**The Council of the City of Newcastle upon Tyne (“The Council”)**

## Differential Charging Policy (for contravnetions which took place before 31 May 2022)

# Statement of Purpose

This document outlines the reasoning behind the choice of band 2 charges adopted in Newcastle-upon-Tyne; outlines what the charges are and gives information on the classification of contraventions to be applied for higher and lower level charges.

# Background

Part 6 of the Traffic Management Act 2004 makes provision for differential charging for civil parking contraventions. The “Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007 makes provision for:

* Higher/lower penalty charges depending on the type and seriousness of the contravention.

Local Authorities were given the choice of 2 bands. Each Council may only use one band within the local authority area and there is no scope to use a dual band system across areas of the city.

The Council has adopted **Band 2** penalty charges (as below). This will subsequently help to:

* Discourage parking on yellow lines and thereby alleviate congestion, improve road safety and contribute towards the expeditious movement of traffic across the City;
* Protect parking for key road users such as blue badge holders, HGV’s and residents permit holders;
* Protect dropped kerbs for those persons with mobility problems and parents pushing prams etc.
* Be consistent with the majority of regional partners following consultation and discussion with LTP partners and members of the North East Parking Forum.

# Penalty Charge

The band of the higher/lower level of penalties is as follows:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | (2)  Higher level penalty charge | (3)  Lower level penalty charge | (4)  Higher level penalty charge paid early | (5)  Lower level penalty charge paid early | (6)  Higher level penalty charge paid after service of charge certificate | (7)  Lower level penalty charge paid after service of charge certificate |
|  | **£70** | **£50** | **£35** | **£25** | **£105** | **£75** |

Higher level contraventions

**On-street**

|  |  |
| --- | --- |
| **Code** | **Description** |
| 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 or zone without either clearly displaying a valid permit or voucher or pay and display ticket issued for that place, or without payment of the parking charge |
| 14 | Parked in an electric vehicles’ charging place during restricted hours without charging |
| 16 | Parked in a permit space or zone 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 wholly or partly in a suspended bay or space |
| 23 | Parked in a parking place or area not designated for that class of vehicle |
| 25 | Parked in a loading place or bay during restricted hours without loading |
| 26 | Vehicle parked more than 50 cm from the edge of the carriageway and not within a designated parking place |
| 27 | Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway |
| 28 | Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge |
| 40 | Parked in a designated disabled person’s parking place without clearly displaying a valid disabled person’s badge |
| 42 | Parked in a parking place designated for police vehicles |
| 45 | Stopped on a taxi rank |
| 46 | Stopping 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 when prohibited |
| **Code** | **Description** |
| 49 | Parked wholly or partly on a cycle track ( a formal cycle lane along a section of road or a shared cycle/pedestrian footpath) |
| 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 zigzags |

**Off-street**

|  |  |
| --- | --- |
| **Code** | **Description** |
| 70 | Parked in a loading place or bay during restricted hours without loading |
| 71 | Parked in an electric vehicles’ charging place during restricted hours without charging |
| 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 without clearly displaying a valid permit where required |
| 87 | Parked in a disabled person’s parking space without clearly displaying a valid disabled person’s badge |
| 89 | Vehicle parked exceeds maximum weight or height or length permitted |
| 91 | Parked in a car park or area not designated for that class of vehicle |
| 92 | Parked causing an obstruction |

Lower level contraventions

**On-street**

|  |  |
| --- | --- |
| **Code** | **Description** |
| 04 | Parked in a meter bay when penalty time is indicated |
| 05 | Parked after the expiry of paid for time |
| 06 | Parked without clearly displaying a valid pay-and-display ticket or voucher |
| 07 | Parked with payment made to extend the stay beyond initial time |
| 09 | Parked displaying multiple pay-and-display tickets where prohibited |
| 11 | Parked without payment of the parking charge |
| 19 | Parked in a residents’ or shared use parking place or zone displaying an invalid permit, an invalid voucher or an invalid pay-and-display ticket |
| 22 | Re-parked in the same parking place or zone within the prescribed time period after leaving |
| 24 | Not parked correctly within the markings of the bay or space |
| 30 | Parked for longer than permitted |
| 63 | Parked with engine running where prohibited |

\* = or other specified time

**Off-street**

|  |  |
| --- | --- |
| **Code** | **Description** |
| 73 | Parked without payment of the parking charge |
| 80 | Parked for longer than permitted |
| 82 | Parked after the expiry of paid for time |
| 83 | Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock |
| 84 | Parked with additional payment made to extend the stay beyond time first purchased |
| 86 | Not parked correctly within the markings of a bay or space |
| 93 | Parked in car park when closed |
| 95 | Parked in a parking place for a purpose other than that designated |
| 96 | Parked with engine running where prohibited |

Please note that the contravention codes and descriptions shown above are only those contraventions which are applicable to Civil Parking Enforcement in Newcastle-upon-Tyne.

There are other contraventions and codes which exist but are not applicable in Newcastle as the particular type of bay is not available in Newcastle.

For the full list of higher level contraventions, please consult The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007;

For a full list of the higher and lower level contraventions, please see Annex B of the Department for Transport’s “Operational Guidance to Local Authorities: Parking Policy and Enforcement” which is available on the Department for Transport’s website at <https://www.gov.uk/government/publications/operational-guidance-to-local-authorities-parking-policy-and-enforcement>.