



Civil Parking Enforcement

Frequently Asked Questions



1. How will enforcement be done?

The Civil Enforcement Officers (CEO's) will patrol all areas of Flintshire where parking restrictions exist and which are covered by a Traffic Regulation Order (TRO). This will include double and single yellow lines, loading and unloading areas, disabled bays, limited waiting areas, taxi ranks and any County Council controlled off street parking areas, etc.

Enforcement officers will issue Penalty Charge Notices (PCNs) to drivers who have parked in contravention of any regulations in force at that time. If you park illegally or in the wrong place on the highway network or Council run car parks, when you return to your vehicle you may find a Penalty Charge Notice (PCN) on your windscreen.

2. When and on what roads will Civil Parking Enforcement take place?

Local Authority enforcement will cover all adopted roads and Council car parks in the Flintshire area except for the A55, A550 and the dual carriageway section of the A494 Trunk Road. Enforcement could be carried out on any day and at any time that a parking restriction is in force. The frequency of patrols will be determined to meet local demands and circumstances.

3. Will the Police be responsible for any parking enforcement?

The Police will not be responsible for enforcing any yellow line restrictions. The Police will continue to issue Fixed Penalty Notices for the following offences:

- » All moving traffic offences.
- » All cases of obstruction to moving traffic such as yellow box junctions etc.
- » Dangerous parking.
- » Any endorsable parking offences.
- » Footway parking where no yellow lines are present.
- » Driving over footways.
- » Where security or other traffic policing issues are involved.

4. How do I avoid getting a PCN?

Do not contravene parking regulations and take notice of all signs and markings when parking. It is your responsibility to park your vehicle correctly and listed below are some examples of where you should not park. If you are not sure check what is on the sign applying to the place where you are parking.

- » In areas where waiting and loading restrictions are in force at the time.
- » In a reserved bay (e.g. for blue badge holders), without correctly displaying a valid permit.
- » At a marked bus stop during prohibited times.
- » On mandatory zig zag lines outside a school or by pedestrian crossings.
- » On a pavement or grass verge behind waiting restrictions in force at that time.
- » In any parking bay in contravention of the car park regulations.
- » For longer than any limited waiting restriction or return to the space within the stated time limit.

5. Is loading and unloading of goods permitted?

Normally yes, whilst undertaking such activities, unless loading restrictions or zig zag markings are also in existence.

6. Can vehicles stop to drop off passengers?

Yes, providing that the activity is not being carried out in an area subject to school keep clear markings or pedestrian crossing zig zag markings.

7. How much will it cost if I get a Penalty Charge Notice?

The Penalty Charge Notice will be either £50 or £70 depending upon how serious the contravention is considered to be. PCN levels and the contraventions deemed to be more serious are set nationally and not by the Council. If the PCN is paid within 14 days of issue, the charge is reduced by 50% (to £25 or £35). It can also increase by 50% (to £75 or £105) if it is not paid within 28 days of a Notice to Owner and a Charge Certificate is issued. Details of how to pay a PCN will be shown on the back of the Notice.

8. What is considered to be a more serious contravention?

Generally any contravention of a yellow line or parking in a bay without displaying an appropriate permit (e.g. disabled bays) is considered a more serious contravention. Contraventions in permitted parking bays (e.g. overstaying the time allowed in a parking bay) would be considered a lesser contravention.

9. What can I do if I don't agree that a PCN should have been issued?

You can challenge the issue of the PCN by contacting the Council's Parking Services' team in the first instance. You must make this challenge within 28 days of the issue date of the PCN. The Council's Parking Services will look into your case and will come to a decision using the current Council policy. If your challenge is upheld, the PCN will be cancelled and you will be informed. If, however, it is not upheld, you will be notified and asked to pay the PCN at the appropriate rate. If you challenge the PCN within 14 days the 50% discount period will be extended until you are informed of the decision.

10. What if I still don't agree with the Council's decision?

Assuming that you haven't paid the PCN a "Notice to Owner" (NtO) will be issued and you will need to either pay the charge or make a further representation(s) to the Council within the next 28 days. The Council must consider your reasons again and if it still rejects your representation(s), you will be sent a rejection notice and the Council will forward your representation(s) to the Traffic Penalty Tribunal for consideration.

11. What is the Traffic Penalty Tribunal?

It is a national independent body set up specifically to hear appeals against PCN's. All Tribunal adjudicators are qualified legal professionals who will look at all the facts of the case and reach a decision as to whether the PCN should be paid or not. Each side can put their case (normally without attending) although it is your right to have an appeal heard and attend the hearing. The decision reached by the adjudicator is final.

12. What happens if I don't pay the PCN after a representation has been rejected?

The PCN will be registered at a special County Court at Northampton when additional court administration fees will be added (currently £7.00 / case). The full value of the PCN will increase by a further 50% and you will be sent a notice of debt registration and given a further 21 days to make the payment.

13. What happens if I still don't pay?

After 21 days have elapsed, the Council can register the warrant and instruct certificated bailiffs to collect the unpaid PCN or seize goods to cover the value of the PCN plus any additional amount added by the Bailiff Company.

14. What can I do if I didn't receive a Notice to Owner (NtO)

You can send a statement (known as a 'witness statement') to the County Court at Northampton who will forward it to the Council. The Council will likely send you a copy of the NtO and the process will re-commence from that point.

15. What can I do if I made a representation but did not receive a rejection notice or I appealed to the Traffic Penalty Tribunal adjudication service.

In both cases you can make a witness statement to the County Court at Northampton who will forward it to the Council. The Council must, in these circumstances, refer the case to the adjudication service

16. How will it affect Blue badge holders?

There will be no changes to the regulations. Badge holders may continue to park on single or double yellow lines for a maximum period of three hours, providing that they do not create an obstruction, except where there is a ban on loading or unloading. The Blue badge must be displayed together with the parking disc showing the arrival time. Where there is limited waiting there is no time limit providing that the badge is displayed.

17. Can vehicles park on yellow lines whilst carrying out building works, removals etc?

In certain circumstances dispensation can be obtained from the Council for specific times to allow for activities such as building works and removals.

18. Will PCN's be issued for parking on a verge or footway?

Notices can be issued to vehicles parking partially or wholly on a verge or footway that is adjacent to yellow lines. If a goods vehicle is parked on a verge or footway a PCN may be issued even if there are no yellow lines. Vehicles parking on footways create obstructions for pedestrians, particularly those with a disability and damage the surface. The Police have the powers to issue Fixed Penalty Notices in these situations.

19. Can I request the removal or amendment of the existing markings?

Restrictions are normally in place for traffic management or safety reasons but occasionally may no longer be required or appropriate. All requests for such changes should be made to the Council's Traffic Section at County hall. Tel 01352 704634

20. Where can I find further information?

For PCN queries contact: Wales Penalty Processing Partnership, P.O. Box 273, Rhyl, LL19 9EJ
Tel: 0845 6056556 Web: www.wppp.org.uk

For all other parking services contact: Flintshire County Council's Parking Services. Tel: 01352 704637 Email: parkingservices@flintshire.gov.uk

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