

Civilianised Parking Enforcement (CPE) Beginning 19/02/09

Civilianised Parking Enforcement is already working in Derby city, and from 19th February 2009 will extend to the remaining county area.

This means that, with certain exceptions, the enforcement of waiting and parking offences becomes the responsibility of the County Council and the police will no longer have the power to deal with these matters.

To answer any queries you may have on this change, please see the FAQs below.

Q. Under CPE, does this mean motorists can park where they like?

No.

Before the decriminalisation of the majority of parking regulations, the police enforced parking offences on behalf of the relevant highway authority, in this case, Derbyshire County Council.

The Civil Enforcement of Parking Contraventions (County of Derbyshire) Designation Order 2009 (Statutory Instrument No.19) has now been laid before Parliament and from 19/2/09, these offences will be enforced by contractors on behalf of the Highway Authority - **the police will no longer be enforcing the vast majority of restrictions.**

Derby City Council has been successfully operating CPE for some time and this change will mean that CPE will be operating throughout the whole of Derbyshire from 19/2/09.

Civil Enforcement Officers (CEO's) will carry out enforcement on behalf of the authorities and will provide an increased level of enforcement under CPE which is likely to increase the probability of a motorist receiving a Penalty

Charge Notice if regulations are contravened either on street or off street in car parks.

Q. How does this affect police enforcement?

With the exception of certain roads, CPE covers the vast majority of roads and car parks within the geographical boundary of Derbyshire.

Some roads are excepted from CPE and these roads are referred to as 'Excluded Roads'. The roads falling into this category have been agreed with Derbyshire Police and comprise the M1, trunk and primary routes within the County where policing responsibility primarily falls to Roads Policing Officers. Police will retain responsibility for all offences, as happens now, on these Excluded Roads. (such as A50, A38 M1)

So 'normal police enforcement service' continues on these excluded roads, what offences can the police still deal with on the other roads?

Police officers will also have sole responsibility **on all roads** for the enforcement of the following offences

Parking on offside at night

Unnecessary obstruction

Wilful obstruction

Police officers will continue to be responsible for any offence committed whilst a vehicle is in motion, for example, contravening access only, no right turn, driving in a bus lane where prohibited, etc.

Police officers will continue to deal with all endorsable offences

So the police are responsible for enforcement on 'Excluded Roads' and certain offences only - parking on the offside at night, unnecessary and wilful obstruction on all *other* roads.

What offences can Civilianised Enforcement Officers (CEO's) issue Penalty Charge Notices (PCN) for?

The common offences which Civilianised Enforcement Officers (CEO's) will issue PCN's for are listed below. 186 No waiting

- **187 Limited waiting**
- **188 Resident's parking bay**
- **189 Parking LGV on footpath or verge**
- **193 Stopping on a clearway**
- **194 Stopping on a bus stop clearway**
- **195 Parking on a taxi rank**
- **100 Unattended - engine running or brake not set**

On 19/2/09, police officers will no longer have the power to deal with the above offences.

I've heard that CEOs AND police officers can issue notices where vehicles are parked within a pedestrian crossing controlled area. How does this work?

Under CPE Regulations a CEO may issue a Penalty Notice to a vehicle parked within a pedestrian crossing controlled area.

This notice is not endorsable, however, if a police officer witnesses such an offence he or she can issue an endorsable fixed penalty ticket with a £60 and 3 penalty points and this overrides the penalty notice which may have been issued by a CEO.

Who is carrying out CPE on behalf of Derbyshire County Council?

Enforcement of Parking will be carried out by **APCOA** (Airport Parking Company of America). This firm successfully manages several other CPE contractors across the country. The firm is based in Birmingham, England APCOA will manage the deployment of CEO's across the county from bases based at Buxton, Chesterfield and Tansley.

Initially, 32 CEO's will be employed to deal with on street and off street parking within their area of responsibility in relation to location and type of offence.

Q. How much will a Penalty Charge Notice cost for a contravention?

Derbyshire County Council and its partner districts/boroughs have agreed National Band 2 for the Derbyshire geographical area. There are two levels at £70 and £50 which are reduced by 50% if paid within 14 days.

Q. Will vehicles be clamped or towed away?

Under CPE Local Authorities will have the powers to clamp and tow but these powers are not planned to be introduced currently.

Q. I am a Blue Badge Holder-how does Civil Parking Enforcement affect me?

The Blue Badge Scheme will continue to operate as before.

If you continue to park in accordance with the Department for Transport Guidance you will be unaffected. Potential or existing Blue Badge holders will be greatly assisted by the following documentation;

- a) '*Can I get a Blue Badge*' - a guide from the Department for Transport for people living in England. Telephone 0870 1226 236.
- b) The Department for Transport '*Circular 03/2007*' new Blue badge Scheme Regulations. Telephone 0870 240 3701 Or e-mail
- c) '*The Blue Badge Scheme-Rights and Responsibilities in England*' from the Department for Transport. Telephone 0870 1226 236.

Motorists should also appreciate that when parking in 'off street' car parks different authorities operate different rules. Some for example only allow Blue Badge holders to park free of charge in specifically marked bays whilst others allow the use of any bay. Similar restrictions may also apply in Residents Parking Zones at all or certain times whereby anyone may need residents permit to park even if they are a Blue Badge holder. The golden rule is to read the signs, lines and information boards in all situations whether on or off street.

Q. Can I get a permit to carry out building work or emergency repairs in areas covered by yellow lines?

This can be possible with the appropriate advanced approval of the local authority.

This will be in the form of a waiver/suspension/dispensation depending on the nature of the enquiry made.

Q. Will I receive a Penalty Charge Notice for parking on the pavement or verge?

You can receive a Penalty Charge Notice if you park wholly or partially on a pavement or verge that is adjacent to yellow lines.

Will there be further CPE publicity?

Yes, CPE is already being publicised: adverts and radio messages are planned and these will become more frequent as the 19th of February approaches.