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# Civil Parking Enforcement

## Parking Policy - Part 1

### Enforcement Practice Guide

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# 1. INTRODUCTION

The purpose of these procedures is to explain the guidelines under which Civil Enforcement Officers (CEOs) working for Dorset County Council operate and the criteria under which they are permitted to issue Penalty Charge Notices (PCNs) to vehicles parked in contravention of the parking restrictions.

Dorset County Council is responsible for enforcing on-street parking controls in West Dorset, North Dorset, East Dorset and Purbeck. Other districts in Dorset are responsible for managing on-street enforcement on behalf of the County Council in their own individual areas (currently Weymouth & Portland and Christchurch).

The County Council also enforces parking restrictions in car parks on behalf of North Dorset and Purbeck District Councils and Wareham Town Council (a list of these car parks is given in Appendix B). Other car parks in the County are enforced by individual district councils, using Parking Attendants, who issue Excess Charge Notices. These follow a different recovery process, which may result in court action and, as stated above, are the responsibility of the local Council in whose area the car park is situated.

These guidelines have been designed to ensure that parking controls are enforced in accordance with the regulations, the Council's own policies and enforcement ethos, and in a reasonable manner. The legislation relating to parking enforcement allows a CEO to issue a Penalty Charge Notice (PCN) as soon as the regulations have been breached. For example, a notice may be issued to a vehicle as soon as it has been parked on a yellow line, or as soon as a pay and display ticket has expired. However, the Council understands the need for enforcement to be seen as fair and reasonable and has therefore issued these additional guidelines.

It must be appreciated that these guidelines may not apply to all circumstances (for example, where a vehicle is parked dangerously or inconsiderately) and are subject to change if circumstances vary or parking needs require changes to be made.

## **1.1 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. Dorset County Council adopted these powers in 2002 and enforcement is carried out using trained CEOs employed directly by the Council.

Enforcement of parking controls can take place at any time when restrictions apply (for double yellow lines this is 24 hours), although in practice enforcement in Dorset is concentrated during the hours of 7am and 7pm, including Sundays and Bank Holidays, when the majority of restrictions are in force. Enforcement outside these hours is usually carried out in response to special needs. The Council does not currently remove or clamp vehicles, or enforce restrictions using CCTV cameras, so

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enforcement is carried out through CEOs patrolling and issuing Penalty Charge Notices (PCNs) to vehicles parked in contravention of the regulations.

CEOs are required to undertake a comprehensive training programme before enforcing the regulations and all CEOs working for the County Council have obtained a City and Guilds qualification in parking enforcement and Conflict Management. The Council is also rolling out a programme of additional training for CEOs for Driver Development, Health & Safety and First Aid.

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 in their pocketbooks and take several photographs of vehicles in contravention when they issue a PCN. This evidence is made available to drivers who query the issue of a PCN. In heavy rain, it is not possible to write in pocket books but additional information can be entered on the hand held computers.

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 access to lone worker protection devices in the event of threats whilst they are carrying out their duties. The Council may also introduce personal cameras (head-cams) which will enable the recording of incidents.

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

The parking regime in Dorset 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. For example, 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 car parks and pay and display bays on street may mean that other vehicles will not be able to park and 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.

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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 guidance set out in this document has 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.

### **1.3 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

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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.

#### **1.4 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 specify in precise detail the 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).

For example, the Council may use thinner, primrose coloured yellow lines instead of the more usual thicker darker yellow lines, and these are becoming more prevalent throughout Dorset.

Ensuring that all signs and lines are in place and maintained is an expensive and time-consuming operation. CEOs report deficiencies and these are also identified when drivers who have received PCNs contact the Council to complain that the lines and/or signs are missing, damaged or defaced. 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.

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## 2 ENFORCEMENT PRACTICE

### General Note

Unless otherwise stated, the guidance detailed within this document applies to all restrictions enforced by the County Council and includes both on-street restrictions and car parks.

Note – some car parks are managed by private companies who are solely responsible for any enforcement arrangements in these car parks, and individual District Councils who enforce their own car parks may use different guidelines.

#### 2.1 General Principles of CEOs' Behaviour

CEOs are expected to carry out their work overtly, with fairness, courtesy and reasonableness and to comply with all relevant laws and codes of conduct. This will include the CEO advising the motorist to move his vehicle as well as how and where to park to avoid a contravention of the parking regulations. To this end, CEOs are expected to be conversant with the on and off street parking arrangements in their enforcement area, permit information, Council policies and any other information necessary to enable them to carry out this function.

If the vehicle driver is present, the CEO will give every reasonable opportunity to rectify a situation before issuing a PCN. Under no circumstances will a CEO resort to any form of entrapment or deliberately avoid assisting a driver.

A CEO must not, under any circumstances, accept monies or other gifts proffered by any person, nor may they solicit such gifts.

When dealing with the public, a CEO should not offer an opinion on the restrictions or comment upon Council policies either in relation to parking or to any other matter within the jurisdiction of the Council. In all cases the member of the public must be referred to the Parking Office if they wish to pursue the matter.

In particular, CEOs must not –

- Offer an opinion on the regulations or the parking enforcement regime and the way in which it operates.
- Comment on the quality of the lines and signs or the functionality of any equipment.
- Comment on the issue of whether or not other PCNs have been issued in the same location.
- Comment on any difficulties other motorists may experience in the area.
- Indicate that a PCN should not have been issued.
- Indicate that a PCN is likely (or not) to be cancelled.

All conversations between CEOs and members of the public, whether or not the issue of a PCN is involved, must be recorded in the CEO's pocket book.

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If a CEO is approached by a member of the public about the issue of a PCN he/she will –

- Explain why the PCN was issued, pointing out the information available at the time, including information on controls, lines and signs as applicable.
- Explain that he/she has no authority to cancel the PCN.
- Explain that the driver may write to the Council and that the Council will consider the issue of the Notice and whether or not it should be cancelled.
- Explain to disabled badge holders that they should enclose a copy of their blue badge with their letter.
- Indicate that if the driver writes to the Council within 14 days, the right to pay the discounted amount will be preserved.
- Be prepared to explain the PCN processing stages in brief detail if required to do so.
- Record details of the conversation in the pocket book.

The CEO must not give any indication of whether or not the representations to the Council are likely to be successful as he/she is not in a position to offer advice on this matter. The Council will investigate all letters and complaints and make a decision, responding to the driver accordingly.

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The following sections give more details regarding specific enforcement practices and are arranged in alphabetical order.

## **2.2 Abandoned Vehicles**

Abandoned vehicles are eyesores and potentially dangerous, and in many cases are the result of crime. An abandoned vehicle may be identified by the number of PCNs on the vehicle, or by the vehicle condition.

A vehicle will be classed as abandoned if it is displaying an out of date tax disc, (or no tax disc), either on or off-street, and has already received 2 PCNs without any evidence of being moved during the interim period.

There may be other signs that the vehicle has been abandoned, some of which are listed below. If it is clear to the CEO that one or more of these criteria apply, the CEO should report the vehicle as abandoned on the first occasion it is observed. The signs may include –

- Vehicle burnt out;
- Doors or bonnet open;
- Wheels, doors, seats or inside fittings missing;
- Windows or windscreen broken or missing;
- Flat tyres;
- Other signs of vandalism;

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- Evidence of vehicle having been stripped for parts; e.g. bumpers or tyres missing;
  - Vehicle full of rubbish;
  - Signs of a towrope having been used;
  - Missing registration plates;
  - Evidence of vehicle not having moved; dust, weeds, no windscreen wiper marks;
  - Evidence of neglect and poor condition; rust, very dirty, scratched, dented;
  - Vehicle badly parked.

No more than 2 consecutive PCNs are to be issued to the vehicle if it remains in the same place, without authority from the Council. A welfare check of the vehicle will be made via the Police before issuing a third PCN (the driver may have been taken ill or hospitalised).

PCNs should not be issued to any vehicle displaying an official Police 'aware' notice, or a Council-issued abandoned vehicle notice.

If a member of the public advises a CEO on-street of a potentially abandoned vehicle, the CEO should radio the details to the operational base for further instruction.

### **2.3 Abusive and Violent Behaviour**

Abusive behaviour to all Parking Services staff, either in person or on the telephone, will not be tolerated. Abusive individuals will be advised that their behaviour is unacceptable and the conversation terminated if the abuse continues. A register will be kept of persistent offenders who are intimidating or abusive to staff.

CEOs experiencing abusive behaviour should make a full record in their pocketbook directly quoting what is said. In cases of threatening or intimidating behaviour, the CEO will press the emergency button on their Lone Worker Device for assistance if necessary. The conversation will then be recorded and the Police called if needed. These incidents will be treated as serious incidents that require prompt attention and the police may be called to such incidents if this action is warranted.

The Council will enlist the support of the local police to prosecute in the event of an assault on any Council employee.

### **2.4 Bank Holidays**

As the County is a tourist area, it is necessary to control parking on bank holidays and most restrictions are in force, including –

- Most double and single yellow lines (some restrictions are seasonal)
- Dropped kerbs
- Bus stop restrictions and Taxi Ranks
- Pedestrian crossing keep clear zig-zag markings
- Disabled bays (unless otherwise stated on the bay sign)
- Limited Waiting and Pay and Display bays
- Loading bays

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All these restrictions may be subject to enforcement activity. The exact level of enforcement required will be determined by the Council, and there may be a need for a higher on-street presence where there are special events taking place.

Permitted parking bays (e.g. pay and display, resident bays) are restricted on Bank Holidays and are therefore enforced.

## **2.5 Breakdowns**

Drivers whose vehicles break down should make every effort to ensure that the vehicle is parked legally, or to move it as soon as practicable.

Unless a CEO sees a visible sign of a breakdown, a PCN will be issued to the vehicle if it is parked in breach of the regulations. The CEO will have no discretion in considering notes in the windscreen to the effect that the vehicle has “broken down”, but must record full details of all such notes in the pocket book and on the hand-held computer and take relevant photographs.

If there is visible evidence of breakdown (e.g. a flat tyre, smoke coming from the engine), unless the driver is with the vehicle a PCN should be issued and details recorded in the pocket book. The CEO must take photographs of the vehicle, showing the evidence of breakdown. If the driver is with the vehicle and advises the CEO that he/she is waiting for a breakdown service to attend, the CEO should allow a minimum of 30 minutes casual observation before issuing a PCN.

In cases of genuine breakdown, the motorist will be able to make a written appeal to the Council and provide evidence to confirm the breakdown.

## **2.6 Bus Stops**

Due to the congestion and inconvenience caused by vehicles parked in a bus stop, there will be no observation time allowed before a PCN is issued and CEOs will issue a notice to any vehicle in a bus stop, including vehicles which have parked to load and unload.

However, if the vehicle driver is present, he/she will be asked to move immediately and a PCN will only be issued if the request is ignored.

## **2.7 Car Parks**

The County Council is responsible for enforcement in some car parks, but not all. There are various regulations relating to car parks and these may vary, depending on the car park concerned. PCNs may be issued to vehicles parking outside of the marked areas, failing to display the appropriate pay and display ticket or overstaying the time purchased (see contraventions code list, Appendix A). Some car parks in Dorset will be enforced by the District Councils who will issue excess charge notices (ECNs), which are different to PCNs and follow a different recovery process, which may result in Magistrate’s Court action.

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Details of the times of enforcement, methods of payment and charges will be found on the signs displayed in each car park.

## **2.8 CCTV Enforcement**

The Council has not introduced any enforcement using CCTV cameras, but may consider doing so in the future. The legislation allows local authorities to use CCTV cameras for the enforcement of parking and moving traffic contraventions and for bus lanes.

CCTV enforcement may be carried out using either fixed or vehicle-mounted cameras. In either case, contraventions will be identified at the time by the camera operator and then reviewed by another officer, who will make the decision to issue a PCN, based on the guidelines and best practice that apply for the individual contravention. Cameras may also use ANPR (automatic number plate recognition) facilities.

## **2.9 CEO Vehicles**

CEOs use vehicles to carry out enforcement duties as they need to cover large areas of the County. When engaged on enforcement duties, CEOs are permitted to park their vehicles whilst they carry out their patrols on foot. They may only park in the following locations –

- In car parks (as agreed with the relevant District or Town Councils).
- In limited waiting bays, for longer than the time permitted if necessary.
- In resident permit bays.
- On active yellow lines (only while enforcing at the location).

CEOs must not park in contravention of any prohibited parking regulations or where it would inconvenience other road users. In particular, they must not park –

- In disabled bays, loading bays, taxi ranks and bus stops.
- Where loading bans are in force (02 contraventions – see Appendix A).
- Where vans are not permitted, e.g. in cars and motorcycle only bays in Swanage.
- Beyond the bay markings in a car park unless they are servicing a nearby pay and display machine.

CEOs are not permitted to park at locations where there are advisory markings that are not currently enforced under the civil parking regulations or where the police would not be responsible for enforcing against a vehicle causing an obstruction. In particular, CEOs must not park –

- At a dropped kerb (or across part of a dropped kerb), whether or not the dropped kerb is marked with an advisory “Access Protection Markings”.
- On a pavement.
- In a pedestrian only zone.
- On a School Keep Clear Marking.

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## **2.10 Children in Cars**

Where CEOs have reason to believe that babies or young children left in cars are distressed or in danger, they will contact the local police and will remain with the vehicle until the police attend. If the driver returns before the police arrive, the CEO will update the police.

## **2.11 Council Vehicles**

Unless the vehicle is being used for the purpose of enabling the Council, and its contractors, to perform a statutory duty or for carrying out essential works, Council vehicles must abide by the normal regulations. A CEO will issue a PCN upon contravention of the parking regulations.

Examples of essential works include the following –

- Servicing street furniture.
- Maintenance of utility boxes.
- Highway maintenance.
- Graffiti removal.
- Environmental agencies that need access to check water quality and water levels.

If a CEO can see that the vehicle is engaged in essential works or statutory duties, or where the vehicle is parked close to the site being worked on, a PCN will not be issued. However, the CEO should not take notice of any note in the vehicle, (other than to take down details in the pocket book).

Note – this applies only to vehicles parked in bays or on yellow lines. It does not apply where a loading restriction is in force (02 contraventions). Vehicles parked in these circumstances will be issued with a PCN.

The Council expects all its employees, and elected members, to observe the parking restrictions. Preferential treatment will not be given to Council vehicles, or to Council employees using their own vehicles for business purposes. If the driver is seen and claims to be a Council employee, this will be noted in the pocketbook, but will not prevent the issue of a PCN if the vehicle is contravening the regulations. Emergency situations will be dealt with according to the individual circumstances.

## **2.12 Diplomatic Vehicles**

PCNs will be issued in the normal manner to vehicles parked in contravention and displaying diplomat plates, (usually in the format of three numbers, followed by 'X' or 'D' and another three numbers).

## **2.13 Disabled Bays**

### **On-Street:**

The Council provides on-street bays for use by blue badge holders only (see next section for further details). All Disabled Bays should be indicated by the appropriate sign and white road marking.

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Where a disabled bay is marked and signed, the sign will indicate who is permitted to park there and whether there is a time limit. Drivers who park in disabled bays without displaying a valid badge for that type of bay (and time clock where applicable) will be issued with PCNs.

## **Car Parks**

In car parks disabled bays may have different markings, including yellow line markings and the optional disabled symbol.

In North Dorset District Council pay and display car parks, disabled drivers may park free of charge for up to three hours in designated disabled parking bays. A disabled badge and the clock, set to the time of arrival, must be displayed prominently in the vehicle. When parking in any other bay a ticket should be purchased from the pay and display machine. Most pay and display car parks have wide bays dedicated to disabled drivers. However, PCNs may be issued to blue badge holders if they park outside marked bays, or fail to display their badge and clock.

In Purbeck District Council and Wareham Town Council car parks, blue badge holders may park free of charge for up to three hours. If the badge holder wishes to stay longer, they must purchase a pay and display ticket to cover the extra parking time required and must display the ticket together with the badge and time clock.

### **2.14 Disabled Badge Holders**

The blue badge scheme is in place throughout the UK (including the whole of Dorset County), and Europe, except in some central London boroughs where there is insufficient parking space to accommodate badge holders (the Royal Borough of Kensington and Chelsea, Westminster, City of London and part of Camden (south of Euston Road)).

Residents with mobility problems can be issued with blue disabled badges. These can be obtained from the Council, subject to application criteria and are valid for use in disabled bays throughout the UK and Europe.

Blue badge holders may park –

- In most designated disabled parking bays on-street, free of charge and without time limit. Some disabled bays do have a time limit and this will be shown on the sign. In this case, the time clock should be set to the time of arrival and displayed alongside the blue badge.
- Free of charge in some car parks only (signs in car parks will indicate whether blue badge holders are required to pay or not).
- On single or double yellow lines for up to three hours and providing that the vehicle is not causing an obstruction (the clock should be displayed and set to the time of arrival). As time clocks are not issued in Scotland, the Council will accept hand-written arrival times displayed in a note together with a valid blue badge.
- In all pay and display bays on-street free of charge and without time limit.

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- In resident bays on-street free of charge and without time limit, unless there are signs stating otherwise. In Dorchester, there is a three hour time limit in some residents' bays.

A PCN may be issued where the disabled badge is not properly displayed on the front of the vehicle so that the details can be easily seen by the CEO, or where the clock is not displayed and set to the time of arrival if the vehicle is parked on yellow lines. The CEO must make full notes of the manner in which the badge is displayed, supported by a photograph.

The CEO will also issue a PCN to a vehicle displaying an expired badge. There is no grace period allowed as badge holders receive a reminder before their badge is due to expire and, if a badge has expired, the Council will not be aware whether the holder will be entitled to renew the badge or not and whether a new badge will be issued.

Disabled badge holders may only park in the bays detailed above. They must not park on yellow lines (single or double) with yellow blips or chevrons on the kerb (and signs) indicating that loading is not permitted or in any other restricted area (e.g. school keep clear markings, pedestrian crossings, suspended bays, taxi ranks, bus lanes, bays reserved for specific users such as loading bays (unless they are loading or unloading and only whilst they are loading)).

Whenever a badge or clock are not displayed, or not displayed correctly and the driver is with the vehicle, the CEO will ask the driver to display the correct documents and a PCN will only be issued if the driver fails to either do this or to remove the vehicle.

Where a CEO suspects that a blue badge is being used fraudulently, he/she may request to inspect the badge and badge-holders are asked to co-operate if they receive such a request. The CEO must show his/her Council ID badge to the driver before asking to see the blue badge. It is an offence to fail to produce a badge when requested to do so. If inspection of the badge confirms that it is being used fraudulently, the badge may be confiscated by the police.

## **2.15 Dispensations and Waivers**

Residents or businesses may apply for special dispensations or waivers which allow a vehicle to park on a yellow line or in a restricted parking bay for a limited period only.

The Council is allowed to charge for issuing a waiver and when deciding whether or not to issue a waiver, safety and congestion issues must be taken into account. If the Council considers that a parked vehicle could cause an obstruction or congestion or may compromise safety, the waiver application will not be granted.

When a waiver is granted, the vehicle will be issued with a notice detailing the dates, times and area in which the vehicle may be parked and vehicles may only be parked in accordance with the terms of the waiver. CEOs will issue a PCN to any vehicle not complying with the terms of the waiver.

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## **2.16 Displaying Pay and Display Tickets**

Pay and display tickets should be affixed to the vehicle windscreen or, in the case of non-sticky back tickets, displayed on the dashboard on the front kerb side of the vehicle, so that the details can be easily read by the CEO. Full instructions for use will be found on the ticket itself. If the ticket is not displayed correctly, the CEO will issue a PCN.

Drivers must ensure that they purchase a pay and display ticket that covers the entire length of their stay immediately after parking the vehicle.

A second ticket should not be purchased either before or once the first has expired. In these circumstances, a PCN will be issued for 'meter feeding' providing that the required loggings have been made (there is an exception for two pay and display tickets purchased closely together – see section on Pay and Display tickets – expired time).

## **2.17 Dogs in Vehicles**

Where a CEO has reason to believe that dogs or other pets left in cars are distressed or in danger, particularly in hot weather, the CEO will contact the local police and will remain with the vehicle until the police attend. If the driver returns before the police arrive, the CEO will update the police.

## **2.18 Drive-aways**

A PCN is considered legally served if it has been placed on the vehicle or handed to the person appearing to be in charge of the vehicle.

The legislation now allows the PCN to be sent through the post. PCNs may be sent through the post if the CEO has started to issue a PCN and the driver of the vehicle returns and drives away before the CEO can affix the notice to the windscreen, or if the CEO is prevented from issuing the PCN due to the threat of physical violence and/or extreme verbal abuse. Dorset County Council has taken up the powers to issue a PCN by post.

## **2.19 Drivers in vehicles**

Where a vehicle is parked in contravention of the restrictions and the driver is sitting in the vehicle, the CEO must ask the driver to move the vehicle and park legally. A PCN will be issued only if this request is not met.

Requests may only be made to the driver of a vehicle, not to a passenger. In the absence of the driver, a PCN can be issued even if there is a passenger in the vehicle.

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## **2.20 Dropped Kerbs (crossovers) – private houses**

A dropped kerb or crossover is defined as a part of a footway that has been dropped to give access to a driveway beyond the footway and these may be marked by a white “Access Protection Marking”.

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 or not 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, a CEO will be sent to the site and will issue a PCN in accordance with the guidelines detailed below.

If a vehicle is parked in such a way to prevent access, this may be reported to the police who may treat the vehicle as an obstruction and arrange for it to be removed.

## **2.21 Dropped Kerbs (crossovers) – other**

Not all dropped kerbs are there to allow access to a private driveway. Dropped kerbs are also placed on the footway or the carriageway for other reasons; to assist –

- Pedestrians crossing the carriageway
- Cyclists entering or leaving the carriageway, or
- Vehicles entering or leaving the carriageway

These dropped kerbs will be enforced in the normal manner.

## **2.22 Duplicate PCNs**

If a vehicle is parked in contravention for more than one day at the same location (i.e. if, after midnight, the vehicle is still parked in contravention), and has already received one PCN, a second notice may be issued the next day, and the vehicle reported to a supervisor.

## **2.23 Emergency Vehicles**

Police, fire and ambulance vehicles are exempt from the regulations providing they are liveried and are being used in connection with official duties.

PCNs should not be issued to liveried vehicles unless it is obvious that the driver is not engaged on official duties. If a notice is issued, full notes must be made to ensure that the ticket is enforceable.

Police officers sometimes use unmarked vehicles or private cars and in these circumstances, PCNs will be issued if the vehicle is parked in contravention as the CEO will be unaware that the vehicle is being used in connection with police purposes.

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If a PCN is issued to an emergency vehicle, the Council will consider cancellation on receipt of a letter from a senior officer confirming that the vehicle was being used in connection with official duties.

### **2.24 Expired Permits**

All resident permit holders are sent a reminder letter around one month before their permit is due to run out. However, regardless of whether a reminder letter is received, it is the responsibility of the permit holder to ensure that their permit is renewed, or that other arrangements are made for parking the vehicle.

However, vehicles displaying an expired resident's permit will be given one week grace period in which to renew their permit. The CEO will not issue a PCN during this one week period.

### **2.25 Funerals (and Weddings)**

There is an exemption from the parking regulations for funeral vehicles, including the hearse and any official funeral cars. The same exemption applies to official wedding cars. Visitors to either event should park legally away from the event.

The Council recognises that funerals are sensitive issues, and it is suggested that the Council is contacted in advance as there are a number of arrangements that may be made to accommodate them. Each case will be treated on its own merits and the Council will make every effort to ensure that disruption is minimised and vehicles may park legally.

CEOs should generally exercise discretion where it is clear that a funeral or wedding is taking place and should be prepared to give advice where necessary on the best parking arrangements.

Unless there are safety or congestion issues, a PCN should not be issued to any funeral vehicles, providing that the Council has been advised in advance that the event will be taking place and providing that the CEO is satisfied that the vehicle is being used for the funeral. This will include the hearse (the vehicle that carries the coffin) and other 'official' vehicles attending the event. However, it may be necessary to ask some vehicles to move on some occasions to avoid obstructions and a PCN should only be issued where a request for a vehicle to move is ignored.

If vehicles are stopped in order to allow people to board or alight, they will be entitled to the exemption for boarding and alighting. This exemption allows a vehicle to stop for the purposes of allowing people to get in or out of the vehicle and it should be obvious to a CEO that this is the case. The vehicle should not be left unattended unless there are exceptional circumstances.

### **2.26 Glaziers and Asbestos removal**

For safety reasons, and the transportation of glass, glaziers' vehicles will often need to be parked close to the premises on which they are working. Similarly, for the safe

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removal of asbestos, vehicles being used for this purpose will need to park close to the premises concerned.

These exemptions are treated in a similar manner to vehicles engaged in loading and unloading. Glaziers and those engaged in asbestos removal can park close to the property or site for health and safety reasons and for as long as necessary for the purpose of loading or unloading glass or asbestos. The vehicle should not be causing an obstruction and once the loading or unloading has been completed, the vehicle must be moved and parked legally.

### **2.27 Grace Periods**

Grace periods are slightly different from observation periods, in that they serve a different purpose, primarily one of offering fairness in enforcement activity. They relate to pay and display bays on-street and to car parks.

The grace period allows a driver a few minutes to return to their vehicle and can avoid allegations of unfairness and claims that PCNs are issued as soon as a ticket has expired. If a driver has purchased the maximum time allowed in a bay or car park, then ten minutes grace will be allowed. A PCN will therefore not be issued until ten minutes after the pay and display ticket has expired providing that the maximum time has been purchased. If a driver has only purchased the minimum time allowed at the location, then the normal five minutes observation time will be given.

Grace periods also allow for any slight discrepancy in the time shown on the CEO's hand-held computer and the time shown on the pay and display machine.

No grace period or observation time will be given to vehicles parked illegally outside banks and cash points. These vehicles cause obstruction and in some instances, they obstruct the footway, endangering the safety of pedestrians and damaging the pavement.

Information regarding grace periods and Observation Periods (see appropriate section) is given in Appendix A,

### **2.28 Hospital Visits**

There are no automatic exemptions for patients or visitors to hospitals, and they should pay to park on-street or in car parks in the normal manner.

If a PCN is issued to a patient whose appointment was significantly delayed or in an emergency situation, the driver may write to the Council with any evidence they have and the case will be considered.

### **2.29 Hours of Enforcement**

Enforcement will be carried out during the hours of control, which vary according to the restriction. However, generally the hours of control will be between 7.00am and 7.00pm Monday to Sunday, including Bank Holidays.

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However, there are a number of exceptions to the enforcement hours, and more information regarding the hours of control in specific areas will be shown on the signs in car parks, above permit bays, on pay and display machines, or on separate plates adjacent to the restrictions.

Double Yellow Lines do not require signs and can be enforced 24 hours a day, 7 days a week, although there are some seasonal double yellow lines in Swanage which are only operational at certain times of the year. Overnight restrictions are also regularly enforced.

### **2.30 Lines and Signs**

Parking restrictions in the County will usually be indicated by signs on the street and/or bay markings or yellow lines on the carriageway. There are various requirements depending on the type of restriction.

Before any PCN is issued, the CEO must be satisfied that the required lines and signs are present and are not incomplete or obscured.

CEOs on patrol are expected in addition to their normal enforcement activities to -

- Carry out a visual check of signs and lines to ensure that they are visible and enforceable. Any missing or damaged signs or lines are to be reported to the Council.
- Carry out a visual check that the pay and display machines are working and report any obvious signs of damage or defect.

Where a restriction should be signed, and the sign is missing, a PCN must not be issued. The CEO must report the defect at the end of the shift for remedial action to be taken.

Where a line on the highway is substantially obscured or missing, the same action as for missing signs (above) must be taken.

However, if there are small lengths of yellow lines missing (less than the length of a small car), the CEO should issue a PCN, and report the defective section. Small sections of missing yellow lines will not invalidate the issue of the notice.

Some regulations require termination marking at the end of the restricted area. Where these are missing and a vehicle is parked close to the end of the restriction, and the CEO believes that the missing markings could cause confusion as to whether the vehicle was parked legally, a PCN should not be issued. However, if the vehicle is not close to the end of the restriction and it is clear that the area is restricted, a PCN will be issued, even if termination markings at the end of the restriction are not present.

### **2.31 Loading/Unloading Guidelines**

Any vehicle may park on a yellow line (so long as there are no loading restrictions marked by yellow blips or chevrons on the kerb at the location) or in a permitted parking bay on street for as long as is necessary to load and unload. This does not

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entitle a vehicle to be parked if there is no loading or unloading activity taking place (i.e. whilst the driver carries out other activities such as shopping or carrying out repairs to shop equipment) and the vehicle should be moved as soon as the loading activity has been completed.

Where loading is permitted, CEOs will give observation periods to ascertain whether loading or unloading is taking place. If during this time no activity is noted, the CEO will assume the vehicle is not involved in any loading or unloading activity. Loading/unloading may be allowed for commercial purposes or if the items being loaded or unloaded are not easily portable (and this may include heavy or bulky shopping). The process does not have to be continuous, nor must it be adjacent to the premises concerned, although this will usually be the case. The CEO must however see some evidence of loading/unloading and if this is not the case a PCN may be issued.

Loading and unloading is permitted –

- In permit holder bays.
- On single or double yellow lines.
- In loading bays.
- In limited waiting bays.
- In pay and display bays, but a pay and display ticket must be purchased.

Loading and unloading is not permitted –

- At bus stops that are subject to Bus stop clearway restrictions, taxi ranks, in disabled bays, on clearways where stopping is prohibited, in doctor, hospital, ambulance and Police bays.
- Where kerb markings indicate that a loading ban is in place.
- On mandatory school keep clear markings “zig-zags”.

### **2.32 Markets**

There are a number of markets taking place either in on street parking areas or on private land and pavements adjacent to the public highway. In such cases, parking will be either prohibited altogether or restricted to market traders for their stalls and, in some cases, to their vehicles. The signs will indicate the days and times when market restrictions apply.

### **2.33 Maximum Size of Vehicle**

Other than in specially designated areas, the maximum dimensions of a vehicle that will be permitted to park in a resident permit bay are as follows -

Overall Height: 2.27 metres (7 foot 6 inches)  
Overall Length: 5.25 metres (17 feet 3 inches)

All vehicles must park wholly within the bay markings. CEOs must report any over-sized vehicle parked in a bay and displaying a valid permit to the Council for further action to be taken as the permit may not be valid. A PCN will not be issued unless instructed by the Council.

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### **2.34 Motorcycle/Scooter Parking**

Motorcycles and scooters are legally defined as powered two wheeled vehicles and there are a number of options for parking in the County. On street, motorcycles are NOT exempt from payment and time limits in pay and display and in resident bays.

The Council encourages permit holders with motorcycles to park at right angles to the kerb in order to maximise space in the permit bay, but this is not compulsory and cannot be enforced.

Motorcycles may not park on yellow lines, on the footway, at dropped kerbs marked with a yellow or white line and in bus lanes, or on the pavement. The pavement is defined as an area over which pedestrians have the right of access and this includes the edge of the pavement close next to buildings and pavement lights close to buildings.

Motorcycles may only park on the pavement if the area concerned is private property.

Motorcyclists parked in a pay and display car space are advised to tear the ticket in half, place one half on the vehicle and retain the half containing the serial number as proof of purchase. It is also advised that they write the vehicle registration number (VRM) on the ticket and take a photograph with their mobile phone of the vehicle displaying the pay and display ticket, in the event that it is removed or becomes dislodged and a PCN is issued.

If a motorcycle is parked with a cover over it and this is obscuring the number plate, a CEO is permitted to lift the cover to assist enforcement. The CEO must not cause any damage to the vehicle.

In North Dorset District Council, Purbeck District Council and Wareham Town Council car parks, motorcyclists must purchase and display a pay and display ticket unless they park in a designated motorcycle bay.

In Rempstone car park, Wareham, shoppers will get a refund of their parking fee from the adjacent supermarket.

### **2.35 Obscured/incorrectly validated Permits**

If a parking permit is not clearly displayed in a vehicle, and it cannot be read, a PCN will be issued. The CEO will make a note in his/her pocket book about the obscured section of the permit and ensure that the appropriate photograph is taken.

### **2.36 Observation Periods**

When a vehicle is parked in contravention of the regulations, and depending upon the type of restriction, the CEO will observe the vehicle for a time before issuing a PCN.

There is no legal requirement to allow an observation period and these are therefore discretionary times set by the Council. An observation period is primarily designed to ensure that the vehicle is not engaged in an exempt activity, such as loading or unloading.

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Observation times and grace periods (see appropriate section) are summarised in Appendix A.

### **2.37 Overseas Registered Vehicles**

PCNs will be issued to vehicles displaying a non-UK number-plate if they are parked in contravention.

### **2.38 Parking Outside Bay markings**

On-street - A PCN will only be issued to a vehicle if two or more wheels are outside the bay markings, or if one wheel is substantially outside the markings and the vehicle is causing a possible obstruction or making it difficult for another vehicle to park in an adjacent bay.

Off-street – vehicles parked with more than one wheel outside the marked bay in a car park will not normally be issued with a PCN unless the position of the vehicle makes it difficult for another vehicle to park in an adjacent parking space.

In all cases, the issue of the PCN must be supported by the appropriate photograph(s).

### **2.39 Pavement Parking**

Pavements are constructed and provided for pedestrian use. Vehicles parked on pavements are a hazard to pedestrians, causing an obstruction which may result in them having to step off the pavement onto the highway, putting themselves in danger. They are also a hazard by restricting the width of the pavement making it difficult for someone with a pushchair or wheelchair to pass safely. Driving on and off the pavement also causes damage to the surface (broken paving slabs etc.) as pavements are not constructed to the same standard as the carriageway. Broken or uneven paving slabs or damaged tarmac can cause pedestrians to trip and fall.

CEOs do not have the powers to deal with pavement or footway parking unless there are waiting restrictions (yellow lines) on the highway adjacent to the pavement. Where there are waiting restrictions, a PCN can be issued as the vehicle would be parking in contravention of a traffic order. Waiting restrictions cover the highway from the centre of the highway to the building line. If there is no building line, CEOs will be advised on the exact extent of the public highway.

The Council and the police work in partnership to deal with obstruction and other parking issues throughout the county of Dorset. The police can issue fines (Fixed Penalty Notices) to vehicles causing an unnecessary obstruction either on the road or on pavements.

### **2.40 Pay and Display Machine Faults**

If a pay and display machine is found to be faulty it is the driver's responsibility to look (within a reasonable distance) for an alternative machine from which to

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purchase a pay and display ticket, providing that the alternative machine is situated in the same road.

In the event that the pay and display machine is marked as 'out of order' and there are no alternative payment points or Pay by Phone facility, a vehicle will be allowed to park up to the maximum parking duration of the bay.

There is a telephone number on every machine for a member of the public to report an alleged fault. If a driver calls and reports a fault, he/she will be advised to use another pay and display machine nearby or pay by phone where this option is available. If not, the VRM and location details will be taken and the Office staff will notify the relevant CEO that the vehicle may park at the location for the maximum time allowed in the bay.

Where a motorist leaves a note in his vehicle stating that the machine is faulty, or reports it personally to a CEO, the CEO must check the machine. A PCN will be issued, unless the CEO can confirm that the machine is faulty, there is no alternative machine nearby or payment by phone facility. If the machine is found to be faulty the machine must immediately be bagged or a notice placed within the machine, and reported by radio for the appropriate repair action to be taken.

The CEO must make full notes of the event and the action taken.

#### **2.41 Pay and display tickets – expired time**

If a PCN is issued for expired time, the CEO must record details of the pay and display ticket, including the time of issue, the expiry time, and the degree of penalty time.

CEOs will also issue notices for 'meter-feeding', e.g. where a driver has purchased a second pay and display ticket shortly before or after expiry of the first, with the intention of prolonging the period of time originally purchased.

However, some drivers may make a mistake in using the machine, and if a vehicle is displaying two pay and display tickets that have been issued within 5 minutes of each other (both for the same day and bay), a PCN will not be issued. In these cases, the total amount of time shown on the pay and display tickets will be allowed, i.e. if both tickets show that 30 minutes parking time has been purchased on each ticket, the driver will be allowed one hour's parking.

#### **2.42 Pay by phone**

##### **Pay and Display on street:**

Drivers have an alternative payment option for pay and display bays on street in Dorchester and Wareham. This option is not available in Blandford at present because of the poor mobile phone signal reception in the town centre.

If a vehicle is not displaying a valid pay and display ticket during controlled hours, the CEO will check information provided by the Pay by Phone supplier on the appropriate device (hand held computer or mobile phone).

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## **Residents Parking Zones:**

Residents need to register with the “Pay by phone” supplier. Once their eligibility has been verified with the Council, Residents are able to purchase individual visitors vouchers by phone as and when they are required. CEOs will then be able to check that a vehicle has a valid “virtual” visitor’s voucher.

### **2.43 Pedestrian Crossings**

CEOs should issue a PCN immediately to any vehicles seen parking on the keep clear zig-zag markings. The Police may also enforce this contravention through the issue of a Fixed Penalty Notice and an endorsement on the driver’s licence.

If a Fixed Penalty Notice is issued for this contravention, it must take precedence over the PCN as it is a criminal matter, and the PCN will be subsequently cancelled.

### **2.44 Photographs**

The Council has instructed CEOs to take photographs to support the issue of all PCNs. However, there may be some cases where it is not possible to take photographs and the absence of these does not invalidate the issue of the notice.

When a CEO issues a PCN to a vehicle, a number of digital photographs of the contravention must be taken. As a guide, a minimum of three photographs are likely to be required and more may be taken if necessary.

These photographs must show –

- The front of the vehicle and the number plate.
- The windscreen of the vehicle (showing whether or not there are any permits/badges displayed).
- A close-up of any badge/permit that is expired or incorrectly displayed, so that the details may be seen from the photograph.
- The immediate surrounding area in which the vehicle is parked, with signs and lines (where applicable), sufficient to identify that the contravention has occurred. However, this is only applicable where the vehicle is parked close to a sign.
- The PCN attached to the windscreen of the vehicle.
- Any notes displayed.

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

Motorists may stop to pick up or drop off passengers on yellow lines or in any parking bay. There is no statutory maximum time allowed for this activity, and it will depend on the individual circumstances. In the case of able-bodied passengers it would take little time, but if passengers are elderly, disabled or carrying luggage it would clearly take longer. The time to be allowed is simply the time that it takes to get in and out of the vehicle and load or unload luggage.

It is not a legal requirement that the vehicle must not be left unattended as the motorist may need to accompany a child or elderly/disabled person away from the

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vehicle. If the vehicle is unattended and the CEO has no reason to believe that the driver is involved in picking up or setting down, a PCN will be issued.

### **2.46 Pocket books**

The requirement to take photographs does not replace the requirements shown below in respect of pocket book completion. The Council requires both forms of evidence to support the issue of a PCN where possible. However, there will be times when the weather (e.g. heavy rain) will prevent the CEO from making entries in his/her pocket book. CEOs should ensure they include as much information on their hand held computers.

As a minimum, descriptive pocket book entries are to be made under the following circumstances: -

- Whenever there is any verbal or visual contact with the driver of the vehicle a summary of the conversation should be written down together with a brief description of the driver (e.g. male or female, approximate age, whether accompanied or not).
- Whenever there is any verbal contact with a vehicle's passenger or other member of the public a summary of the conversation should be recorded.
- Whenever a vehicle is driven off whilst a PCN is being issued.
- Whenever there is any verbal abuse or threatening behaviour (whether or not a PCN was actually served or an attempt made to serve it). In such cases, a separate accident/incident report will be completed for further action. This may include reporting the incident/accident to the police.
- In situations where the criteria for determining a contravention are marginal.
- Whenever a note or notice has been left on the vehicle. The exact wording of the message should be recorded and photograph(s) of the note taken.
- Whenever a vehicle appears to be in an abandoned or vandalised state a description should be noted and photograph(s) should be taken.
- Whenever there appears to be suspicious circumstances associated with the vehicle or its location.

### **2.47 Police**

The Council and the police work in partnership to deal with obstruction and other parking issues throughout the county of Dorset. The police can issue fines (Fixed Penalty Notices) to vehicles causing an unnecessary obstruction either on the road or on pavements.

From time to time, CEOs carry out joint patrols with police officers at locations where antisocial behaviour and illegal parking are a problem.

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## **2.48 Public Assistance**

CEOs should be helpful and courteous to the public at all times and be prepared to answer questions, offer advice and give directional instructions when requested. All CEOs must understand the importance of their actions and the way they speak to members of the public and the reflection this has on the image of the Council in the eyes of the public.

If an attendant is witness to any form of accident or emergency situation he/she should immediately offer his/her services in assistance and, until other emergency services arrive, stay in attendance acting as a communications link. In the absence of the Police or any other emergency officer, the CEO should take the initiative at the incident and do his/her best to help minimise problems. In these circumstances, the CEO must keep the operational base informed of the situation and the action taken by radio.

Some CEOs are qualified First Aiders. It is the intention of the Council to train all CEOs in “First Aid” or “Emergency Aid” so that they can assist members of the public if necessary.

## **2.49 Reporting**

Whilst on patrol, CEOs are required to carry out various reporting functions. In addition to reporting problems with lines and signs and faulty pay and display machines, CEOs are also required to take details of the following –

- Building materials left in the road or on the footway.
- Skips.
- Abandoned vehicles.
- Lines with debris on them.
- Unauthorised use of “No Parking” cones or street furniture on the highway.

All reports are to be passed to the relevant Council department for the appropriate action to be taken.

## **2.50 Representations and Appeals**

Motorists who wish to query the issue of a PCN must do so in writing, to the Council, at the address given on the reverse of the PCN. Council officers will investigate the case, decide whether or not to cancel the PCN and write to the driver to confirm the action taken.

The PCN requires payment within 28 days of the date of issue and if a motorist writes within this period, this process is referred to as “informal challenges”. If the letter is received within 14 days of the issue of the PCN and the Council does not cancel the PCN, the driver will be asked to pay the charge at the discounted amount, not at the full amount.

When a Notice to Owner is sent to the vehicle owner, (after the 28 day period for payment of the PCN has expired), the recipient may make “formal representations” to the Council. If these are refused, the owner will be sent a letter explaining this and may then appeal to the Parking Adjudicator (this will be explained in the letter, which

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is called a “Notice of Rejection”). It is only the vehicle owner, or someone authorised by the owner, who may appeal to the Adjudicator (as the owner is liable for payment of the PCN) and he/she may only do so after a Notice of Rejection has been received.

**Note** - CEOs will be able to advise drivers that there is an appeals process and refer them to the information on the reverse of the PCN. Drivers will be advised to contact the Council’s Parking Office on the number given on the PCN if they require more detailed information.

If a driver wishes to query the issue of the PCN they should be advised NOT to send payment (the reverse of the PCN states that drivers should not pay and challenge at the same time). This is because when a PCN is paid, the case is closed and the driver effectively waives his/her right to appeal.

If a challenge is received within 14 days of the date of issue of a PCN, the discounted period is extended whilst the challenge is considered, so that drivers do not lose their right to pay at the discounted rate if their challenge is not upheld.

### **2.51 Requests for enforcement**

From time to time, the Council or individual CEOs may be approached by members of the public requesting enforcement of a particular location or restriction. The Council will try to accommodate all such requests where it is practical to do so.

Where a CEO is approached by a member of the public whilst on patrol, providing that the request relates to a neighbouring road or the same road and will not involve the CEO leaving his allocated beat, the CEO should comply with the request. If the request will mean that the CEO will have to travel a considerable distance or leave his beat, the CEO should relay the request to base, for further instruction.

### **2.52 Resident Permit holders**

The Council operates resident parking schemes in some parts of the County and issues permits to residents who live in the areas where the scheme applies and who meet the criteria for obtaining a permit. Residents’ parking permit schemes do not guarantee a parking place for the resident but enforcement against illegal parking by non residents helps improve availability of parking places for the permit holders.

A blue badge holder who is also a resident in a permit scheme should apply for a resident permit and this will be issued free of charge.

Residents with motorcycles will need to purchase and display a resident permit.

A resident permit holder may park in a resident permit bay in the area for which their permit applies (this is shown on the permit). The signs above resident bays will indicate the appropriate area and the permit is not valid for parking in a resident bay in any other areas.

A resident permit is not valid for parking anywhere else and CEOs will issue a PCN to vehicles not parked in the appropriate bay.

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PCNs will also be issued to a vehicle not displaying the resident permit regardless of whether or not a permit has been issued to the vehicle.

### **2.53 Royal Mail Vehicles**

Under the Road Traffic Act 1991 vehicles belonging to the Royal Mail and other companies engaged in the delivery of postal packets (to or from post boxes in the case of the Royal Mail to or from business premises in the case of other companies) are exempted and may load or unload where others are not permitted. The exemption includes the following companies – Parcelforce, DHL, TNT Post, City Link and UK Mail.

However, CEOs will issue a PCN if they believe that such vehicles are not actively engaged in delivery activities.

### **2.54 Scaffolders**

Scaffolders are generally exempt from parking restrictions where scaffolding is being constructed, i.e. whilst loading and unloading equipment from the vehicle and erecting/dismantling the scaffold.

CEOs will issue a PCN to vehicles that are not engaged in actively loading/unloading or constructing/dismantling scaffolding, essential work, or covered by a dispensation or waiver. Scaffold lorries should be parked legally if they are not engaged in these activities and scaffold lorries are not entitled to the exemption whilst making assessment visits to a site and should be parked legally.

### **2.55 Schools**

CEOs will observe vehicles parked on yellow lines or in parking bays adjacent to schools. If these vehicles are not causing an obstruction then the CEO will allow 5 minutes of observation before issuing a PCN (an obstruction is defined as a full or partial blocking of the footway or line of sight for vehicles turning into junctions).

This concession does not apply to vehicles parked on mandatory school keep clear (zig-zag) markings, or where loading restrictions are in force.

School keep clear markings outside school entrances may be mandatory or advisory.

Advisory markings are used outside most schools in Dorset and this means that although there are markings on the road, there are no signs. CEOs will not issue PCNs to vehicles parked on these markings although parents are requested not to park on these markings for safety reasons as parked vehicles are an obstruction and block lines of sight for children and parents.

Some school entrances are marked with mandatory yellow markings (zig-zag markings and double yellow lines), and are also signed. The restriction is usually in place between Monday and Friday, 8am to 5pm, although the sign will give the exact times. The restriction also applies during school holidays and on bank holidays as it is not legally possible to use term time only restrictions.

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As these markings are there to ensure the safety of children, it is essential that vehicles do not park on them and CEOs will issue a PCN to any vehicle doing so.

### **2.56 Special Events (and Suspensions)**

Where there are special events taking place which may affect the parking situation in the area, the Council and/or the police may make special arrangements for additional enforcement, which may mean that parking bays are suspended. Drivers should check before they park that there is no suspension in place. In Dorset, this will be indicated by police “No Waiting” cones.

### **2.57 Suspensions and Dispensations**

Dorset County Council does not suspend parking bays but residents or businesses may apply for special dispensations or waivers which allow a vehicle to park on a yellow line or in a restricted parking bay for a limited period only. The vehicle will be issued with a notice detailing the dates, times and area in which the vehicle may be parked. CEOs will issue a PCN to any vehicle not complying with the terms of with this notice.

### **2.58 Tax Discs**

CEOs must record tax disc details for every vehicle to which a PCN is issued. If the details are not clear, or the vehicle is not displaying a tax disc, the CEO must record any etchings shown on the windows of the vehicle or VIN (vehicle identification number) plate.

Out of date or missing tax discs may be reported to the DVLA for further action.

### **2.59 Taxis and Minicabs**

There is a difference between taxis and private hire vehicles (sometimes referred to as “mini-cabs”).

Taxis are licensed by the District Councils and are permitted to ply for hire in the street. They will display a “Taxi” sign on the vehicle.

Private Hire vehicles or “Mini-cabs” are usually saloon cars or people carriers and are also licensed, but they are not allowed to ply for hire or to display a ‘taxi’ sign. They can only handle pre-arranged pick-ups.

Taxis and minicabs, like all vehicles may stop to allow passengers to board or alight for as long as necessary for the purpose, and this should be obvious to the CEO.

Taxi drivers, like any other driver, must not leave their vehicle parked illegally to visit toilets, shops; cafes etc and PCNs will be issued in these circumstances. Only Taxis licensed by the Council are permitted to use taxi ranks. Taxis that have not been licensed by local District Councils and mini-cabs may not use taxi ranks.

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## **2.60 Uniform**

All CEOs on duty will wear the correct items of uniform, which will be clean and smart. Before commencing any on-street duties, CEOs will be inspected by a supervisor or senior who will ensure that they are wearing the correct uniform and carrying the required equipment needed.

The uniform will clearly show at all times –

- The Council's identity
- The CEO's service number

CEOs must only wear the uniform whilst on duty or travelling to and from the operational base and at no other time. Whilst wearing the uniform the CEO must have a presentable appearance. Some items of uniform such as jackets and hats or caps are worn at the discretion of the CEO depending on weather conditions. Approved sunglasses only may be worn and smoking will not be allowed.

## **2.61 Utilities**

There is an exemption for liveried vehicles being used in the service of gas, electricity, telecommunications or water companies. These vehicles will not be issued with a PCN in the following circumstances –

- If the vehicle is being used in direct connection with works on the highway.
- If the vehicle is being used in connection with an emergency situation (water leak, gas escape etc.).

If the vehicle is being used to deal with an emergency, it must be moved once the emergency has been dealt with. The vehicle is not exempt for normal routine activities, such as inspections or servicing.

CEOs will also issue a PCN where it is obvious that the vehicle is not actually being used in connection with work taking place on the highway or an emergency situation.

Vehicles belonging to utility companies often display signs stating that emergency works are being undertaken. This is not in itself an indication that the vehicle is exempt, and if the CEO is not satisfied that the vehicle is exempt, a PCN should be issued.

## **2.62 Visitor Permits**

Residents in the resident permit areas may apply to the Council to purchase single use permits (scratch cards in blocks of 20) for use by their visitors. These cards are only valid in the zone specified on the permit and may only be used in a permit bay for which a resident permit for the area is valid.

The card must be displayed on the dashboard of the visitor's vehicle so that it is visible to the CEO and it must be scratched off correctly (time of day, am or pm, day, month and year). It must also clearly show the car registration number it is displayed in and the residents' address.

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The Council is introducing “virtual” visitor permits that may be applied for by telephone (no actual permit will be issued for display in the vehicle). Details of the permit will then be available to CEOs so that any vehicle that has a valid “virtual” permit will not be issued with a PCN. Visitor permit cards will still be valid.

Motorcycles belonging to visitors are not exempt from the requirement to display a correctly completed scratch card or to purchase a “virtual” permit.

CEOs will issue a PCN to any vehicle not correctly displaying a scratch card as outlined above, and to any vehicle displaying a scratch card that has been tampered with, or to any vehicle that does not have a valid “virtual” permit.

### **2.63 Waivers or Dispensations**

Residents or businesses may apply for special dispensations or waivers which allow a vehicle to park on a yellow line or in a restricted parking bay for a limited period only. The vehicle will be issued with a notice detailing the dates, times and area in which the vehicle may be parked. CEOs will issue a PCN to any vehicle not complying with the terms of with this notice.

### **2.64 Weddings**

The same enforcement principles as for funerals will apply. See appropriate section.

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## **APPENDIX A**

### **CONTRAVENTION CODES AND DESCRIPTIONS**

The following contravention codes and descriptions are the standard contraventions that are currently in use, although not all contraventions will apply in Dorset. A PCN will show the code number and the code description as shown below.

There are two levels of charges applicable, as shown in the column 'Differential level'. The higher level is used for contraventions that are considered more serious, such as parking on yellow lines or school zigzags, whilst the lower level is used for less serious contraventions, such as overstaying the time purchased at a pay and display bay or in a car park. The two levels of charges in use in Dorset are currently £70 (higher) and £50 (lower).

### **Standard PCN Codes v6.5.1**

#### **On-Street**

Code	Description	Differential level	Observation/grace times
01	Parked in a restricted street during prescribed hours	Higher	Goods vehicle - 10 minutes Private car - 5 minutes (see Note 1)
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force	Higher	None
04	Parked in a meter bay when penalty time is indicated	Lower	5 minutes
05	Parked after the expiry of paid for time	Lower	5 minutes (see Note 2)
06	Parked without clearly displaying a valid pay & display ticket or voucher	Lower	5 minutes
07	Parked with payment made to extend the stay beyond initial time	Lower	None
08	Parked at an out-of-order meter during controlled hours	Lower	None
09	Parked displaying multiple pay & display tickets where prohibited	Lower	None
10	Parked without clearly displaying two**** valid pay and display tickets when required	Lower	None
11	Parked without payment of the parking charge	Lower	None
12	Parked in a residents' or shared use parking place or zone without clearly displaying either a permit or voucher or pay and display ticket issued for that place	Higher	5 minutes
14	Parked in an electric vehicles' charging place during restricted hours without charging	Higher	None
16	Parked in a permit space without displaying a valid permit	Higher	10 minutes
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	None
19	Parked in a residents' or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay & display ticket	Lower	None

20	Parked in a loading gap marked by a yellow line	Higher	N/A in Dorset
21	Parked in a suspended bay or space or part of bay or space	Higher	None
22	Re-parked in the same parking place or zone within one hour* of leaving	Lower	5 minutes
23	Parked in a parking place or area not designated for that class of vehicle	Higher	None
24	Not parked correctly within the markings of the bay or space	Lower	5 minutes
25	Parked in a loading place during restricted hours without loading	Higher	Goods vehicle - 10 minutes Private car - 5 minutes
26	Parked in a special enforcement area more than 50 cm <sup>†</sup> from the edge of the carriageway and not within a designated parking place	Higher	None
27	Parked in a special enforcement area adjacent to a dropped footway	Higher	None
30	Parked for longer than permitted	Lower	5 minutes
31	Entering and stopping in a box junction when prohibited	n/a	None
32	Failing to drive in the direction shown by the arrow on a blue sign	n/a	None
33	Using a route restricted to certain vehicles	n/a	None
34	Being in a bus lane	n/a	None
35	Parked in a disc parking place without clearly displaying a valid disc	Lower	None
36	Parked in a disc parking place for longer than permitted	Lower	None
37	Failing to give way to oncoming vehicles	n/a	None
38	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	n/a	None
40	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	None
41	Parked in a parking place designated for diplomatic vehicles	Higher	None
42	Parked in a parking place designated for police vehicles	Higher	None
45	Parked on a taxi rank	Higher	None
46	Stopped where prohibited (on a red route or clearway)	Higher	None
47	Stopped on a restricted bus stop or stand	Higher	None
48	Stopped in a restricted area outside a school when prohibited	Higher	None
49	Parked wholly or partly on a cycle track or lane	Higher	10 minutes
50	Performing a prohibited turn	n/a	None
51	Failing to comply with a no entry sign	n/a	None
52	Failing to comply with a prohibition on certain types of vehicle	n/a	None
53	Failing to comply with a restriction on vehicles entering a pedestrian zone	n/a	None
54	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	n/a	None
55	A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	Higher	None
56	Parked in contravention of a commercial vehicle waiting restriction	Higher	None
57	Parked in contravention of a coach ban	Higher	None
58	Using a vehicle on a restricted street during prescribed hours without a valid permit	n/a	None

59	Using a vehicle on a restricted street during prescribed hours in breach of permit conditions	n/a	None
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Higher	None
62	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Higher	None
63	Parked with engine running where prohibited	Lower	None
99	Stopped on a pedestrian crossing or crossing area marked by zigzags	Higher	None

\* = or other specified time

\*\*\*\* = or other number

† = or other specified distance

## I. Off-Street

70	Parked in a loading area during restricted hours without reasonable excuse	Higher	Goods vehicle - 10 minutes Private car - 5 minutes
73	Parked without payment of the parking charge	Lower	None
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Higher	None
80	Parked for longer than the maximum period permitted	Lower	5 minutes
81	Parked in a restricted area in a car park	Higher	5 minutes
82	Parked after the expiry of paid for time	Lower	5 minutes (see Notes 2 and 3)
83	Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock	Lower	5 minutes (see Notes 2 and 3)
84	Parked with additional payment made to extend the stay beyond time first purchased	Lower	None
85	Parked in a permit bay without clearly displaying a valid permit	Higher	5 minutes
86	Parked beyond the bay markings	Lower	5 minutes
87	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Higher	None
89	Vehicle parked exceeds maximum weight or height or length permitted in the area	Higher	5 minutes
90	Re-parked within one hour* of leaving a bay or space in a car park	Lower	5 minutes
91	Parked in a car park or area not designated for that class of vehicle	Higher	5 minutes
92	Parked causing an obstruction	Higher	None
93	Parked in car park when closed	Lower	5 minutes
94	Parked in a pay & display car park without clearly displaying two**** valid pay and display tickets when required	Lower	None
95	Parked in a parking place for a purpose other than the designated purpose for the parking place	Lower	None
96	Parked with engine running where prohibited	Lower	None

\* = Or other specified time

\*\*\*\* = or other number

**Note 1** - An 'instant' PCN may always be issued in circumstances where the Civil Enforcement Officer concerned has evidence, other than a period of observation, which supports the action of issuing the PCN without observing the vehicle for the minimum periods indicated.

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**Note 2** – A PCN will be issued before 5 minutes observation time if the “paid for” time has already elapsed by 5 minutes or longer.

**Note 3** - Visitors are not permitted time to obtain change away from the immediate area of the P&D machine or car park. Civil Enforcement Officers should observe queues at ticket machines and/or pedestrians who may be seeking change or returning to the vehicle in question, before issuing a Penalty Charge Notice.

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## APPENDIX B

Instant PCNs are issued in all Bus Stops and Taxi Ranks as well as where there are loading restrictions marked by yellow kerb blips or chevrons.

Due to safety reasons or the risk of severe congestion, there are a number of locations where the customary observation time will NOT be given and an instant ticket will be issued. These are:

- **In Car Parks**, if drivers are returning to the vehicle with their shopping without stopping to purchase a P&D ticket on their way past the ticket machine.
  
- **On yellow lines** at the following locations:
  - Corfe Mullen, Towers Way: outside and opposite the Co-op Store
  - Maiden Newton: all double yellow lines
  - Puddletown, High Street: where vehicles block access to residents' drives
  - Dorchester, Bridport Road, outside the local supermarket: this is a main road into Dorchester and there is a free 1 hour car park at the rear of the store. The car park is clearly signed in large letters on the front of the shop and has 40 spaces including 4 for the use of blue badge holders.
  - Dorchester, High East Street and High West Street: these streets form the main road into the town. Vehicles parked on the yellow lines can cause severe congestion for the town.
  - Dorchester, Icen Way: vehicles are causing an obstruction when they are parked on yellow lines near the fast food restaurants and take-aways.
  - St Katherines Avenue, Bridport
  - Outside Banks and Cash points
  - On Bends
  - In Narrow Roads
  - On Pavements

## APPENDIX C

The following list shows the car parks currently enforced by Dorset County Council.

<b>Car Park</b>	<b>Location</b>	<b>Type</b>	<b>Ownership</b>
Marsh & Ham	Blandford	Pay and Display	North Dorset District Council
Church Lane	Blandford	Pay and Display	North Dorset District Council
Eagle House Gardens	Blandford	Pay and Display	North Dorset District Council
Langton Road	Blandford	Pay and Display	North Dorset District Council
Station Court	Blandford	Free	North Dorset District Council
The Milldown	Blandford	Free	North Dorset District Council
Tabernacle	Blandford	Free	North Dorset District Council
Stour Meadows	Blandford St Mary	Free	North Dorset District Council
Chantry Fields	Gillingham	Pay and Display	North Dorset District Council
Gas Lane	Gillingham	Pay and Display	North Dorset District Council
High Street	Gillingham	Pay and Display	North Dorset District Council
Burton Street	Marnhull	Free	North Dorset District Council
Angel Lane	Shaftesbury	Pay and Display	North Dorset District Council
Barton Hill	Shaftesbury	Free	North Dorset District Council
Bell Street	Shaftesbury	Pay and Display	North Dorset District Council
Longmead Ind. Estate	Shaftesbury	Free	North Dorset District Council
Station Road	Stalbridge	Free	North Dorset District Council
Butts Pond	Sturminster Newton	Free	North Dorset District Council
Church Street	Sturminster Newton	Pay and Display	North Dorset District Council
Station Road	Sturminster Newton	Pay and Display	North Dorset District Council
The Bridge Amenity Area	Sturminster Newton	Free	North Dorset District Council
Woolland Hill, Bulbarrow	Woolland	Free	North Dorset District Council
Turberville Road Car Park	Bere Regis	Free	Purbeck District Council
Bonnets Lane East & West	Wareham	Pay and Display	Purbeck District Council
Connegar	Wareham	Pay and Display	Purbeck District Council
Rempstone	Wareham	Pay and Display	Purbeck District Council
Pound Lane	Wareham	Pay and Display	Purbeck District Council
Station Road	Corfe Castle	Permit	Purbeck District Council
Streche Road	Wareham	Pay and Display	Purbeck District Council
West Street	Corfe Castle	Pay and Display	Purbeck District Council
Howards Lane	Wareham	Pay and Display	Wareham Town Council

The following list shows on-street pay and display parking currently enforced by Dorset County Council.

<b>Street</b>	<b>Location</b>	<b>Type</b>	<b>Ownership</b>
Market Place	Blandford	Pay and Display	Dorset County Council
Sheep Market Hill	Blandford	Pay and Display	Dorset County Council
Various Roads	Dorchester	Pay and Display	Dorset County Council
Church Green	Wareham	Pay and Display	Dorset County Council
St John's Hill	Wareham	Pay and Display	Dorset County Council
The Quay	Wareham	Pay and Display	Dorset County Council

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## **APPENDIX D**

### **A History of Updates and Revisions**

Date	Description of Revision
21/01/2011	Appendix B – Page 35 St Katherines Avenue, Bridport - Instant PCN instead of 5 minutes observation.