



TECO Parking Enforcement Assessment Guidelines

Introduction

These guidelines have been prepared to ensure the proper and consistent assessment of incidents identified by enforcement officers from recordings taken of parking enforcement zones during their times of operation by approved parking enforcement cameras.

Due to the size of the Transport for London Road Network there are local variations to permissions and exemptions for vehicles on the red route. It is vital that the individual enforcement officers are aware of the particular enforcement regulations pertaining to the individual parking enforcement zones.

These guidelines are intended to complement the assessment of potential contraventions identified on enforcement footage only when used in conjunction with a fully enforceable PEZ.

The CCTV enforcement systems, including the use of continuous recordings and on-screen data, have been developed to ensure that sufficient evidence is recorded to identify the circumstances of an incident including any possible defences, through exemptions and various mitigating circumstances.

The assessment of an incident by an enforcement officer will be undertaken in these stages:

- 1 Has an offence been committed in accordance with the traffic regulation order?

If an alleged contravention has been committed:

- 2 Does one of the conditions or thresholds indicated by the assessment guidelines apply?

A vehicle may be stopped on a parking enforcement zone to pick up or set down passengers or to load and unload goods if these activities are permitted. However, if the activities are not permitted the driver is committing a stopping, waiting or loading offence, and a parking contravention has been committed. The establishment of such an offence will follow normal procedures appropriate for that road. Once it is established that such an offence has been committed, these guidelines will apply with respect to the parking contravention.

These guidelines are not intended to apply to on-street enforcement, although they are commended, as appropriate, for consistency.



The guidelines are set out below. Explanations on these guidelines and how they should be applied follow.

Assessment Guidelines

There are six assessment guidelines:

1. There are no relaxations on days or periods of operation;
2. A five minute threshold applies;
3. Infringements must occur on a marked parking enforcement zone;
4. A continuous 30-second observation period applies for vehicles in order to determine that the vehicle was stationary;
5. A continuous 5-minute observation period applies for vehicles in order to determine that loading or unloading was taking place;
6. On-street enforcement and police action takes precedence.

Guidance on the application of the assessment guidelines

Times of operation

1. There are no relaxations on days or periods of operation

Enforcement will be carried out in accordance with the operational times of the restrictions as defined in the Traffic Management Order relevant to the location.

Commencement of enforcement

2. A five-minute time threshold applies

Enforcement of stopping restrictions (other than 24-hour restrictions) is subject to a threshold of five minutes at the start or end of the operational period. The enforcement of contraventions during these periods should be revised as follows:

Single red lines

A threshold of five minutes at the start or end of the operational period will apply. Contraventions during these 'allowance' periods will not normally be considered. For example, single red controls generally apply from 07:00 to 19:00 hrs. This stopping restriction should be enforced between 07:05 and 18:55 hrs, allowing for a reasonable reading and recall of the correct time by a driver.

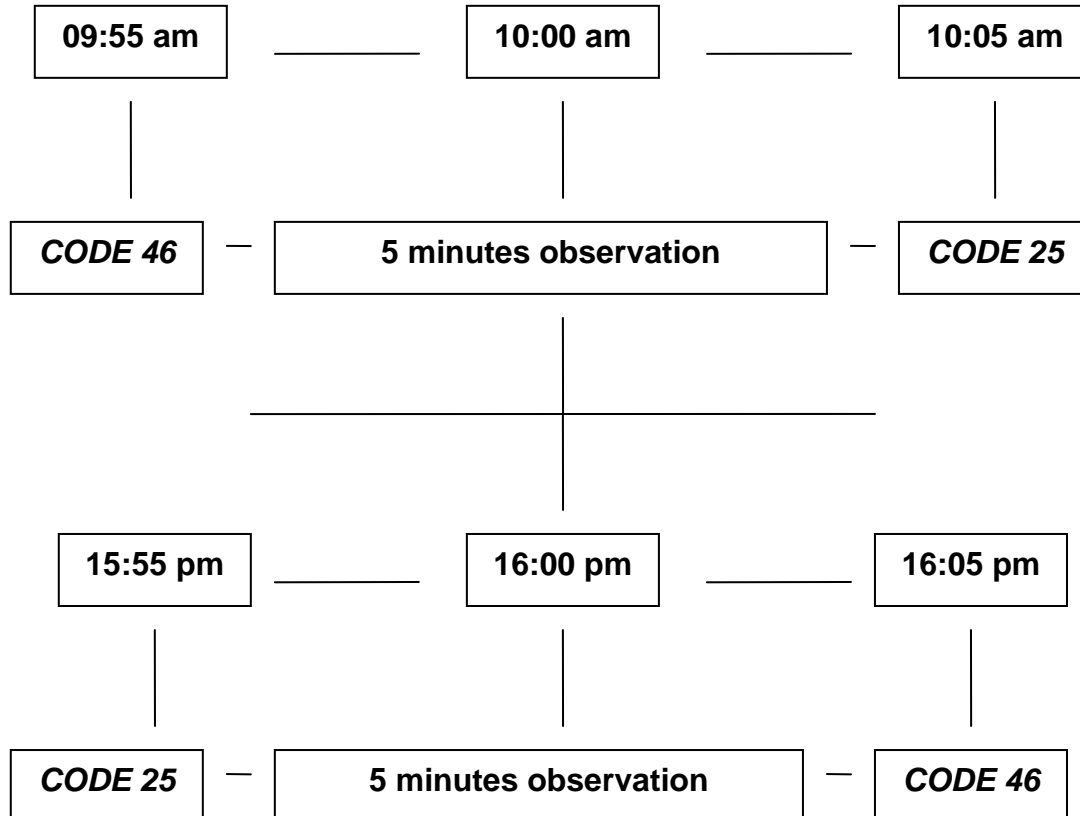


Parking bays

Enforcement of parking bay restrictions is subject to a threshold of five minutes at the start or end of the parking bays operational period. For example, a vehicle parked in a parking bay where restrictions end at 16:00 hrs will not be considered as committing an alleged contravention until observation can begin at 16:05 hrs. This allows for a reasonable reading and recall of the correct time by a driver.

Loading bays

Similarly, enforcement of loading bay restrictions is subject to a threshold of five minutes at the start or end of the loading bays operational period. However, the five-minute threshold does not require enforcement to cease. Instead, the continuous observation period increases from 30 seconds to 5 minutes during this period. This allows for a reasonable reading and recall of the correct time by a driver, and to observe loading or unloading taking place. If there is no evidence of this activity being carried out within the five-minute threshold then a parking contravention has been committed and should be enforced. For example, enforcement during the five-minute threshold of a loading bay operational between 10:00 and 16:00 hrs can be seen in the diagram below:





Extent of parking enforcement zone

3. Infringements must occur on a marked Parking Enforcement Zone

A parking enforcement zone must be clearly marked by the relevant signs and road markings. Where possible, enforcement officers will zoom in on red route regulatory signs adjacent to the PEZ under enforcement at the beginning of an enforcement session.

Entering and leaving a parking enforcement zone

4. A continuous 30-second observation period applies for vehicles in order to determine that the vehicle was stationary

In order to ensure that incidents captured are valid contraventions, all incidents must have 2 context images, to demonstrate that the vehicle was stationary for a minimum of 30 seconds. **Continuous** observation is required for the duration of **any** observation period, to show that the vehicle has not moved from where it was originally sighted and re-parked.

An incident where a driver who exceeds this threshold, within reason, to avoid unduly holding up a permitted vehicle, for example an ambulance, will not be considered. [There are other exemptions, e.g. directed by a police officer – see RTRA 1984]

Setting down and picking up passengers

For the purposes of these guidelines, 'setting down' and 'picking up' is defined as "the activity whereby a vehicle comes to a halt in order to set down or pick up a passenger or passengers and then immediately departs having set down or picked up the passenger or passengers."

Certain categories of road user have specific exemptions with regard to setting down and picking up passengers on no stopping controls ie single red and double red lines, and out of hours red boxes.

Taxis - may stop on a no stopping restriction for such time as is reasonable to permit setting down or picking of up fares. If this activity is not observed, the alleged contravention will be assessed as normal.

Blue Badge Holders (BBHs) - have a similar permission to taxis in respect of setting down or picking up passengers.

An observation period of 30 seconds is required to ensure that the activity is setting down or picking up, as apposed to a driver stopping for a purpose for which there is no exemption (Only apples to Taxis and Blue Badge Holders).

When one of the above categories of road user is observed stationary on a no stopping zone carrying out what **could be** setting down and picking up, an



observation period of 3 minutes is required to ensure that the activity *is* setting down or picking up, as opposed to a driver stopping for a purpose for which there is no exemption.

In the event that a vehicle engaged in this activity is observed on a no stopping restriction and the enforcement officer is unable to check for the presence of a valid blue badge. For example, if the observation is being made by a camera filming the rear of the vehicle, then such a vehicle should not be considered for enforcement activity.

Taxis and BBHs are two specific examples of generic exemptions.

Listed below are the other generic exemptions applicable to vehicles on the TLRN.

No stopping controls do not apply in respect of a person causing a vehicle to stop if that person is: -

- Required by law to cause the vehicle to stop or not proceed
- Obligated to stop the vehicle so as to avoid an accident
- Prevented in proceeding in the vehicle by circumstances beyond the person's control
- Getting or giving help in consequence of an accident or emergency, or otherwise taking action for public safety
- Opening or closing a gate or other barrier at the entrance to premises to which the vehicle is being driven or from which it has emerged if it is not reasonably practicable to cause the vehicle to stop elsewhere for the purpose
- Using the vehicle for fire brigade, ambulance or police purposes
- Using the vehicle in connection with the removal of any obstruction to traffic
- Using the vehicle in connection with the maintenance, improvement or reconstruction of any length of the road in the vicinity

Enforcement officers should check the applicable exemptions of the specific parking enforcement zone to be enforced.

Loading and Unloading

5. A continuous 5-minute observation period applies for vehicles in order to determine that loading or unloading is taking place

In areas where loading and unloading are permitted a continuous 5-minute observation period applies to observe loading or unloading taking place.

For the purpose of these guidelines, 'loading and unloading' can be defined as "the activity where by the vehicle stops to load or unload bulky or heavy goods. The goods must be of a type that cannot easily be carried by one person in one trip – if they can then the vehicle should be parked legally and the goods carried to the premises."



Therefore loading/unloading covers:

- Waiting for goods
- Checking of pre-ordered goods.

However, loading/unloading does **not** cover:

- Collecting goods not pre-ordered
- Shopping, however short time it takes
- Collecting or delivering money from a bank
- Collecting/carrying small fragile goods, for example wine glasses or a tool box.

Guidelines for loading or unloading suggest that activity around the vehicle should be:

- **C**ontinuous
- **A**djacent
- **R**easonable
- **T**imely

If loading/unloading satisfies the above criteria it may be carried out in conjunction with red route waiting restrictions.

Blue Badge Holders – Parts of the TLRN permit BBH parking in loading bays. A vehicle filmed from the rear, stopped in a loading bay when not engaged in loading or unloading may only be considered for enforcement activity when it is confirmed that BBH permissions do not apply to the exempted area.

- Front or rear observation
- Blue Badge displayed
- Blue badge exemption on the parking control sign
- Loading/ Unloading taking place
- Issue PCN/ Disregard

A vehicle filmed from the front **must** include a zoom to the front dashboard to show that the operator has checked for the display of a Blue Badge.

Double jeopardy

6. On-street enforcement and police action will take precedence

An infringement will not be processed if the pictures show that a police officer, a traffic warden or parking attendant having witnessed the incident may have or could have undertaken appropriate enforcement action, including dialogue with the driver.



Double jeopardy could relate to an incident, in so far of the contravention of traffic regulation orders relating to a bus lane, stopping, waiting or loading controls or restrictions. A stationary vehicle may be committing both a stopping, waiting or loading offence and a bus lane offence where the former controls are in force in a bus lane.

Procedures for issues of double jeopardy, where the risk cannot be assessed from the recorded pictures, form part of TfL's processing agent's operational procedures. However, it is recommended that it will be up to the driver to provide adequate proof of a paid penalty or charge or warning for the incident.