



Department for Transport

Traffic and Technology Division
Department for Transport
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Our Ref: DM/FOI/F0017946

11 November 2019

Wayne Pearsall
Email: request-613716-627272e1@whatdotheyknow.com

Dear Mr Pearsall,

Freedom of Information Act Request F0017946

Thank you for your request dated 20 October 2019, in which you have asked the following:

“Statutory guidance for parking enforcement States that a CEO uniform must be 'defined' by a parking authority (usually a local council).

Can you please provide any guidance/memo/circular etc issued to authorities on how a uniform would be defined (made definitive, and not able to be changed on a whim). One would assume that an authority requires a written record of the uniform policy?

Said guidance also states that a number of items should be clearly visible:

- parking enforcement
- ID number
- name of authority
- and that the wearer is a CEO.

Please provide any guidance/circular/ memo/etc provided to authorities on implementation of these requirements.”

And your additional request also dated 20 October 2019, in which you have asked the following:

“Statutory guidance States that a CEO uniform must clearly state that the CEO is engaged in Parking enforcement.

Did this mean that their uniform must state the phrase 'parking enforcement'.

Have you provided any guidance specifically on uniform presentation, recording etc.”

Your request has been considered under the Freedom of Information Act 2000 (“the FOI Act”).

The Department for Transport (DfT) provides guidance to local authorities on how they should enforce parking restrictions in the ‘Secretary of State’s statutory guidance to local authorities on the civil enforcement of parking contraventions.’ This statutory guidance includes the uniforms that Civil Enforcement Officers (CEOs) should wear in section 8.1, which states the following:

“When exercising prescribed functions a civil enforcement officer must wear a uniform. The uniform should clearly show:

- that the wearer is engaged in parking enforcement;
- the name of the local authority/authorities of whose behalf s/he is acting; and
- a personal identity number.”

The prescribed functions are defined in the Traffic Management Act 2004 (TMA), section 78(2)(a) and (b) and section 79. In addition to the Road Traffic Act 1984, section 99. The CEO must wear a uniform when carrying out these functions, which is defined in the TMA, section 76(3).

The statutory guidance is available at –

<https://www.gov.uk/government/publications/civil-enforcement-of-parking-contraventions>

The DfT does not provide further guidance on the uniforms worn by CEOs. It is a matter for the individual parking authorities to decide and they must ensure the uniform conforms with the Regulations.

The statutory guidance states that “the uniform should clearly show that the wearer is engaged in parking enforcement,” however it does not define that the uniform must state the phrase ‘parking enforcement.’

The DfT provides non-statutory guidance to local authorities in England on administering the Blue Badge scheme in the DfT publication, ‘Blue Badge Scheme Local Authority Guidance (England).’ This is available to view at –

<https://www.gov.uk/government/publications/the-blue-badge-scheme-local-authority-guidance-england>

Section 7 of this guidance is about enforcing the scheme. Paragraph 7.35, in particular, refers to the Disabled Person’s Parking Badges Act 2013 allowing a person who is employed by a local authority or who the authority have made arrangements with, for the purpose of inspecting and retaining badges, to carry out badge inspections and retentions without wearing a uniform. They should produce appropriate evidence of authority when exercising this power.

If you are unhappy with the way the DfT has handled your request or with the decisions made in relation to your request you may complain within two calendar months of the date of this letter by writing to the DfT's FOI Advice Team at:

Zone D/04
Ashdown House
Sedlescombe Road North
Hastings
East Sussex TN37 7GA

E-mail: FOI-Advice-Team-DFT@dft.gsi.gov.uk

Please send or copy any follow-up correspondence relating to this request to the FOI Advice Team to help ensure that it receives prompt attention. Please also remember to quote the reference number above in any future communications.

Please see attached details of DfT's complaints procedure and your right to complain to the Information Commissioner.

Yours sincerely,

Aaron Myrie

Your right to complain to the DfT and the Information Commissioner

You have the right to complain within two calendar months of the date of this letter about the way in which your request for information was handled and/or about the decision not to disclose all or part of the information requested. In addition a complaint can be made that DfT has not complied with its FOI publication scheme.

Your complaint will be acknowledged and you will be advised of a target date by which to expect a response. Initially your complaint will be re-considered by the official who dealt with your request for information. If, after careful consideration, that official decides that his/her decision was correct, your complaint will automatically be referred to a senior independent official who will conduct a further review. You will be advised of the outcome of your complaint and if a decision is taken to disclose information originally withheld this will be done as soon as possible.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF