

Which?

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Parking guide 2012



BPA
MEMBER OF THE
BRITISH PARKING ASSOCIATION



Welcome

With an ever-increasing number of cars clogging our roads, finding somewhere safe and legal to park can be tricky. And we know from the comments on our Which? Conversation website that parking is one issue that consistently makes you see red.



That's why Which? has produced this guide in conjunction with the British Parking Association. Small enough to fit in your glovebox, it takes you through everything you need to know about where to park - whether on the public road or private land - and explains what to do if you get a ticket.

Visit the Which? Car website for more advice about parking and all your other motoring needs, from car reviews to essential safety checks.

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Which? cars editor

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Who polices parking?

Clue: It isn't usually the police. We explain how parking enforcement works

On-street parking

Includes spaces that are not in car parks. In most towns and cities this is enforced by the local authority.

Public off-street parking

Refers to car parks run by, or on behalf of, local authorities.

Private off-street parking

Includes all privately owned car parks and any piece of land used for parking, such as supermarket, hospital, railway station or office car parks.



Traditionally, the police and traffic wardens took care of on-street parking. They issued fixed penalty notices (FPNs) to motorists who were illegally parked, while in council-run car parks, attendants handed Excess Charge Notices (ECNs) to those who hadn't paid or had overstayed. In both cases, if you didn't agree with the fine, you could appeal and argue your case in a magistrates' court. This system is still in use in some areas of the UK, but most towns and cities have now adopted Civil Parking Enforcement.

Civil enforcement

Civil enforcement means local authorities manage streets and car parks, freeing up police resources. Parking attendants, known as Civil Enforcement Officers (CEOs), can issue Penalty Charge Notices (PCNs) to incorrectly parked cars.

Local authorities now operate a 'differential penalty' system, which means that, if you do receive a PCN, the level of the charge will depend on the situation. For example, you'll usually pay more for parking on a double yellow line than for overstaying in your space. If you receive a PCN that you think has been issued unfairly, there is an official appeals process. Find out more on p12.

Private off-street parking is very different. These car parks are unregulated, and essentially governed by the law of contract. If you park in a private off-street area and don't adhere to the rules the operators have specified, you run the risk of

Got your number - how ANPR works



Automatic Number Plate Recognition (ANPR) is used to enforce parking rules on private land. CCTV-style cameras are placed at the entrance and exit to a car park, and timed photographs are taken of the car entering and leaving. The duration of stay is calculated from the times of the two photographs.

If a driver exceeds the maximum duration of stay stated on the parking ticket or car park signage, they will have to pay an additional charge, but will not necessarily receive a ticket there and then. Using the car's registration number, the operator can access the DVLA database and send a charge by post.

As with all methods of enforcement on private land, clear signage is essential. The British Parking Association's code of practice contains recommendations for the size, placement and content of private car park signs, including making it clear that the car park is monitored by ANPR.

receiving a ticket. From October 2012 clamping and towing away on private land will be banned, and there will be an independent appeals service for motorists who believe they have been wrongly given a ticket. Be sure to read signs carefully wherever you park, even if you park in the same place regularly. If there are no clear signs it might be worth finding somewhere else to park.

Before you leave your car...

- Read all the signs carefully.
- Is there a limit to how long you can stay?
- Are you allowed to leave and come back within a certain time?
- Is it a residents' bay or a Blue Badge space? Often these can be next to each other, or the disabled bay may be for a resident permit holder.
- If you have bought a ticket or are using a permit or voucher, make sure that it is clearly visible, and has been correctly marked if required.
- After you close the car door, check the dashboard to ensure the ticket hasn't fallen onto the floor.



On-street signs and lines

Follow these rules and you'll avoid a parking ticket

The best places to park are bays marked on the road with white lines, or off-street parking areas such as multi-storey or surface car parks. In most cases you will need to pay for your parking.

Controlled Parking Zones (CPZs)

These are areas where all streets have a parking restriction, such as residents' parking zones. Entry points have signs telling you that you are entering a CPZ. Restrictions can include No Waiting during specified times (single yellow line), No Waiting At Any Time (double yellow), Permit Holder Only bays or Pay-and-Display parking and Loading bays. CPZs are increasingly being replaced by Restricted Parking Zones (RPZs), which have similar rules but fewer signs, and often no lines on the road.



Temporary restrictions

Police and local authorities can suspend parking, for special events or to allow building site access. Look for temporary signs or 'No Waiting' cones.

Parking bays

Many bays require a permit or voucher, or ask you to pay at a parking meter/pay-and-display machine. When you park in an on-street space, make sure that you have some change for the machine before you get there. Some places even allow you to pay by mobile phone (see p14). If your car straddles more than one parking bay you may get a ticket.

Blue badge scheme

The Blue Badge scheme helps people with mobility problems. It operates throughout most of the UK, although there are some variations between regions. Dispensations for Blue Badge holders include free on-street parking in certain bays and exemption from some parking time limits. Holders can also park on single and double yellow lines (for up to three hours in England, Wales and Northern Ireland, and unlimited time in Scotland), as long as they are not causing an obstruction (except where there is a ban on loading or unloading, or other restrictions) and have correctly displayed their Blue Badge clock showing the time of their arrival. Badge holders cannot park in spaces reserved for other users (such as loading bays or permit holder only bays). Blue Badges don't necessarily apply on private land, and free parking is not always given in local authority car parks - holders should check signs to be sure. Badge holders should receive a booklet with their badge, which gives further details.



You can't park there!

Follow these rules and you'll avoid a parking ticket

Do not park

✗ On the hard shoulder of a motorway, except in an emergency



Restricted Parking



✗ A single yellow marking means loading will be time-restricted and signed. A double kerb marking means there is no loading at any time



✗ Blue Badge holders are exempt from some parking restrictions (see p7).



✗ A single yellow line means that parking is restricted at certain times of the day. There will be a sign to explain when restrictions apply



✗ On a cycle track



✗ On a road marked with double white lines, except to pick up or set down passengers



✗ Where there are red lines on the road (a London red route)



✗ In a tram or cycle lane during its period of operation



✗ On an urban clearway during its hours of operation, except to drop someone off or pick them up



✗ On double yellow lines at any time on any day. Loading is usually permitted, unless there are yellow kerb markings (see left)



✗ In a Blue Badge bay unless you are, or are with, a Blue Badge holder



✗ In front of a dropped kerb, or on verges and pavements. This causes access problems for pedestrians



✗ Where you may obstruct an access route for emergency vehicles – or in front of an emergency exit



✗ On a pedestrian crossing, including the area marked by zig-zag lines



✗ Do not park on land you think could be privately owned but cannot see any signage

Receiving a parking ticket

Got a yellow envelope tucked under your windscreen wiper? These are the types of parking ticket you may receive



**PENALTY
CHARGE
NOTICE**

**DO NOT
IGNORE**

**IT IS AN OFFENCE FOR AN
UNAUTHORISED PERSON TO
REMOVE OR INTERFERE WITH
THIS NOTICE**

It used to be the case that Penalty Charge Notices (PCNs) had to be given to the driver or fixed to the car at the time of the contravention. But now, all local authorities are able to post a PCN to you if the offence is caught on CCTV, or if you drive off before the Civil Enforcement Officer (CEO) can stick the ticket on your windscreen. However, they do have to follow these rules:

■ The CEO must have observed the offence.

Where set observation periods have been agreed, the software on the CEO's handheld computer prevents a PCN from being issued until the observation period has taken place.

■ A CEO must also gather several pieces of information. These include the car registration number, make/model and details of the offence.

Drive-away tickets

It is no longer possible to avoid a PCN simply by driving away. If the CEO has confirmed a contravention, gathered the evidence and created a PCN, it can be served and motorists must follow the appeals process if they consider it unfair. Local authorities can obtain ownership details from the DVLA to pursue the penalty.

Postal tickets

Although postal PCNs can be used when a drive-away has occurred – or if a CEO has been threatened with violence – they can also be used when enforcement has taken place using CCTV in some areas. This can happen where it may be dangerous for a CEO to work – such as a bus lane.

Fixed Penalty Notices

Police and police traffic wardens enforce parking offences with FPNs – to vehicles likely to endanger road users, for example. FPNs are also issued for a wider range of offences in areas that do not operate civil parking enforcement, such as some rural parts of England and Scotland. These tickets are enforced through the criminal justice system, which means the only official means of appeal is to have your case heard in court and plead not guilty. Further information on FPNs can be found on p13.

Excess Charge Notices and Standard Charge Notices. Some local authorities issue these where civil parking enforcement has not yet been adopted. They are processed by the council and, if there's a dispute, enforcement takes place in the local magistrates' court.



Clamping and removal

Streets and public off-street car parks. Although they are legally entitled to clamp and tow, most local authorities don't. But a car may be removed if it is causing an obstruction or if it remains untaxed or uninsured. Bailiffs can also clamp and remove a car to carry out the parking debt-recovery process.

Private land As of October 2012, clamping and towing away on private land will be banned, except in certain situations. In the meantime, anyone who wants to use clamping or remove a vehicle and charge a fee for its release must be registered by the Security Industry Authority (www.the-sia.org.uk). Check any conditions before you park on private land.

Five-step guide to appealing a PCN

1 Start your appeal informally by writing to the council explaining in detail why you disagree with the ticket and enclosing any evidence to support your case. If you write within 14 days of receiving the notice, the early-payment discount period – another 14 days – may be reoffered if a rejection is sent.

2 If your informal appeal is rejected and no payment is received, you will be sent a Notice to Owner (NTO), which officially orders the charge to be paid. You have 28 days from the date of the NTO to either pay or lodge a formal appeal. A postal PCN provides for payment at the discounted rate for 21 days.

3 If you are successful, the council will send you confirmation that the NTO is cancelled. If your appeal is unsuccessful, you will receive a 'Notice of Rejection of Representations', plus a 'Notice of Appeal' form to proceed to the adjudicators if you wish.

4 You can either pay the charge or use this form to make your appeal to the adjudicators within 28 days. The Notice of Appeal form will tell you which adjudicator to write to, and also has information about how to present your appeal. You'll be able to opt for either a postal, telephone or personal hearing. In most cases, the council must also send you a copy of its evidence within 21 days.

5 If you've asked for a postal decision, you will be notified of the week in which your appeal is due to be decided. If you have asked for a personal or telephone hearing, you'll usually receive at least 21 days' notice of the date, time and location.



Parking appeals adjudicators

- **London** parkingandtrafficappeals.gov.uk
- **England and Wales** (outside London): trafficpenaltytribunal.gov.uk
- **Northern Ireland** www.courtsni.gov.uk
- **Scotland** 0131 221 0409 (no website available)

Appealing a parking ticket

If you think you have been unfairly issued with a parking ticket, follow these steps to appeal

All drivers issued with a penalty notice have the right to contest it – but the process varies depending on the type of ticket. Penalty Charge Notices (PCNs) are most common; these allow for a two-stage appeal to the local council, followed by one of four independent parking adjudication services if necessary.

Adjudication services are independent tribunals where lawyers consider appeals that have been formally rejected by councils. Some types of case that can be taken to adjudication include:

- The penalty charge exceeded the relevant amount
- You were not the owner of the vehicle when the alleged offence occurred
- When the car was parked it had been taken without your consent
- You are a hire company and have supplied the hirer's name and address

New rules allow adjudicators to consider mitigating circumstances and direct an authority to refund any money paid.

If you've received a Fixed Penalty Notice (FPN) from the police, you can write to the Police Central Ticket Office at the address on the ticket to register your appeal. If your appeal is turned down, you can contest the ticket in a magistrates' court. For Excess Charge Notices (ECNs), you should appeal to the local authority that issued the ticket.

Above all, if you think your parking ticket is incorrect, make sure you appeal. You can find sample appeal letters to use at www.which.co.uk/parking-appeals

Private car parks

Unlike on-street parking, only the law of contract covers parking on private land. This means that when a driver decides to park in a private car park they are implicitly agreeing to abide by the terms and conditions set out by the car park operator. At present there is no appeals service, so if you do receive a ticket and you feel it is incorrect, you must appeal to the operator that gave you the ticket.

Most car park owners are reputable and honest, but there are a number of less scrupulous operators. In 2007, the British Parking Association (BPA) launched the Approved Operator Scheme to set standards in the industry and make parking fairer for drivers. A list of operators signed up to the scheme is available on the BPA website: www.britishparking.co.uk. The BPA can't help with an appeal but will investigate if one of their members has breached the Code of Practice.

An independent appeals service for private car parks will be launched on 1st October 2012.



More places to park



Parking spaces at hospitals, stations and airports can be in high demand, with their own byelaws and different rules from some other car parks. So be sure to read the signs.

Hospitals

Parking at hospitals in Scotland and Wales is generally free, but most hospitals in England will charge. Concessions are often available for those who park regularly, whether as a patient or a visitor - be sure to ask the hospital about this, and check whether charges are applied to Blue Badge holders.

A recent Which? campaign highlighted the potential stresses of parking at hospitals. We sent Freedom of Information requests to 147 Acute Hospital Trusts in England, asking about the cost of parking, payment options, availability of priority spaces, the number of times they had fined, clamped or towed, and what concessions were available. We also spoke to consumers, 51% of whom said using an NHS car park made visiting hospital more stressful, while 70% said that NHS parking was too expensive. The British Parking Association has also worked with the NHS to produce a Hospital Parking Charter, which many hospitals and private parking operators have signed up to.

Railway stations

Many railway car parks have pay-and-display machines, but the facility to pay by mobile phone is becoming increasingly common.

These phone-based systems work in a variety of ways, but all provide clear instructions and a secure method of payment. All require you to register upfront and then call to buy parking time. Some send warning text messages when your time is nearly up.

There are byelaws that govern how railway car parks are managed, so always check the signs carefully. Even though clamping and towing away will be banned on private land, this may not be the case on railway land.

Airports

Booking in advance for airport parking is usually cheaper and more convenient. The two main options are meet-and-greet operations or long-term car parks with a shuttle transfer service. Always be sure to ask where your car will be stored, and preferably make sure it is covered by the Park Mark scheme (see opposite).

Booking in advance for airport parking is usually cheaper and more convenient. A Which? investigation in 2010 found that cars left with meet-and-greet services were being returned with an unreasonably high number of extra miles on the clock. Make a note of your car's mileage when you drop it off.

Join the conversation

Want to sound-off about parking?

Which?

Few topics get the users of our Which? Conversation website as riled as parking, as these comments show. Visit the site at www.conversation.which.co.uk to have your say.

'I had a ticket issued outside my flat while I had my parking permit displayed, but the council claimed it was partly obscured. I challenged them and they emailed me a photo taken by the parking attendant. True enough, the permit was obscured. By the rain.'

Emma_Campaigner

'My area has just doubled its car park charges – so the local shops will lose my custom.'

Richard

'I'm fed up with cars parked on double yellow or even double red lines. Some people have the arrogance to think they're above this sort of thing.'

Sophie Gilbert

'I recently parked on a street that I thought was free. About 30 minutes later I saw a parking attendant making out a ticket for my car,

so I ran over to check. He said if I got a meter ticket right then, he would refrain from giving me a parking ticket. It shows that sometimes a polite enquiry can work wonders!'

Zerocredit

'A complicated menu, two failed payments, 12 minutes and a potential £3 in calling charges later, I had finally paid for my five minutes' parking.'

Richard Wilson

'Nothing irritates me more than parent and child spaces right outside the supermarket front door. Why not make the little blighters walk for a few minutes?'

Fat Sam

'If hospitals charge for parking, all the revenue should go to the hospital itself.'

DaveL

Park Mark – the safer parking scheme

For safer car parks



The Park Mark scheme is a working partnership between the Police and the British Parking Association (BPA), with the aim of reducing crime in car parks

You can spot the Park Mark tick symbol at thousands of locations, from multi-storées to hotels and hospitals. For a car park to gain the

seal of approval, police-accredited assessors check for appropriate levels of surveillance, lighting, signage and cleanliness. A number of car parks with the Park Mark award have seen vehicle-related crime drop by more than 80%. There are currently around 5,000 Park Mark holders in the UK, and the number is increasing. Find your nearest location by postcode, street name or town at www.parkmark.co.uk.