

Appendix C

The Council of the City of Newcastle upon Tyne (“The Council”) Differential Charging Policy

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.

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Penalty Charge

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

(2) <i>Higher level penalty charge</i>	(3) <i>Lower level penalty charge</i>	(4) <i>Higher level penalty charge paid early</i>	(5) <i>Lower level penalty charge paid early</i>	(6) <i>Higher level penalty charge paid after service of charge certificate</i>	(7) <i>Lower level penalty charge paid after service of charge certificate</i>
£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

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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

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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

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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>.