforce the restriction.

### **Lines and signs**

When restrictions are introduced, the Council must lay the correct lines and erect the proper signs – if these are not in place the restriction cannot be enforced. No signs are required for double yellow lines, unless they are seasonal (only operational at certain times of the year). Yellow line restrictions apply from the centre of the road to the building line, including pavements and verges.

The Traffic Signs Regulations and General Directions 2016 specify in precise detail the type of line markings and signs that must be used to indicate traffic and parking restrictions. Where there is an unusual or non-standard type of restriction the Department for Transport is requested to specifically authorise each sign (and often, its location).

The Council will take remedial action as soon as possible when problems are identified, to ensure that all restrictions are clearly marked and signed and can be properly enforced.

Only when a Traffic Regulation Order, and the correct lines and signs are in place, can the restriction be enforced.

The following section outlines the Council's guidelines for the enforcement of parking restrictions.

## **A day in the life of a CEO**

### **Morning Prep Time**

All CEOs are on a fixed three-week working pattern.

Within each team, officers will be made aware of their attendance times with a minimum of 7 days' notice.

All staff are expected to arrive ready for work by the start of their attendance time.

If you are unable to attend for any reason you should contact a Senior Civil Enforcement Officer or Team Leader at the earliest opportunity, if they are unavailable you should contact the HOCC, and a Senior or Team Leader will return your call.

The first 15 minutes of a Civil Enforcement Officers day should be spent preparing for the day ahead. The following is not an exhaustive list but within 15 minutes of the start of the day you should:

- Be wearing all workwear that you need for the day
- Be equipped with tested and functional equipment including Handheld, Body Worn Video camera, Printer, Mobile Telephone and that the times and dates are correct where applicable.
- Have enough consumables including PCN wallets, spare printer roll and test token.
- Ensure that all vehicle checks are completed and that you have reported any defects if necessary
- Have checked emails for any new information that has been sent since your last working day.
- Have checked Microsoft Teams for any new information about the beat that you have been assigned.
- Have checked that there are no customer requests that you need to attend to for the day.
- Ensure that you have incorporated the previous two points into your beat plan for the day.
- Have agreed the frequency of contact with your partner for the day.

These 15 minutes are important and prepare you for the day. We recommend that a CEO makes good use of the time and ensures that they are ready to commence transit to their beat 15 minutes after the start of their day.

We do not expect anyone to race through their checks as quickly as possible and suggest that if they are completed early, they double check that they are aware of any issues on their beat and that their equipment is working. Any excess time would be well spent reviewing their beat plan.



## **Transit time**

If at point during the day, a Civil Enforcement Officer finds themselves travelling between Base and their beat, their beat to another beat, or in a vehicle for any reason, they should enter the \*Transit\* location on their handheld.

Transit time must be accurate, and you should make sure that you promptly log into \*Transit\* whenever you are in transit.

It is important that transit time is recorded so that we can monitor downtime for the service overall.

Whenever you are moving between base and beats, beats to different beats, or using a vehicle, you are expected to use the most direct route possible. In some circumstances, you may have to start a beat in a specific location which would not be the most direct, such as when a customer request takes you to a location on the other side of a beat from base. This will only be the case where a Senior Civil Enforcement Officer or Team Leader has given you the instruction and will be recorded.

When you are planning your beat, you are expected to make sure that you maximise time spent enforcing.

We understand that there are variables which can impact transit time when in remote mobile communities. For this reason, there is no expected pre-determined time of departure from a beat. However, you should try to ensure that you are not leaving early, and if you are early, you may be expected to perform a local beat for the last part of the day.

## **Beat Plan**

As a Civil Enforcement Officer, you are expected to be responsible for your own time and ensure that you are making good use of it.

It is therefore essential that you plan your days' work.

When planning your days work, you should aim to visit as many locations as you can whilst ensure that all restrictions are checked in line with these procedures.

You will need to be prepared for your plan to be disrupted by long observation periods and other unexpected events and being able to react flexibly in these situations is essential.

## **Routing**

As earlier described, your aim should be to cover your beat as thoroughly as possible whilst ensuring that you deal with all restrictions as you go.

You should not “tick” streets off at the expense of enforcement. If you are unable to get around a whole beat, then you should plan to get around as much of it as you can whilst visiting as many priority locations as possible.

Your routing should be purposeful, and it would not be usually acceptable to zig-zag across a beat randomly. Instead you should move fluidly from one street to another.

You should consider what streets are usually the busiest, the nature of the restrictions within a street and how much time you have left before your next break or the end of your day, when planning your day.

Our primary aim is to manage parking and deal with vehicles parked in contravention and this should be your focus when routing throughout the day.

The team is experienced and passionate about the role, and we encourage officers to spend some of their Morning Prep Time to discuss with either a Senior Civil Enforcement Officer or colleague if they need some tips on a specific beat.

It is also important to note that different types of beats require different routing.

For example, you would plan your day very differently depending on whether you were on North Team Beat One or East Team Beat Six. On a priority beat there is little / no limited waiting to manage and list of priority streets to visit in order, with frequency of visits being more important. On a residential beat there is a large amount of limited waiting to manage, and coverage should be prioritised up to the point where your limited waiting expires. The two types of beats require a different approach to manage effectively and if you ever need advice you should speak to your Senior Civil Enforcement Officer.

## **Taking Breaks**

There are two types of breaks that would be taken during the normal working day.

Your official rest break is your \*Lunch Break\* and should be recorded as such. This is a standard one-hour break and should be taken in the middle of your working day, although you should plan your break around the requirements of whichever beat you are on.

Additionally, you may take a \*Comfort Break\* during the day. This should be no longer than 30 minutes each day and any transit time incurred because of this break should be counted towards the time of the break.

Comfort Breaks can be taken at any time except immediately after or before the start or end of your working day or immediately before or after your lunch break.

Comfort Breaks could be taken for various reasons, but common ones might include:

- To refill your flask at Base or another location
- To change uniform at Base
- To stop and briefly rest and take a drink whilst on beat
- To dry off whether on beat, at base or in your vehicle
- To return to your vehicle and change uniform, retrieve a drink etc

Comfort Breaks are there because we recognise that the role of a Civil Enforcement Officer is different from an office role where it is usually easier to meet any of the above needs.

For the avoidance of doubt, \*Transit\* time incurred whilst on route to a Lunch Break location does not count towards the total time.

### **Returning to Base**

You should aim to return to base between 15 and 10 minutes before the end of your working day.

This time should be used to debrief, download equipment and ensure that you have shared any important information with the duty Senior Civil Enforcement Officer, or send them an email if they are unavailable.

Please be aware that if you are significantly early with no cause then you may have to patrol a nearby beat until a more appropriate time. This is to make sure that the standard is kept to.

### **Accurate Recording**

It is extremely important to make sure that your handheld records are accurate. The information that you put into your handheld is regularly reported to other teams, Councillors and other stakeholders.

Downtime should always be recorded as \*Transit\* and all activities that are not enforcement related should be recorded as \*Other Duties\* and be authorised and recorded by a Senior Civil Enforcement Officer or Team Leader.

Morning Preparation time and the time you spend at Base at the end of the day should be recorded as \*Base\* as should any other time spent at base that is not another duty.

Whilst you are on Lunch you should enter \*Lunch Break\* on your handheld and whilst on comfort break you should enter \*Comfort Break\*.

During your patrol, you should enter each location as you enter it and remain logged into it for as long as you are physically in that location. You should promptly and pre-emptively change locations as you are patrolling, ensuring that you are in the same location in your handheld as you are physically.

We accept that mistakes can occur but for the avoidance of doubt you must not intentionally enter streets that you are not physically present in to artificially inflate your visits statistic, or to make it appear like you are patrolling somewhere you are not. This is referred to as “Ghosting”.

“Ghosting” is the act of entering locations or vehicles that are not present or that are falsified to make it appear like you are performing at a higher level than is true or to hide a lack of productivity. It is strictly forbidden and will be treated as gross misconduct.

### **Use of Council Vehicles**

Drivers of council owned vehicles must always obey the rules of the road. The use of hands free devices, whilst legal, is forbidden whilst driving a works vehicle.

Although CEOs possess an exemption for parking when dealing with matters of enforcement, it is essential use of this exemption is minimised wherever possible. When making use of this exception a CEO should report the reason to their SCEO on return to base.

It is not acceptable to park in limited waiting for longer than the permitted period.

CEOs should restrict their parking to residents' bays, pay and display bays and unrestricted parking. A CEO may park on a yellow line to enforce against a vehicle parked in the same location only in extreme circumstances.

## **Principles of Enforcement**

### **Ensuring Consistency**

Your absolute priority is to enforce against all vehicles that you come across in the same way as everyone else. The guidelines and processes in this document should be followed in all circumstances and it is not acceptable to deviate for any reason.

If during your patrol you encounter a situation which you believe to be unique and not detailed in this document, or guidance within 'teams', you should get in touch with a Senior Civil Enforcement Officer. If this is found to be the case, a process will be developed and added to an updated version of this document.

An individual enforcement officer has no discretion whilst on patrol. We will incorporate any grace periods and other assurances into these guidelines.

We cannot stress how important it is that all enforcement officers operate consistently and deal with each situation in the same manner as one another.

Consistency promotes fairness and ensures that officers and the authority are protected from criticisms and allegations of corruption. It also ensures that rules are clear to customers and that they can expect the same treatment regardless of the officer they are dealing with. All team members' will have monthly one to ones with a Senior to discuss any issues and clarify and uncertainties, so any non-urgent matters can be raised for discussion in that forum. The performance element of the one to one also benchmarks each individuals' performance against these consistent standards and agrees actions as required. A copy of the standards reviewed in the one to one are in appendix i.

A copy of this document is available on all Microsoft Team channels used by Civil Enforcement Officers and we expect that it will regularly be referred to in order to ensure that there is a consistent approach.

There may be rare occasions when you may be unable to get through to a Senior Civil Enforcement Officer, Team Leader or be able to access Teams. If this is the case and you are unsure of what to do, then you should not take enforcement action. You should record exactly what occurred in an email to a SCEO, describing the circumstance and why you did not feel able to act. You should attach a photograph to the email. You can draft an email even if you do not have data or signal. In these circumstances, you should expect for this to be discussed with you later and we would encourage you to discuss this with the duty Senior at the end of the day if they are available.

### **Principles of Engagement**

When an officer encounters a vehicle that is in contravention, they should immediately log it in their handheld computer to begin an observation. This

should be the case regardless of occupants or any conversation that may occur.

Once a vehicle has been observed you should attempt to engage any driver or passengers present in conversation. You should take additional care if a passenger appears to be vulnerable in any way, for example, a child.

During the conversation you should advise that you have observed the vehicle and try to ascertain if the vehicle may be involved in exemptible activity. If the vehicle could be considered exempt, then you should delete the observation and move along. If the vehicle cannot be considered exempt then you should advise the occupant that you are going to continue your observation and after a prescribed period, issue a PCN unless the vehicle is moved, or exemptible activity is seen.

Even if you have already had a conversation with a driver, you must offer them one final opportunity to move once the observation has elapsed before you issue a penalty charge notice.

If you are patrolling a busy location where there are multiple cars parked, for example, in a loading bay, then you should observe all these vehicles on the handheld before starting to have discussions with any present occupants.

### **Issuing a PCN**

A vehicle is in contravention if it is parked where there is a restriction and you cannot ascertain in an objective manner whether it is exempt.

Under these circumstances, you follow the process of issuing a penalty charge notice, unless before you issue the PCN the vehicle is moved, or you personally witness exemptible activity.

A PCN is considered issued once you have passed the “point of no return” on the handheld. This is after the observation has been completed and you have confirmed that the vehicle is still present.

After this point you must not cancel the PCN unless you have made a mistake, in which case you should record why you have cancelled the PCN as a text note against the case.

PCNs should be attached to a vehicle when possible. There are three acceptable locations for this.

On a car, the primary location is affixed to the windscreen on the passenger side approximately half way up the windscreen so that it would be directly in front of a passenger if they were sat in the vehicle. If the windscreen is too wet to allow for this, you should place the PCN gently under the drivers side windscreen wiper. A photograph of this is in the appendices. On a Motorcycle, you should wrap the PCN around the left handlebar.

If the vehicle is moved after this point, but you are not able to attach the PCN to the vehicle, then it should be served as a Vehicle Drive Away (VDA). There will always be a conversation to go with this unless the driver ignores you, in which case, a detailed text note will always be made against a PCN served this way. This note should explain the circumstance of the VDA, conversation taken place and why PCN could not be affixed as normal.

If you have seen the driver or spoken to one you need to make a relevant note in your handheld.

### **Observation Periods**

Observation periods are prescribed to ensure that all officers are observing for the same amount of time before a penalty charge notice is issued.

You must not willingly allow additional observation time under any circumstances.

There will be occasions where you are forced to allow extra observation time, such as where you issue multiple PCNs at the same time or are distracted by a customer. Under these circumstances you must make a text note against the case detailing why there was additional observation time.

Additionally, you should not attempt to circumvent the observation periods in any way and you should ensure that you allow the prescribed observation under all circumstances.

Usually where loading is permitted, a normal vehicle such as a car, would be given 5 minutes observation. A commercial vehicle should be treated the same and given 5 minutes. A liveried multi drop vehicle would be given 20 minutes casual observation, followed by 5 minutes constant observation.

Where loading is not permitted, observation times are typically 1 minute for all vehicles, or in some cases, instant.

### **Health and safety**

Everyone has responsibility to health and safety. There are risk assessments for the service and team which everyone has responsibility to read, act upon and raise concerns/changes that may impact these risk assessments. If you have a concern regarding your own or a colleagues health and safety you need to raise this with a Senior/TL.

## **Contraventions**

This section will focus on specific processes for contraventions and is to be used as a reference guide when on street. It will not go into details about the full legal wording of a contravention code and there are other resources for that, but rather give an overview into a contravention, observation times and any exemptions that may apply.

Please note that further details regarding permits, what each exemption is defined as and other useful information can be found in the A-Z section of this document, which you should refer to if something is unclear.



## **On Street Codes**

### **01 – No Waiting**

Would be used:

- When at least the tyre footprint of the vehicle is on a single yellow line or double yellow line
- When at least the tyre footprint of a vehicle is contained within an area where there is a no-waiting restriction and the vehicle is considered to be causing an unnecessary obstruction
- No waiting zone – Entry sign and repeaters

Tips:

- The yellow line needs to be visible both sides of the tyre footprint for the vehicle to be considered parked on a yellow line.
- Waiting restrictions extend between building line and centre of the carriage-way
- Single yellow lines and no waiting zones require a sign, double yellow lines do not

Observation periods:

- Normal vehicle – 5 minutes
- Commercial Vehicle – 5 minutes
- Liveried Multi Drop Vehicles – 20 minutes casual and then 5 minutes constant observation

Exemptions:

- Loading and Unloading
- Boarding and alighting
- Carers
- Road Works
- Emergency Utilities
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Blue Badge Holders
- Emergency Service Vehicles
- Tradesmen Parking Waivers

### **02 – No Loading**

Would be used:

- Single Kerb Marking – Needs a sign

- Double Kerb Marking – Needs a sign
- No Loading Zone – Entry sign and repeaters

Observation Periods:

- All vehicles – 1 minute

Exemptions:

- Road Works
- Boarding and alighting
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

## **05 / 06 / 11 – Expired Pay and Display / Face Down Ticket / No Payment**

Would be used:

- 05 in pay and display where a ticket or phone payment session is expired by 11 minutes – Needs a sign
- 05 in residents / pay and display shared use where a ticket or phone payment session is expired by 11 minutes – Needs a sign
- 06 in pay and display when there is a face down ticket on display but not valid ticket or pay by phone session.
- 11 in pay and display where there is no ticket or phone payment session – Needs a sign

Tips:

- Make sure to check that the Pay and Display Machine is working
- Make sure that the tariff card is correct
- Make sure that the ticket is not on display in a strange place
- A face down ticket is not valid under any circumstances
- Make sure that there is no phone payment session

Observation periods:

- 05 all vehicles – no observation
- 06 normal vehicles – 5 minutes
- 06 commercial vehicles – 5 minutes
- 06 casual obs – 20 minutes casual observation then 5 minutes constant observation
- 11 – All vehicles - 5 minutes

Exemptions:

- Carers
- Boarding and alighting
- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Chimney Sweeps
- Glaziers
- Removals
- Wedding / Funeral principle vehicle
- Trader Permit (Scratch card variant)
- Blue Badge Holders
- Emergency Service Vehicles
- Trade Parking Permits
- Window Cleaners

## **07 – Meter Feeding**

Would be used:

- After explicit instructions from a Team Leader to enforce meter feeding and only where a vehicle has exceeded the maximum stay by 11 minutes – Needs a sign

Observation period:

- All vehicles – No observation

Exemptions:

- Carers
- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Chimney Sweeps
- Glaziers
- Removals
- Wedding / Funeral principle vehicle
- Boarding and alighting
- Emergency Service Vehicles

- Trade Parking Permits
- Window Cleaners

## **12 – No valid residents permit**

Would be used:

- In a resident's bay where a vehicle has no permit on display – Needs a sign
- In a resident's zone where a vehicle has no permit on display – Entry sign and repeater
- In a residents / pay and display shared use bay when a vehicle does not have a permit or pay and display ticket on display

Observation period:

- Normal vehicle – 5 minutes
- Commercial Vehicle – 5 minutes
- Livered Multi Drop Vehicles – 20 minutes casual and then 5 minutes constant observation

Exemptions:

- Carers
- Boarding and alighting
- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Chimney Sweeps
- Glaziers
- Removals
- Wedding / Funeral principle vehicle
- Trade Permit (Temporary)
- Trade Permit (Annual Variant)
- Blue Badge Holders
- Emergency Service Vehicles
- Essential Visitors Permit
- Window Cleaners

## **16 – Permit Holders Only**

Would be used:

- Doctors Bay when no permit is displayed – Needs a sign
- Vets Bay when no permit is displayed – Needs a sign

- Club Car Bay when no permit is displayed, and the vehicle does not have any club car associated vinyl's on the vehicle – Needs a sign
- Any other variant permit bay – Needs a sign

Observation period:

- All vehicles – 1 minute

Exemptions:

- Road Works
- Boarding and alighting
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

## 19 – Invalid Residents permit

Would be used:

- In a resident's bay where the **LETTER ON THE PERMIT** is correct but something else is wrong with the permit – Needs a sign
- In a resident's zone where the **LETTER ON THE PERMIT** is correct but something else is wrong with the permit – Needs a sign
- In a resident's / pay and display shared use bay where the **LETTER ON THE PERMIT** is correct but something else is wrong with the permit – Needs a sign

Tips:

- Within the first 7 days of expiry a CEO will check the system. If a permit has been purchased no PCN will be issued until 7 days after the period of expiry. If no permit has been purchased a PCN will be issued. After the first 7 days of expiry a PCN will be issued.
- The VRM on the permit might be 1 digit out or completely different, either is a Code 19

Observation period:

- All vehicles – 1 minute

Exemptions:

- Carers
- Boarding and alighting
- Loading / Unloading

- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Chimney Sweeps
- Glaziers
- Removals
- Wedding / Funeral principle vehicle
- Trade Permit (Scratch card variant)
- Blue Badge Holders
- Emergency Service Vehicles
- Window Cleaners

## **21 – Suspended Bay**

Would be used:

- In any bay that has been correctly suspended and is displaying the correct signage and coning where necessary to allow enforcement.
- Upon instruction by a Team Leader or SCEO.

Observation period:

- All vehicles – No observation

Exemptions:

- Emergency Vehicles only

## **22 – Return to bay**

Would be used:

- In limited waiting or shared use residents parking / limited waiting where a vehicle has returned within the no return period after an initial observation – Needs a sign

Observation period:

- All vehicles – No observation

Exemptions:

- Carers
- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail

- Clinical / Waste Management
- Chimney Sweeps
- Glaziers
- Removals
- Wedding / Funeral principle vehicle
- Trade Permit (Scratch card variant)
- Annual Trade Permit
- Trader Permit
- Blue Badge Holders
- Window Cleaners

### **23 – Wrong class of vehicle**

Would be used:

- In a motorcycle bay – Needs a sign and legend
- In a coach bay – Needs a sign
- In any bay for a specific type of vehicle that does not already have its own contravention code – Needs a sign

Observation periods:

- All vehicles – 1 minute

Exemptions:

- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

### **24 – Out of Bay**

Would be used:

- When at least the tyre foot print of a vehicle plus one foot is outside of any permitted parking bay or restricted parking bay on the road side of the bay.
- When at least the tyre foot print of a vehicle plus one foot is outside of any permitted parking bay or restricted parking bay on either side of the bay and it causes an obstruction to a dropped kerb or raised carriageway.

Observation periods:

- Normal vehicle – 1 minute

- Commercial Vehicle – 1 minute

Exemptions:

- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

## **25 – Loading Bay**

Would be used:

- When a vehicle is parked in a loading bay – Needs a sign and legend
- When a vehicle is parked in a loading bay / multi use bay – Needs a sign but no legend

Observation periods:

- Normal vehicle – 5 minutes
- Commercial Vehicle – 5 minutes
- Livered Multi Drop Vehicles – 20 minutes casual and then 5 minutes constant observation

Exemptions:

- Loading / Unloading
- Blue Badge
- Boarding and alighting
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Chimney Sweeps
- Glaziers
- Removals
- Wedding / Funeral principle vehicle
- Trade Permit
- Emergency Service Vehicles
- Window Cleaners
- Blue Badge Holders

## **26 – Parked more than 50cm from the edge of carriageway**



Would be used:

- When a vehicle is parked more than 50cm away from the edge of the carriageway in any direction, and none of the vehicle is within 50 cm of anything that could be considered the edge of the carriageway.
- Double parked whilst none of the vehicle is within 50cm of the edge of the carriageway.

Observation periods:

- Normal vehicle – 5 minutes
- Commercial Vehicle – 5 minutes
- Casual observation – 20 minutes then 5 minutes constant observation

Tips:

- The edge of the carriageway includes verges, pavements, walls, traffic islands and anything else that could be considered not highway.

Exemptions

- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

## **27 / 28 – Dropped kerb / Raised carriageway**

Would be used:

- At a dropped kerb where there are either tactile pavement stones or there is a dropped kerb in a straight line in any direction from the dropped kerb.
- Where there is a dropped kerb to access a driveway or private road.
- Where the highway is raised to match the level of the kerb and there are tactile pavement stones on both sides of the raised section of highway.

Observation period:

- Normal vehicle – 5 minutes
- Commercial Vehicle – 5 minutes

- Livered Multi Drop Vehicles – 20 minutes casual and then 5 minutes constant observation

Exemptions:

- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

### **30 – Overstay in limited waiting**

Would be used:

- In limited waiting or shared use residents parking / limited waiting where a vehicle has stayed beyond the prescribed waiting period by 11 minutes or more – Needs a sign
- In a Blue Badge bay with a time limit where the vehicle has been present for 11 minutes over the maximum stay period – Needs a sign

Observation period:

- All vehicles – Observation made on initial visit and another observation made 11 minutes after maximum stay period.

Exemptions:

- Carers
- Loading / Unloading
- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Chimney Sweeps
- Glaziers
- Removals
- Wedding / Funeral principle vehicle
- Trader Permit
- Annual Trade Permit
- Trade Permit (Scratch Card Variant)
- Blue Badge Holders
- Emergency Service Vehicles
- Window Cleaners

## **40 – Blue Badge Bay**

Would be used:

- When a vehicle is parked in a blue badge bay during the hours of operation without displaying a blue badge.

Observation period:

- All vehicles – 1 minute

Exemptions:

- Road Works
- Utility Emergency
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

## **42 – Police Bay**

Would be used:

- When a vehicle is parked in a Police only bay – Needs a sign

Observation period:

- All vehicles – 1 minute

Exemptions:

- Emergency Service Vehicles

## **45 – Taxi Rank**

Would be used:

- When a vehicle, including a private hire vehicle, is parked in a taxi rank.

Observation periods:

- Any vehicle where there is a no stopping symbol – 5 minute
- A normal vehicle when there is a no waiting symbol – 5 minutes
- A commercial vehicle where there is a no waiting symbol – 5 minutes

Exemptions:

- Loading and Unloading
- Road Works
- Emergency Utilities
- Royal Mail
- Clinical / Waste Management
- Glaziers
- Wedding / Funeral principle vehicle
- Emergency Service Vehicles

#### **46 – Clearway**

Would be used:

- When a vehicle is parked on the road in a clearway zone where the speed limit does not exceed 30 miles per hour – needs entry signs and repeaters

Observation period:

- All vehicles – None

Exemptions:

- Road Works
- Emergency Utilities
- Glaziers
- Emergency Service Vehicles

#### **47 – Bus Stop**

Would be used:

- When a vehicle is parked in a bus stop or stand – Sign needed

Observation period:

- All vehicles – 1 minute
- Any Bus – 2 minutes

Exemptions:

- Emergency Service Vehicles

#### **48 – School zig-zags**

Would be used:

- When a vehicle is parked on yellow zig-zags outside a school – sign needed

Observation periods:

- All vehicles – None

Exemptions:

- None

## **99 – Pedestrian crossing**

Would be used:

- When a vehicle is parked on white zig-zags at a crossing point

Observation period:

- All vehicles – None

Exemptions:

- Emergency Service Vehicles

## **Off Street codes**

*Note that there are different exemptions in a car park and that these vary site by site. Information for each car park will be available locally.*

### **81 – Restricted area**

Would be used:

- When a vehicle is parked on yellow lines in a car park.
- When a vehicle is parked in a yellow box in car park
- When a vehicle is parked in white boxes in a car park
- When a vehicle is parked on any variation of the word “RESTRICTED” in a car park

Observation period:

- All vehicles – 1 minute

### **82 – Expired ticket or pay by phone**

Would be used:

- When a vehicle parked in a car park is displaying a ticket that is at expired by 11 minutes or more.
- When a vehicle parked in a car park has made a mobile payment that has expired by 11 minutes or more.

Observation period:

- All vehicles – None

### **83 – Parked without paying**

Would be used:

- When a vehicle is parked in a car park and is not displaying a ticket for that car park or having a mobile session where applicable.

Observation period:

- All vehicles – 5 minutes

### **85 – No permit in a car park**

Would be used:

- When a vehicle is parked either in a permit bay within a car park without displaying a permit or in a permit holder only car park without displaying a permit

Observation period:

- All vehicles – 5 minutes

### **86 – Out of bay**

Would be used:

- When a vehicle is parked anywhere in the car park that is outside of a marked bay and not on anything that restricts parking

Observation period:

- All vehicles – 1 minute

### **87 – Disabled parking**

Would be used:

- When a vehicle is parked in a disabled only space in a car park or a disabled only car park without displaying a blue badge

Observation period:

- All vehicles – 1 minute

## **A-Z**

In this section we aim to provide a comprehensive list of all possible situations and matters that may arise during your working day with a standard approach to dealing with them.

Care has been taken to ensure that where matters are similar, such as permit expiry, there are similar approaches to make it simpler for you to manage your day but also so that customers experience consistency across various issues

We recognise that there are hundreds of things that can happen throughout the day but there must be a simple and objective solution to every problem to make sure that matters are dealt with objectively.



## **Abandoned Vehicles**

Abandoned vehicles are the jurisdiction of District and City Councils.

Once a vehicle has visibly received its third penalty charge notice the officer issuing the third PCN should report the vehicle to the local District or City Council via the link on their Teams Page.

If you encounter a vehicle that has three PCNs on the windscreen you should check them. If these are all for the location that the vehicle is parked in, then you should refrain from issuing further PCNs.

If the PCNs are for a different location then you should issue a PCN.

## **Arrested Driver**

Any claims that a driver has been arrested should be ignored unless you are told by a uniformed Police Officer or a non-uniformed Police Officer who presents you his badge or warrant card.

Under these circumstances you should not enforce against the vehicle.

## **Bailiffs (Debt Enforcement Officers)**

Whilst a bailiff is executing a warrant they will need their vehicle nearby and will be allowed to park as close as is reasonably necessary.

Whilst a bailiff is serving a warrant or summons then they are expected to comply with the parking restrictions as normal.

Whilst a bailiff is taking goods from a property they are expected to comply with normal loading and unloading procedures and are only exempt where that exemption applies.

## **Bank Holidays**

Unless a sign or tariff card states otherwise all restrictions in Devon apply in the same way on Bank Holidays as they do on other days and you should treat them as such.

## **Bank Visits**

When a cash in transit vehicle is taking money to and from the bank they should be allowed to park as close as reasonably possible.

Any other visit to the bank, including business owners taking money to the bank are not to be considered exempt. Visits to the bank to deposit money are not considered loading.

If someone is carrying coinage of a heavy or bulky nature, then it can be considered loading but if you cannot visibly see anything being carried then it would not be considered loading.

Matters of personal safety are not our concern.

## **Blue Badges**

A Blue Badge must always be displayed to be considered valid. It is not acceptable for a motorist to show you their blue badge and then put it away.

When parked on a yellow line, a Blue Badge must be accompanied by a time clock indicating the time of arrival. If this time of arrival is more than 3 hours away, rounded to the nearest quarter an hour on the badge, then a PCN should be issued. The PCN will be issued for the original contravention, not for an invalid permit.

You should not second guess the clock. If it is 15:00 and the clock is displaying the time of 03:20 / 15:20 you must interpret the badge as seen. In this instance you would issue a PCN.

An expired blue badge is offered no grace period and is considered invalid the day after its expiry.

Any notes concerning a blue badge, such as that there is one in the post or that they have applied for a new one should be ignored and photographed during the PCN process.

You must not confiscate Blue Badges or ask to inspect them. If you suspect a badge is being used fraudulently you can report this through the link on your Teams page.

A driver is responsible for ensuring that they display the badge correctly.

## **Boarding and Alighting**

Except for clearways and zig-zags, vehicles are permitted to stop for a reasonable amount of time to allow a passenger to enter or exit the vehicle.

There is no time limit on how long this should take but typically it will be shorter than any observation period on a restriction where it is permitted and therefore will be simple to assess.

The only time it would be acceptable for a driver to get out of the vehicle and assist the boarding and alighting is when the passenger could be considered vulnerable such as when it is a child or if they need assistance to get out of a vehicle, such as being in a wheelchair.

## **Break Downs**

Any note claiming a vehicle has broken down should be ignored and a PCN issued. No matter what documentation is presented on the dashboard the same applies.

If someone tells you their vehicle is broken down, this does not immediately exempt them from the rules. A PCN should be issued but the appeals procedure should be advised.

If a driver claims that the vehicle is immobile a PCN should be issued, text notes made, and the appeals process advised.

Running out of fuel is the fault of the driver and PCN should be issued.

## **Builders / Tradespersons**

Parking in contravention will only be considered acceptable whilst loading / unloading of tools and materials is taking place.

Notes should be ignored, and no grace should be given.

Builders and tradespersons may be eligible for an annual trade permit and you should provide them a leaflet.

## **Bus Stops**

You can only enforce in a bus stop that has a sign. Buses that are waiting in a bus stop are exempt but buses that are unattended in a bus stop should be issued a penalty charge notice.

## **Carers Permit**

Carers have a two part permit, with a clock being displayed and a virtual permit confirming its validity.

A vehicle needs to be displaying a clock and have a valid virtual permit to be considered exemptible.

Carers permits are valid on yellow lines for a maximum of one hour, and for an unlimited time in permitted parking.

If you find a vehicle displaying a clock but there is no virtual permit, you should issue a PCN. In Residents Parking this should be a code 19.

If you find a vehicle with a valid virtual permit but no clock, you should issue a PCN. In Residents Parking this should be a code 19.

If you find a vehicle parked on yellow lines with a valid virtual permit and a clock, and the clock has been set more than one hour and 11 minutes ago, you should issue a PCN. This should be a code 01.

### **Casual Observation**

A casual observation is a method of observing certain types of vehicles in certain locations.

A casual observation begins with an initial observation made on the handheld under the relevant code. If the location you are in takes 20 minutes to patrol, then you return to the vehicle before constantly observing it for 5 more minutes. If you see no activity during this time, then you should issue a PCN.

The majority of locations do not take 20 minutes to patrol.

If you have a vehicle under casual observation you can leave the location and if it is still present the next time you return to the location, you should observe it for 5 more minutes before issuing a PCN.

Casual observation almost exclusively applies to courier vehicles however it can apply to other vehicles as outlined in the contravention guide.

### **Chimney Sweeps**

When engaged in chimney sweeping, with a notice stating the location of the driver, chimney sweeps can be permitted the same exemptions as a window cleaner.

### **Clamps**

When a car has been clamped a PCN should be issued if it is parked in contravention. The decision to park in contravention was made by the driver before they were clamped.

### **CEO Vehicles**

Drivers of council owned vehicles must always obey the rules of the road. The use of hands free devices, whilst legal, is forbidden whilst driving a works vehicle.

Although CEOs possess an exemption for parking when dealing with matters of enforcement, it is essential use of this exemption is minimised wherever possible. When making use of this exception a CEO should report the reason to their SCEO on return to base.

It is not acceptable to park in limited waiting for longer than the permitted period.

CEOs should restrict their parking to residents' bays, pay and display bays and unrestricted parking. A CEO may park on a yellow line to enforce against a vehicle parked in the same location only in extreme circumstances.

### **Commercial Vehicles**

For the purposes of enforcement, a commercial vehicle will be treated no differently to any other ordinary vehicle. Commercial vehicles are not exempt from restrictions by the nature of their vehicle, only if they are involved in exemptible activity.

### **Complaints against CEOs**

Correspondence about the service of a PCN will be dealt with under normal Representations or Challenge procedures, by the processing team.

Any complaints received about the conduct of CEOs, or the service delivered by the team will be investigated by the operations team.

### **Council Officers and elected Councillors**

All Councils expect their officers to park safely and to observe parking restrictions.

Unless a vehicle is being used for enabling the Council to perform a statutory duty or for carrying out essential work then it must abide by the normal regulations.

Councillors are not exempt from parking restrictions.

Notes saying that a vehicle is being used by the Council should be ignored and PCN issued.

### **Couriers**

Professional courier services in marked vehicles such as DPD, DHL and UPS parked where loading is permitted should be given either a 20 minute constant observation or 20 minutes casual observation followed by 5 minutes constant observation.

### **Discretion**

You are not permitted to exercise any personal discretion under any circumstances. Under no circumstances are you to allow someone to park in contravention, enter premises to warn drivers they will receive a PCN or permit parking due to a note or after being told where the driver is.

You must treat all vehicles in the exact manner described in this document.

This will reduce the likelihood of criticism and complaints against you and your colleagues.

### **Doctors and other medical professionals**

During routine or pre planned visits Doctors and other medical professionals such as midwives or district nurses are not considered exempt and should comply with the parking restrictions.

If a medical professional is attending an emergency, they would be considered exempt as long as they have left a headed laminate detailing the nature of their role and that they are attending a medical emergency.

### **Dropped Kerbs**

To enforce a dropped kerb, it needs to have tactile paving stones, lead to a driveway / private road or have another dropped kerb in a straight line away from it.

Where the dropped kerb leads to a driveway, the person for whom the dropped kerb has been marked (i.e. the householder) can park his/her own vehicle on the dropped kerb and may also give permission for someone else, such as a visitor, to park on the dropped kerb.

This means that the Council have no way of knowing whether a vehicle parked on a dropped kerb belongs to the householder or has the householder's permission to park there. In view of this, the Council can only enforce if a complaint is received from the householder. When a complaint is made, if possible, a CEO will be sent to the site and will issue a PCN in accordance with the guidelines detailed below.

- Householder must be at home and identify themselves to the CEO upon arrival.
- Confirm/identify with the CEO the details of the vehicle reported.
- The reported vehicle is still parked in contravention and is overhanging the area of the kerb dropped to carriageway level to facilitate access to a driveway.

### **Double Parking**

Any instance of a vehicle being parked more than 50cm from the edge of the carriageway will be enforced against using a code 26. This includes double parking.

This applies even in a location where there are no parking restrictions.

### **Estate Agents**

Estate agents visiting a client's property are not exempt from parking restrictions and should comply with the regulations when attending valuations or viewings.

Estate agents may be eligible for an annual trade permit and they should be provided a leaflet.

### **Emergency Utilities**

Vehicles displaying a laminated business headed note claiming they are involved in emergency water, heating, gas or electrical works can be considered exempt in permitted parking if they leave a contact telephone number and location.

You should always call this number and make sure that they are working. If there is no answer, or they are not working, you should issue a PCN. If the works are pre-planned or last for more than one day, then the exemption does not apply.

This exemption only applies for as long as it takes for the tradesperson to make the situation safe, for example, turning off the gas mains.

These drivers may be eligible for a trade permit and should be provided a leaflet.

### **Funerals and Weddings**

The principle vehicle involved in a wedding or funeral (Bridal Car or Hearse) are considered exempt from parking restrictions and should not be issued a PCN.

Mourners or wedding guests are expected to comply with the regulations and should not be parked in contravention.

Although the service operates a policy of proactively avoiding a presence at these events unless otherwise requested, there are occasions where you will accidentally patrol into them. In these circumstances it is acceptable to contact a SCEO or TL for further advice.

### **Glaziers**

Any professional glazier who is involved in an emergency repair to a storefront or window will be considered exempt from restrictions except clearways and school or pedestrian zig-zags.

Any professional glazier who must install a large storefront sized pane of glass which is pre-arranged will also be considered exempt except for the same restrictions.

Both activities should be immediately obvious to you and if you cannot see any work being carried out a glazier's vehicle is not exempt by default.

Any pre-planned glazing works, such as refitting home windows, would not be covered by this exemption.

Glaziers may be eligible for an annual trade permit and should be provided a leaflet.

### **Hazardous or Toxic Substances**

Where applicable this would be considered loading so long as you witness the activity.

If a vehicle is displaying a note saying that they are involved in this sort of work, it should be ignored, and the appropriate observation time given. If there is no loading seen within the observation period, then a PCN should be issued.

### **Hire Cars / Courtesy Cars**

These should be treated in the same manner as any other vehicle. A hire car or courtesy car does not inherit the qualities of its drivers' other vehicles.

Residents may be able to obtain a temporary permit and should be advised accordingly.

### **Liveried Multi Drop Vehicles - Observation**

This observation begins with an initial observation made on the handheld under the relevant code. If the location that a vehicle is parked in will take 20 minutes to patrol whilst you can keep the vehicle under constant observation, then you can proceed with issuing the PCN after 20 minutes of this.

Most locations do not take 20 minutes to patrol.

If you have a vehicle under this type of observation you can leave the location and if it is still present the next time you return to the location, you should observe it for 5 more minutes before issuing a PCN. This is called a casual observation.

This observation almost exclusively applies to courier vehicles however it can apply to other vehicles as outlined in the contravention guide.

You would only observe a vehicle in this manner if loading is exempt where it is parking.

### **Loading / Unloading**



Loading is defined as “an item or items of bulk which cannot easily be carried whilst being taken to and from a vehicle”.

Vehicles are permitted to park where loading is exemptible whilst carrying out the activity of loading and unloading heavy or awkward items or the delivery and collection of goods as part of a business activity.

You must never assume a vehicle is involved in loading. You must not accept any note saying that a vehicle is loading.

The only time that you should accept that a vehicle is involved in this activity is when you actively see it for yourself. Seeing someone who says they are loading is not enough.

If you do not physically see loading within the prescribed observation period for the vehicle in question, then a penalty charge notice should be issued.

### **Lost Keys**

If a driver claims they have lost their keys or there is a note in or on the vehicle explaining that they have lost the keys a PCN should be issued.

### **Motorcycles**

Motorcycles are exempt from On Street pay and display, residents parking and any shared use bay with either of these components.

All other restrictions apply in the same way as they do to cars. In some car parks it is expected that Motorcycles pay and display.

When you issue a penalty charge notice to a motorcycle you should affix it to the left handle bar by making a sausage shape with the PCN envelope. On larger motorcycles it may be necessary to use two envelopes to do this.

If possible, you should ask motorcyclists to park at right angles to the kerb to maximise parking space however this is not mandatory.

### **Notes**

Only notes that relate to an emergency as outlined in another section may be accepted following a telephone conversation. These must be headed with a contact number, nature of work and address. If the telephone number is not answered a PCN should be issued.

All other notes are to be ignored under all circumstances although you should take a photograph and make a text note if there is one on display.

### **Pavement Parking**

If you find a vehicle that is parked where there is no restriction but it is on the pavement then you should leave a pavement parking leaflet on that vehicle. You should only do this when you come across a vehicle whilst on your beat, you should not stop whilst on transit to do this.

### **Pay and display machines**

You must pass a test token through a pay and display machine before issuing any PCNs within a bay that the machine serves.

If a machine is not working but another machine can be seen from the out of order machine you can enforce the bay.

If the machine is not working and there is no machine visible from the out of order machine you should not enforce the bay.

If you find a vehicle displaying a note saying that the machine was not working, but it accepts your test token, you should ignore the note and issue a penalty charge notice.

If a pay and display machine is not working, you should attempt to remedy the issue. If you are unable to you should use Teams or an email to report the machine to an SCEO.

### **Paying by telephone**

It is possible to pay by telephone in almost all pay and display bays in Devon.

You must check the pay by phone system before issuing a penalty charge notice in a pay and display bay.

If a customer is not able to pay by phone this does not exempt them from the restriction and they should buy a pay and display ticket instead.

If you are unable to check pay by phone you should not enforce pay and display, however if the systems is down and the customer is unable to pay and you are unable to check you should continue to enforce.

All digits of a VRM must be correct and a PCN should be issued even if there is a vehicle which matches all but one digit of a VRM.

### **Permits – Residents Parking**

Residents permits are only valid if they match the letter of the zone they are parked in, are displayed clearly and have the correct VRM. A permit is invalid the day after it expires, however as we introduce virtual permits the customer could have ordered a permit, therefore if a permit expired within the last 7 days check MiPermit if a permit has been requested do not issue a PCN. If

the permit expired over 7 days ago issue a PCN. (If unable to check MiPermit only issue if permit expired over 7 days ago).

If a permit is displayed but the zone is wrong, then you would use a Code 12. If a permit is displayed and the letter is correct but there is something else wrong with the permit, you would use a Code 19.

Residents permits are only valid for the vehicle which they were issued. They are not transferable between vehicles or useable in courtesy cars.

When a vehicle displays two residents permits you should report both of the permits through the Permit Abuse link on Teams and issue a PCN as the validity criteria have not been met.

### **Permits – Visitor Permits**

Residents can purchase books of visitors permits for people to use whilst visiting them.

These are valid for the day they are issue and until 10am the next day. They are considered invalid 11 minutes after 10am.

The instructions must be followed to the letter by the driver. If there are any errors of the permit it is considered invalid. This includes where multiple days or dates are scratched out, where the information has been incorrectly completed or if the permit is heavily damaged and therefore multiple squares have been partially scratched.

### **Permits – Essential Visitor Permits**

These permits are issued to allow people who need regular visitors such as carers and people who check in on them to park.

These permits share the same terms and conditions as residents permits.

### **Permits – Business Permits**

These permits are issued to allow business actively involved in carrying out their business within a residential zone.

These permits share the same terms and conditions as residents permits.

### **Photographs**

There are standard photographs that should be taken whenever a PCN is issued.

You should always take the following photographs:

- Front of the vehicle showing the PCN on the windscreen and the VRM on display.
- Full width of the windscreen
- Any sign in the bay or repeater sign within sight of the vehicle
- A context shot showing both the sign and vehicle in the same shot
- Rear of the vehicle showing the VRM

Additional photographs should be taken:

- If there are notes / items on display on the dash board.
- If there are relevant permits or permits that could be considered relevant.
- If there is a pay and display ticket on display if you are issuing in pay and display.
- If you are issuing in pay and display you should take a photo of the tariff card on the nearest machine.

If you are issuing in a zone of any kind you should take a photo of the entry sign.

### **Police Officers, Ambulances and Fire Service**

Marked emergency services vehicles are exempt on all restrictions if they are on emergency duties.

Emergency services vehicles will also be considered exempt if on official duties. In the case of marked vehicles this will be assumed to always be the case.

In the case of unmarked police cars, these will be treated as exempt as long as the blue police log book is displayed on the dashboard of the car. Notes, laminates and other such items do not exempt the car from the restriction as these are easily forged.

Emergency paramedics making use of their own cars, or doctors making use of their own car in an emergency are to be considered exempt however unless they make you aware of this in person you are unlikely to know this

Fire service vehicles that are being used for official duties are exempt. Members of the fire service using their own private vehicles and expecting to be allowed to park in contravention as they are on call is not to be permitted and a PCN issued.

### **Pregnancy**

Being pregnant does not exempt someone from the regulations and expectant parents are to be treated the same as anyone else.

### **Public Utilities**

Any vehicle that is being used to maintain public utilities or is responding to an emergency call out relating to a public utility is considered exempt from restrictions. This includes vehicles that are working on mains electricity / gas / water on the highway or where their access point is close to the highway, for example a power junction box in a nearby field. Additionally, this applies to telecommunications maintenance but only where the work is being carried out either in a telecommunications box on or near the highway or on telephone lines. It does not include the installation or set up of home broadband.

### **Road Signs / Markings – Defective, obscured and unclear**

There will be occasions where lines and signs are defective.

The most important thing when it comes to enforcement is that there must be obviousness to the intent of the lining and signage.

Where a sign is required it must be within 30 meters of the vehicle and within the same bay. In a zone there should be a repeater within line of sight although in some zones only the entry sign is needed. If there is no sign in a bay, then you cannot enforce even if there is a sign in a nearby bay visible.

Lines are not required to be completely clear and joined up. Breakages and other missing sections are acceptable, but it needs to be possible to see at least something that shows that there is a bay or line in any photographs that you take.

If lines are not visible due to complete concealment or deterioration, then you should not enforce. If you are unsure then you can take a “practice photograph” and upload it to Teams for advice.

### **Royal Mail**

Royal Mail vehicles that are used for the collection or delivery of postal packets are exempt from the regulations if they are actively involved in the activity. This excludes Clearways, School Keep Clear Markings, Pedestrian Crossing Zig-Zags and Bus Stops.

### **Scaffolders**

Scaffolders may park in any location where loading is permitted for as long as it takes to construct or deconstruct scaffolding. Unlike loading, other activities, such as the erection of the scaffolding, can be considered exemptible as loading. This is because scaffolding crews typically need to unload parts of the scaffold once at a time to avoid leaving large volumes of materials on the highway.

### **Schools**

In the immediate vicinity of schools, enforcement at school pick up and drop off times will focus on safety critical restrictions (no stopping zig-zags, no waiting/no loading) and excessive waiting on yellow lines and in residents parking zones. CEO's will only act on additional specific issues at these times as instructed by SCEO/TL if/as issues are raised in certain areas.

If not in the immediate vicinity of the school standard enforcement will occur at the pickup/drop off times.

### **Security Vehicles**

Vehicles that are involved in cash collection or transporting bullion may park near their destination to effect safe delivery and collection.

### **Suspended Bays**

As standard practice the service does not enforce against suspended restrictions unless requested by the team or persons responsible for suspending the restriction.

If you are instructed by a SCEO or Team Leader to enforce a suspended restriction you should make sure that the signs and/or cones are correct. You will be advised of what to expect when you are given the instruction to enforce.

### **Trade Permits (Annual Variety)**

When you come across an annual trade permit you first need to check the following things:

- The permit is displayed and valid (In date)
- The driver has left details of what address they are working at
- The driver has left a contact telephone number.

If any of the above three things are incorrect or missing a PCN should be issued.

Next you must ensure that **TWO** of the following three things are met.

- The vehicle is within 50 meters of the property
- The vehicle is within clear line of site of the property
- The vehicle is within two streets of the property

The terms and conditions of the permit make it clear that the vehicle must be at the address where work is being carried out. These qualifications ensure that a vehicle is not unfairly penalised because there was not a space immediately outside the address but also ensure that it is not being used for commuting.

It is not necessary to contact the driver to confirm they are working if these criteria are met but if you suspect that the vehicle is not being used for work purposes then you should report this to a Team Leader or SCEO who will arrange for the permit to be investigated.

There is no grace period on an annual trade permit and it is considered invalid the day after expiry.

### **Trader Permit (Temporary Variety)**

These permits are only available digitally. When you enter a vehicle on your handheld and it alerts you that the vehicle has a (TP) permit then you should not continue with the issue of the PCN if it is parked in Residents Parking or Limited Waiting.

The handheld manages the validity of the permit for you.

These permits are valid only in the location they are issued for.

If you are instructed to issue a Trader Permit in residents parking by a SCEO or TL you should use a Code 19.

### **Trade Permit (Scratch card variety)**

These scratch cards are valid if there is one day scratched out with a time scratched out. If there are multiple days scratched off, or multiple times, then it is invalid and a PCN should be issued.

A PCN should not be issued to an expired permit until 11 minutes after expiry.

### **Waiver Permit**

These permits are only available digitally. When you enter a vehicle on your handheld and it alerts you that the vehicle has a (PW) permit then you should not continue with the issue of the PCN if it is parked on yellow lines.

The handheld manages the validity of the permit for you.

These permits are valid only in the location they are issued for.

### **Warning Notices**

One week before a new residents zone becomes enforceable you may be asked to place warning notices on all vehicles not displaying a residents permit.

These warning notices should be affixed to the windscreen in a PCN envelope in the same way as a PCN.

## **Window Cleaners**

Window Cleaners are exempt in Residents Parking, Pay and Display, Limited Waiting and Loading Bays provided that they are parked reasonably adjacent to where they are working and taking water from their vehicle, therefore they can be considered unloading. However, they must be using the hose and cannot leave it out as a permit to park.



## Appendices

### Appendix i – Performance Standards

CEO:

Date:

SCEO:



### Monthly One to One: Performance Sheet

#### PCN Quality Audit

- ☐ VRM recorded matches photographs
- ☐ Photographs of vehicle correct
- ☐ Photograph of sign
- ☐ Context shot taken
- ☐ Details photographed
- ☐ PCN attached in correct location
- ☐ Correct observation periods
- ☐ Text note clear and written in full English
- ☐ Correct "Comments" made
- ☐ Correct Location
- ☐ Correct Make
- ☐ Issue date / time correct
- ☐ Correct CEO number
- ☐ Correct code used
- ☐ Location description adequate
- ☐ Valves match
- ☐ Vehicle is in contravention
- ☐ No obvious exemption
- ☐ Sign valid
- ☐ Lines valid

#### Comments

## Beat quality Report and Map Audit

- ☐ Signed onto Handheld at start of day in Base
- ☐ Logged onto Transit within 15 minutes of start of day
- ☐ Transit time to beat appropriate
- ☐ Started beat in suitable location
- ☐ Routing is purposeful
- ☐ Comfort Breaks recorded
- ☐ Comfort Break did not exceed permitted time
- ☐ Lunch break recorded
- ☐ Lunch break did not exceed permitted time
- ☐ Transit time to breaks appropriate
- ☐ Transit time back to beat appropriate
- ☐ Breaks planned around beat requirements
- ☐ Beat continuity purposeful after breaks
- ☐ Transit back to base started at appropriate time for beat
- ☐ Returned to base within 15 minutes of end of shift
- ☐ Other duties recorded and match anomalies register
- ☐ Stayed on Beat
- ☐ Handheld Records accurate

### Priority Beats

- ☐ Every street visited
- ☐ Beat Objectives meaningfully achieved

### Residential Walking Beats

- ☐ Every street visited
- ☐ Limited waiting effectively managed

#### Comments

**On-Street Feedback**  
**Beat X on Y date from Start time to Start + Duration time**

- ☐ All necessary equipment carried
- ☐ All equipment fit for use
- ☐ Suitable number of consumables
- ☐ Correct uniform items worn
- ☐ Correctly follows enforcement operating procedures
- ☐ Pay and Display machines checked
- ☐ Checking pay by phone before issuing a PCN
- ☐ Wheel valves accurate
- ☐ Good customer interaction
- ☐ Purposefully managing contraventions
- ☐ Partnering system used
- ☐ Walking with purpose
- ☐ Investigates Dispensation
- ☐ Investigates Carers Badges
- ☐ Investigates Emergency Notes
- ☐ Good visibility before issuing a PCN
- ☐ Engages with Driver / Passenger before issuing PCN
- ☐ Proactive with handhelds records
- ☐ Accurate text notes
- ☐ Correct observation times

**Comments**

## Appendix ii – Reference photographs

### 01 – No Waiting



This vehicle is parked with its tyre footprint on the lines with the yellow line clearly visible either side of the tyre, this therefore would receive a PCN.

## Issuing a PCN



This vehicle has received a PCN. There are only two locations that a PCN should be attached to a vehicle like this.

In normal conditions, the PCN should be attached on the passenger side of the windscreen approximately half way up, where the passengers head would be if they were sat in the seat.

If it is very wet and you are unable to affix the PCN to a windscreen you may attach the PCN under the windscreen wiper of the driver's side of the windscreen. Any other location is not acceptable.

