

STATUTORY INSTRUMENTS

2007 No. 3487

ROAD TRAFFIC, ENGLAND

The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007

<i>Made</i>	- - - -	<i>10th December 2007</i>
<i>Laid before Parliament</i>		<i>14th December 2007</i>
<i>Coming into force</i>	- -	<i>20th January 2008</i>

The Secretary of State for Transport makes the following Order in exercise of the power conferred by paragraph 8 of Schedule 9 to the Traffic Management Act 2004⁽¹⁾.

PROSPECTIVE

Citation, commencement, interpretation and application

1.—(1) This Order may be cited as the Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 and shall come into force on 20th January 2008.

(2) In this Order “the General Regulations” means the Civil Enforcement of Parking Contraventions (England) General Regulations 2007⁽²⁾.

(3) This Order applies only to England.

Commencement Information

II Art. 1 in force at 20.1.2008, see [art. 1\(1\)](#)

Guidelines

2. The guidelines given by the Secretary of State, as appropriate national authority for England, for the setting by enforcement authorities outside Greater London of the level of charges for parking contraventions are those set out in the Schedule.

⁽¹⁾ [2004 c. 18](#). The Secretary of State is the “appropriate national authority” for England for the purposes of Part 6 of the Traffic Management Act 2004 under section 92(1) of that Act.

⁽²⁾ [S.I. 2007/3483](#).

Status: Point in time view as at 10/12/2007. This version of this Instrument contains provisions that are prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

Commencement Information

I2 Art. 2 in force at 20.1.2008, see [art. 1\(1\)](#)

Signed by authority of the Secretary of State for Transport

10th December 2007

Rosie Winterton
Minister of State
Department for Transport

PROSPECTIVE

SCHEDULE

Article 2

GUIDELINES FOR THE SETTING BY ENFORCEMENT AUTHORITIES OUTSIDE
GREATER LONDON OF CHARGES FOR PARKING CONTRAVENTIONS

Scope of guidelines

1. These guidelines apply to the setting by enforcement authorities outside Greater London—
 - (a) of penalty charges and charges for release from immobilisation devices to be imposed by such authorities under the General Regulations; and
 - (b) of charges for removal, storage and disposal to be made by such authorities under section 102 of the Road Traffic Regulation Act 1984⁽³⁾,

in respect of vehicles found on or after 31st March 2008 in civil enforcement areas for parking contraventions.

Commencement Information

- I3** Sch. para. 1 in force at 20.1.2008, see [art. 1\(1\)](#)

Penalty charges

- 2.—(1) Penalty charges for parking contraventions must be set—
 - (a) for higher level contraventions, at the level specified in column (2) of one of the bands in table 1; and
 - (b) for all other contraventions, at the level specified in column (3) of the band selected for higher level contraventions.

(2) The discounted level for a penalty charge which is paid early (that is within 21 days in the case of penalty charges imposed on the basis of a record produced by an approved device under regulation 10(1)(a) of the General Regulations and 14 days in all other cases) must be set—

- (a) for higher level contraventions, at the level specified in column (4);
- (b) for all other contraventions, at the level set in column (5),

of the band specifying the levels of the penalty charges.

(3) The surcharged level for payment of a penalty charge after a charge certificate has been issued must be set—

- (a) for higher level contraventions at the level specified in column (6);
- (b) for all other contraventions at the level specified in column (7),

of the band specifying the levels of the penalty charges.

(3) [1984 c. 27](#); section 120 was amended by the Local Government Act 1985 by the Road Traffic Act [1991 \(c. 40\)](#) section 68 and Schedule 8

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Table 1

(1)	(2)	(3)	(4)	(5)	(6)	(7)
<i>Band</i>	<i>Higher level penalty charge</i>	<i>Lower level penalty charge</i>	<i>Higher level penalty charge paid early</i>	<i>Lower level penalty charge paid early</i>	<i>Higher level penalty charge paid after service of charge certificate</i>	<i>Lower level penalty charge paid after service of charge certificate</i>
1.	£60	£40	£30	£20	£90	£60
2.	£70	£50	£35	£25	£105	£75

(4) An enforcement authority may set penalty charges in accordance with different bands in the table in different parts of its area, provided that all the charges in each part of its area are set in accordance with the same band.

(5) “Higher level contraventions” are those falling within one or more of the descriptions of contravention listed in column (2) of table 2 (on street contraventions) or table 3 (off street contraventions), being descriptions based on Version 6.5 of the Standard PCN Codes used by local authorities engaged in parking enforcement and have the code number shown in column (1) of that table.

Table 2

(1) <i>Code</i>	(2) <i>Description</i>
01	Parked in a restricted street during prescribed hours
02	Parked or loading/unloading in a restricted street where waiting and loading/unloading restrictions are in force
12	Parked in a residents’ or shared use parking place without clearly displaying either a permit or voucher or pay and display ticket issued for that place
14	Parked in an electric vehicles’ charging place during restricted hours without charging
16	Parked in a permit space without displaying a valid permit
18	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited
20	Parked in a loading gap marked by a yellow line
21	Parked in a suspended bay/space or part of bay/space
23	Parked in a parking place or area not designated for that class of vehicle
25	Parked in a loading place during restricted hours without loading
26	Vehicle parked more than 50 centimetres from the edge of the carriageway and not within a designated parking place
27	Parked adjacent to a dropped footway
40	Parked in a designated disabled person’s parking place without clearly displaying a valid disabled person’s badge

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(1) Code	(2) Description
41	Parked in a parking place designated for diplomatic vehicles
42	Parked in a parking place designated for police vehicles
45	Parked on a taxi rank
46	Stopped where prohibited (on a red route or clearway)
47	Stopped on a restricted bus stop or stand
48	Stopped in a restricted area outside a school
49	Parked wholly or partly on a cycle track
55	A commercial vehicle parked in a restricted street in contravention of an overnight waiting ban
56	Parked in contravention of a commercial vehicle waiting restriction
57	Parked in contravention of a coach ban
61	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways
62	Parked with one or more wheels on any part of an urban road other than a carriageway (footway parking)
99	Stopped on a pedestrian crossing and/or crossing area marked by zig-zags

Table 3

(1) Code	(2) Description
70	Parked in a loading area during restricted hours without reasonable excuse
74	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited
81	Parked in a restricted area in a car park
85	Parked in a permit bay without clearly displaying a valid permit
87	Parked in a disabled person's parking space without clearly displaying a valid disabled person's badge
89	Vehicle parked exceeds maximum weight and/or height and/or length permitted in the area
91	Parked in a car park or area not designated for that class of vehicle
92	Parked causing an obstruction

Commencement Information

I4 Sch. para. 2 in force at 20.1.2008, see [art. 1\(1\)](#)

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Charges for the removal, storage and disposal of vehicles

3. Charges for the removal, storage and disposal of vehicles found in a civil enforcement area must be those in table 4.

Table 4

(1)	(2)	(3)
Item	Type of charge	Amount of charge
1.	Vehicle removal charge	£105.00
2	Vehicle storage charge	£12 for each day, or part of day, during which the vehicle is impounded
3.	Vehicle disposal charge	£50.00

Commencement Information

I5 Sch. para. 3 in force at 20.1.2008, see [art. 1\(1\)](#)

Release of vehicle from an immobilisation device under Section 79 of the Traffic Management Act 2004

4. The charge payable under regulation 14(2)(b) of the General Regulations for the release of a vehicle from an immobilisation device must be £40.

Commencement Information

I6 Sch. para. 4 in force at 20.1.2008, see [art. 1\(1\)](#)

Saving for powers of the Secretary of State

5. Nothing in these guidelines prejudices or affects the power of the Secretary of State, under paragraph 8(3) of Schedule 9 to the Traffic Management Act 2004, to permit an enforcement authority to depart from these guidelines.

Commencement Information

I7 Sch. para. 5 in force at 20.1.2008, see [art. 1\(1\)](#)

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PROSPECTIVE

EXPLANATORY NOTE

(This note is not part of the Order)

Part 3 (paragraphs 7 to 9) of Schedule 9 to the Traffic Management Act 2004 provides for the setting by enforcement authorities outside Greater London of the levels of charges under Part 6 of that Act (civil enforcement of traffic contraventions) and requires those levels to accord with guidelines given by the appropriate national authority, except where that authority permits an enforcement authority to depart from the guidelines.

By this Order the Secretary of State for Transport, as appropriate national authority for England, gives to English enforcement authorities outside Greater London the guidelines on charges for parking contraventions set out in the *Schedule*. The guidelines govern the setting of charges which will apply from 31st March 2008.

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from Traffic Management Division, Department for Transport, 2/06 Great Minster House, 76 Marsham Street, London SW1P 4DR (telephone 020 7944 8692) and can be found on the website of the Department for Transport at www.dft.gov.uk/.

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