



Department  
for Transport

# Traffic Management Act 2004

## Statutory Guidance to Local Authorities on Bus Lane and Moving Traffic Enforcement Outside London

Moving Britain Ahead

DRAFT

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Contents	
1. Introduction	4
2. Policy Objectives	6
3. Issues to Consider Before Applying for Bus Lane & Moving Traffic Enforcement Powers	10
Formulating and Reviewing Policies	10
Traffic Regulation Orders	10
4. Application Criteria	12
Background	12
Specific Matters to Consider	12
5. Setting Charges	16
6. Financial Objectives	18
7. Communicating and Consulting on Bus Lane and Moving Traffic Enforcement	19
Publicity	19
Traffic Signing	19
Warning Notices	20
8. Appraising the Regulatory Regime	22
9. Training and Professionalism	23
The Exercise of Discretion	23
Back Office and Management Staff	23
10. Enforcement Activities	25
Camera Enforcement	25
Collecting Evidence of Contraventions	25
11. Policy and Administrative Functions	27
Providing a Quality Service	27
Collecting Penalty Charges	27
Issuing the PCN	28
Charge Certificate	28
Persistent Evaders	29
12. Challenges, Representations & Appeals	30
Consideration of Representations	30
Providing False Information	32
Notification of the Outcome of Representations	32
Adjudication	32
Cases Referred Back to the Authority by the Adjudicator	33
13. Use of Enforcement Agents	35
14. Ensuring the Effectiveness of Bus Lane and Moving Traffic Enforcement	36
Reporting	36
Annex A: Traffic Signs Subject to Moving Traffic Enforcement	38
Annex B: Contravention Codes for Bus Lane, Moving Traffic & Higher-level Parking	41

# 1. Introduction

- 1.1 Motorists must comply with traffic restrictions irrespective of whether such restrictions are actively enforced. For where contraventions do occur, the Traffic Management Act 2004 (the TMA) provides a single, coherent regime enabling enforcement authorities (local authorities) to robustly and consistently enforce measures introduced for traffic management and the provision of bus and parking services. This Statutory Guidance is published for local authorities by the Secretary of State for Transport under Section 87 of the TMA. It sets out the policy framework for bus lane and moving traffic enforcement, including how to approach, carry out and review enforcement. It applies to all local authorities in England outside London enforcing bus lane and moving traffic contraventions under the TMA. **However, London enforcement authorities are advised to note paragraph 7.13.**
- 1.2 The Guidance aims to strike the right balance between as much overall consistency as possible, while allowing policies to suit local circumstances; and a system that is fair to the motorist, but also effective in enforcing traffic restrictions. All local authorities<sup>1</sup> in England should use this Guidance in conjunction with the bus lane and moving traffic provisions in Part 6 of the TMA<sup>2</sup>. This document has no special authority on matters of legal interpretation. The regulations take precedence over this Statutory Guidance where there appears to be disparity between them.
- 1.3 Where the guidance says that something **must be done**, this means that it is a requirement in either primary or secondary legislation, and a footnote gives the appropriate provision. In all other instances, Section 87 of the TMA stipulates that local authorities **must have regard** to this Statutory Guidance when developing, implementing and reviewing their bus lane or moving traffic regimes; and in exercising their functions in connection with the associated enforcement activity, local authorities are expected to follow the guidance unless there is a compelling reason for not doing so. Local authorities will be expected to explain any decision not to implement the terms of the guidance, and adjudicators may consider it to be a procedural impropriety, sufficient to allow an appeal if no sufficient explanation is provided. This guidance should also be read in conjunction with the Guidance on Approved Devices<sup>3</sup>, and the Home Office Surveillance Camera Code of Practice<sup>4</sup>.
- 1.4 Enforcement of bus lane and moving traffic contraventions is a legal process. Local authorities should ensure their employees and contractors operating their regimes have a clear understanding of the legal requirements. If uncertain about any aspect of these requirements, local authorities should obtain appropriate legal advice. Where civil enforcement applies, contraventions of bus lane and moving traffic orders may continue to be enforceable as criminal offences as an alternative to the civil enforcement procedure<sup>5</sup>. There can be no double jeopardy for the same contravention between any criminal proceedings by the police and civil proceedings by the local authority. A penalty charge is not payable where criminal proceedings have been initiated or a Fixed Penalty Notice for an offence has been issued under

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<sup>1</sup> Schedule 8 to the Traffic Management Act 2004.

<sup>2</sup> Sections 72 to 93 and Schedule 7 Traffic Management Act 2004.

<sup>3</sup> Civil Traffic Enforcement Certification of Approved Devices

<https://webarchive.nationalarchives.gov.uk/20120608000138/http://www.dft.gov.uk/publications/tma-part-6-certification-of-approved-devices> [To be updated once published]

<sup>4</sup> [Home Office Surveillance Camera Code of Practice](#)

<sup>5</sup> Regulation 8 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

the Road Traffic Offenders Act 1988. If such action takes place, the Penalty Charge Notice (PCN) must be cancelled. If a PCN has been paid, it must<sup>6</sup> be refunded.

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<sup>6</sup> Regulation 8(3) The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

## 2. Policy Objectives

- 2.1 The TMA 2004, which applies to England and Wales, places a network management duty on local authorities. Section 16(1) states: “It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives: securing the expeditious movement of traffic on the authority’s road network; and, facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.”
- 2.2 The duty is central to the decisions local authorities make about their road networks. In its policy statement ‘[Gear Change: A Bold Vision for Cycling and Walking](#)’, the Government committed to look again at the duty itself, and accompanying statutory guidance, to ensure it adequately reflects what it now believes good network management should be; having regard to the imperatives of decarbonisation, encouraging active travel and emphasis on technology.
- 2.3 Against this backdrop, the moving traffic enforcement powers will play a role in helping local authorities outside London meet their network management duty by enabling improved enforcement with consequential benefits to road safety, congestion and air quality. Making the moving traffic enforcement powers available to local authorities nationally also creates parity with London. Moving traffic restrictions can play a part in delivering a range of policy objectives. These include measures to reduce congestion, enable more walking and cycling, reduce rat-running, create more pleasant places to live and work in, and improve road safety. Fair and appropriate enforcement of these restrictions is a key part of delivering the objectives of these schemes.
- 2.4 ‘Gear Change’ also highlights the role of the moving traffic enforcement powers in enabling local authorities to enforce signing of “school streets”. These schemes consist of part-time access restrictions for through traffic during term time, at pick-up and drop-off times. These access restrictions are signed using pedestrian zone signing or the ‘motor vehicles prohibited’ to diagram 619 as prescribed in the Traffic Signs Regulations and General Directions 2016<sup>7</sup>. See [Annex A](#). Access is maintained for residents and other requirements, such as to drop off children who may have mobility difficulties and cannot walk far. School active travel contributes to tackling obesity and school streets can reduce the number of people driving their children to school by up to a third and reduce the risk of casualties by reducing the likelihood of conflict between vehicles, pedestrians and cycles.
- 2.5 Local authorities are important partners in leading change, influencing journey patterns, and promoting more sustainable choices. Well-designed traffic management policies that are enforced effectively can play an important role in achieving change. The Government is committed to an integrated transport network that will address the key challenges of congestion and environmental pollution. Key to meeting these challenges will be measures to enable active travel, through better enforced cycle lanes, school streets and low-traffic neighbourhoods, and public transport use through more punctual and reliable bus journeys.
- 2.6 Buses already play an essential role in the transport system of our urban areas and have a major role to play in our plans for improving public transport services. Buses

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<sup>7</sup> The Traffic Signs Regulations and General Directions 2016.

provide transport for people who are unable to drive themselves - and for those who do not wish to drive - to access work, retail, education, social and leisure activities.

- 2.7 If buses are to fulfil their potential for providing an alternative to the private car for more journeys, local authorities and bus operators must work together to make it easier and more convenient to use bus services. For example, bus services are particularly susceptible to the effects of traffic congestion. Delays to buses increase operating costs and lead to higher fares. Passengers are often deterred from travelling on local buses because of slower and less reliable services and higher fares.
- 2.8 For these reasons, it is worthwhile to introduce traffic management measures to assist the movement of buses. Such interventions can take the form of measures to allow buses to use dedicated lanes or measures that will allow buses to undertake turning movements that are denied to other traffic. Such measures can provide substantial benefits to bus passengers and other road users by allowing faster journey times and more reliable and punctual services. The Secretary of State believes there is greater scope for providing more priority for buses as a contribution to achieving an integrated and efficient public transport network.
- 2.9 More general traffic management measures can also assist the movement of buses. Measures to remove through traffic from congested urban streets can greatly improve road conditions for local buses as well as pedestrians and cyclists. This should be considered alongside the possible impact on surrounding roads.
- 2.10 The provision of bus priority measures together with other moving traffic interventions and their effective enforcement can help to deliver plans to improve the quality and integration of local bus services. A good enforcement regime is one that uses quality-based standards that the public understands, and which are enforced fairly, accurately, expeditiously.
- 2.11 Local authorities should aim to increase compliance with bus lane and moving traffic regulations through clear, well designed, legal, and enforced controls including clear traffic signing which can readily be understood from a moving vehicle. Civil enforcement will help local authorities to effectively deliver wider transport strategies and objectives. Local authorities should never view enforcement in isolation and should use physical enforcement measures, for example build-outs, wherever possible to prevent contraventions. Local authorities should not replace physical enforcement measures with cameras unless the physical measures have been shown to have a detrimental effect on road safety or traffic flow.
- 2.12 Local authorities should design their bus lane and moving traffic policies with particular regard to:
- managing the traffic network to ensure expeditious movement of traffic, (including pedestrians and cyclists), as required under the Network Management Duty<sup>8</sup>;
  - improving road safety;
  - improving the local environment, especially carbon reduction;
  - improving the quality and accessibility of public transport; and managing and reconciling the competing demands for road space;
  - and in this, should consider all sections of the community, including disabled people.

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<sup>8</sup> Section 16 Traffic Management Act 2004.

- 2.13 Local authorities should also ensure that their bus lane and moving traffic policies are integrated with their parking policies, particularly to support local communities and amenities; the need for delivering and collecting goods, and to ensure that conflicting priorities do not arise. For example, loading and unloading should only be permitted in a bus lane if such activity is unavoidable.
- 2.14 Local authorities should run their operations efficiently, effectively, and economically. The purpose of penalty charges is to persuade motorists to comply with the bus lane restrictions, during hours of operation, and moving traffic restrictions, and therefore authorities should set the penalty charge in accordance with the regulations<sup>9</sup> at a level that will achieve compliance. When authorities receive penalty charge payments, they must<sup>10</sup> use them in accordance with the provisions in the regulations.
- 2.15 It is unlikely that the enforcement of bus lane and moving traffic contraventions will be self-financing by itself. There would likely be economies of scale from combining the enforcement of civil parking, bus lane and moving traffic contraventions. Local authorities should consider the indirect financial, environmental, and other benefits that would result from effective bus lane and moving traffic enforcement and take those into account when considering whether to apply for civil enforcement powers.
- 2.16 The with-flow bus lane is the most common form of bus priority measure. This is where a traffic lane is reserved for the use of buses and any other vehicles that are to be given priority. With flow bus lanes enable buses to bypass traffic queues and provide a substantial time saving for passengers. In some cases, it may be appropriate to allow other classes of vehicle – such as taxis or private hire vehicles – to use the bus lane. If a significant number of exemptions is required for access purposes then the scheme may fall outside the bus lane definition<sup>11</sup> and the local authority should consider imposing penalties under Part 4 of Schedule 7 to the TMA powers (i.e. failing to comply with the relevant traffic sign) rather than for being in a bus lane. It will also be important to consider if the restrictions of the bus lane should apply only during peak periods. This will be for the local authority to consider in the face of local priorities and traffic conditions.
- 2.17 Contraflow bus lanes allow buses to travel against the main direction of travel, avoid unnecessary diversions, maintain route patterns, and give better access to business and stopping areas.
- 2.18 Clear signing of bus priorities is mandatory. A Traffic Regulation Order (TRO) under the Road Traffic Regulation Act 1984 must be made to identify the length of the bus lane and to limit its use to those types of bus and other vehicles the authority wishes to allow. All road markings and signs must comply with the TSRGD<sup>12</sup>.
- 2.19 Buses can be given priority at road junctions, either by permitting buses to make turning movements prohibited to other traffic; by giving preference to flows containing a high proportion of buses, e.g. bus only streets or bus gates; or by adjusting signal controls when a bus is detected in the traffic stream. Allowing buses to make a turn that is prohibited to other traffic can give buses a considerable advantage by allowing them to take a shorter route than other traffic.

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<sup>9</sup> Regulation 26 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>10</sup> Regulations 28, 29, 30 and 31 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>11</sup> The Traffic Signs Regulations and General Directions 2016, Schedule 1.

<sup>12</sup> The Traffic Signs Regulations and General Directions 2016.



- 2.20 Implementing the moving traffic enforcement powers recognises the dual imperatives to improve air quality through reduced traffic congestion, and to encourage behavioural shift towards sustainable travel choices by keeping junctions and cycle lanes clear of obstructing vehicles to improve bus reliability and to promote cycling as part of Government's broader policy to further promote active travel choices, post Covid-19. 'Gear Change' highlights the need for local authorities to have the necessary enforcement powers to achieve these benefits.
- 2.21 The TMA does not prescribe the list of traffic signs and road markings subject to moving traffic enforcement on a selective basis, therefore all the prescribed traffic signs and road markings listed in Schedule 7 to the TMA will apply under the Designation Order. The full list of traffic signs subject to moving traffic enforcement is at **Annex A**.

## 3. Issues to Consider Before Applying for Bus Lane & Moving Traffic Enforcement Powers

### Formulating and Reviewing Policies

- 3.1 Local authorities are not required to apply for the bus lane or moving traffic enforcement powers, nor are they duty-bound to enforce all bus lane or moving traffic restrictions. Before applying to the Secretary of State for an order creating a civil enforcement area, local authorities should appraise their bus lane and moving traffic policies and the way those are operating to see which traffic management objectives are being met and where improvements are needed, having regard to the potential effect on surrounding roads. Local authorities should be able to justify the placing of enforcement cameras at specific locations to its Council Members by means of supporting information, for example, accident statistics and congestion data. Unless these policies have been regularly appraised, this can be a major task and sufficient time and resources need to be used if the results are to be of value. Enforcement action should not commence at any location where contraventions could be avoided by reasonable improvements to the highway or to traffic signs, and not until such improvements are made and appropriate monitoring has been carried out. An adjudicator may uphold appeals against PCNs where traffic restrictions are not properly indicated with traffic signs.
- 3.2 If a local authority has not already done so, it should develop civil enforcement policies that are consistent with and contribute to its overall transport policy, including modal shift towards public transport and active travel.
- 3.3 The Secretary of State strongly recommends that the public should have easy access to a local authority's enforcement policies and priorities. This makes a local authority more accountable to its residents and should also help counter accusations that enforcement is being carried out in an arbitrary or unfair way. If a local authority does not already monitor the effectiveness of its policies, this should be put in place as early as possible before enforcement is introduced to judge impacts on road safety and congestion.

### Traffic Regulation Orders

- 3.4 A review of those TROs applicable to planned moving traffic enforcement activity should check whether restrictions indicated by traffic signs and road markings are the same as those authorised by the TRO. If not, they should be made consistent. The Secretary of State will not sign a Designation Order until a local authority's Chief Executive has confirmed in writing that all applicable existing and new TROs, traffic signs and road markings in the proposed civil enforcement area have been reviewed; comply with relevant regulations<sup>13</sup> and guidance on relevant chapters of the Traffic Signs Manual or have special authorisation from the government; are consistent with each other and in a good state of repair.
- 3.5 As part of this process, local authorities should be mindful of their duty under Section 122 of the Road Traffic Regulation Act 1984. Scheme design should be reviewed to look afresh at the measures to be enforced to ensure that there is no location where a motorist would have to contravene the provisions to avoid a road safety or congestion problem. These might include left hand turns where there is a bus lane and yellow box junction where the exit cannot be seen before entering it.

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<sup>13</sup> Principally, the Traffic Signs, Regulations and General Directions 2016 or subsequent editions.

Poorly designed schemes can undermine enforcement overall and give rise to public perception of revenue raising.

- 3.6 A local authority will need to consider whether it is sensible for TRO restrictions to apply beyond the normal working day, during the small hours, and/or at weekends, or whether some restrictions should only apply during night-time hours, to meet local needs and circumstances. A local authority should examine the scope for relaxing or removing existing controls that are no longer appropriate or necessary to meet a traffic management need. Unnecessary restrictions are quickly identified when a local authority becomes responsible for enforcement and can result in complaints and adverse publicity.
- 3.7 The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 provide a simplified and streamlined procedure for "consolidation" and "minor" orders. Substantive changes to TROs will take longer and procedures for any changes that need to come into force on the commencement of civil enforcement will need to be initiated at a suitably early date.
- 3.8 The Department is developing a national model to digitise TROs and considering whether there is a case for a central platform for publishing and sharing data from these digital TROs. This Guidance will be updated to reflect these changes but, in the interim, local authorities should ensure their new TROs are created in a digital format and that those already in place are digitised as soon as practicable. Data from TROs should be placed on a geographical information system and on their website so that accurate, real-time maps can be supplied to contractors and the public can see where and when parking is, and is not, permitted.
- 3.9 It would be expedient for TROs to retain a provision relating to "anything done with the permission or at the direction of a police constable in uniform" to cover emergencies. Once a local authority has powers to civilly enforce road traffic contraventions, its TROs should not cover the means of enforcement or the level of penalty charges, as these are covered in legislation.

## 4. Application Criteria

### Background

- 4.1 Under the TMA, local authorities wishing to undertake civil enforcement of moving traffic contraventions need to apply for an Order designating the local authority as the enforcement authority in their area.
- 4.2 Local authorities considering applying for civil enforcement powers should as a first step contact an official in the below Division to discuss a proposed commencement date and any issues relating to the content of the application. Depending on the level of take-up, it may be necessary to issue Designation Orders in tranches. Local authorities should address correspondence and applications to:  
[Parking.queries@dft.gov.uk](mailto:Parking.queries@dft.gov.uk), or  
Department for Transport  
On-street Parking Policy Team  
Traffic & Technology Division  
Third Floor, Great Minster House  
London SW1P 4DR
- 4.3 Ministers will then consider each application and for moving traffic contraventions are under a statutory duty to consult the appropriate Chief Officer of Police before taking a decision. Local authorities should be prepared to answer questions about their application and provide additional information to help its processing.
- 4.4 For the reasons explained below, the Department for Transport must be satisfied in relation to various matters before a Designation Order can be made. Delays in providing the information fully at the outset may result in delays in the Order being drafted, urgent requests for further information, and tying up of resources for the authority and the Department. Ultimately, this could lead to the Department being unable to agree to meet any proposed coming into force date.
- 4.5 Orders made under Schedule 8 to the TMA (in respect of bus lane and moving traffic enforcement) are made by the Secretary of State. The Act provides that such Orders are statutory instruments which must be laid before Parliament. As such, special drafting rules apply, and they are subject to a high level of scrutiny from Parliamentary Committees. Ultimately, Orders can be annulled by Parliament if they are prayed against by MPs or Lords. The nature and extent of Parliamentary scrutiny means the drafting of the Orders requires particular consideration than might otherwise be the case in respect of local Orders such as TROs. The Orders thus need to be drafted in a very clear and precise manner.
- 4.6 This is particularly the case bearing in mind the need to minimise the risk of a successful legal challenge to PCNs issued in respect of bus lane and moving traffic enforcement on the basis that the area to which the powers apply, or the roads which are to be excluded, are ambiguous and insufficiently clear in the Order.
- 4.7 It is for these reasons that it is important to provide as much information as possible to ensure that the Order is legally robust and achieves the policy aims of the Department and the applying authority. Local authorities are strongly advised to seek advice from their legal advisers when completing the application form.

### Specific Matters to Consider

- 4.8 The name of the applicant local authority must be clearly set out with supporting legal references where necessary. For instance, in the case of a recent structural

change, abolition or other change of name of the authority, references to the legislation (such as a Statutory Instrument) is likely to be required.

- 4.9 The local authority must specify what type of authority it is, i.e. whether it is a county council, a borough council, a district council, a unitary authority, or a metropolitan district council. In the case of a metropolitan district council, the authority must indicate whether it is applying jointly with another metropolitan district council or in respect of its own area only.
- 4.10 County councils or individual metropolitan district councils have the option to apply for designation of moving traffic enforcement powers to cover the whole, or part of, their existing civil enforcement area for parking contraventions (CEA). However, local authorities are encouraged to submit applications for moving traffic enforcement to cover the whole CEA area. This is to minimise the burden on both the administrative process and the parliamentary timetable. Schedule 8 to the TMA specifies that applications from two or more metropolitan district councils acting jointly must cover their whole CEA. In cases where it is not immediately apparent how the authority is entitled to apply for moving traffic enforcement powers (for instance, if it is a single tier authority), the application should also explain why it is entitled to make an application.
- Acceptable: “Bedford Borough Council, as established by article 3(3) of the Bedfordshire (Structural Changes) Order 2008 (S. I. 2008/907)”; or “St Helens Metropolitan Borough Council”.
  - Unacceptable: “Bedford” or “St Helens”.

#### Bus Lanes

- 4.11 The legislative opportunity has been taken to transfer the bus lane enforcement regime outside London from Section 144 of the Transport Act 2000 to the bus lane enforcement provisions in Schedule 8 Part 2 of the TMA. This reflects the original intention when the TMA was introduced. Local authorities’ bus lane regimes will move across to the TMA immediately upon the regulations coming into force, irrespective of whether the local authority intends to apply for moving traffic enforcement powers. Repealing the bus lane regime and reintroducing it under the TMA has discontinued a relaxation introduced by the Deregulation Act 2015, which allowed Ministers to designate bus lane enforcement powers by means of notice (in practice by sending a letter) instead of an Order. This relaxation was not applied to the bus lane enforcement powers in the TMA, so any future designation of an authority for bus lane enforcement will only happen via an Order. However, the practical effect is very limited as the vast majority of local authorities already have these powers and thus are unaffected by this change, as existing bus lane Orders and Notices will remain extant.

#### Moving Traffic Enforcement

- 4.12 Under Schedule 8 to the TMA, only local authorities with existing civil parking enforcement powers may be granted moving traffic enforcement powers; and the area covered by a moving traffic Designation Order may only be within, or co-extensive with, the geographic area already designated as a civil enforcement area for parking contraventions<sup>14</sup>. The Secretary of State will need to consult the relevant Chief Officer of Police before making any Order.

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<sup>14</sup> Schedule 8, Part 2, Paragraph 10 Traffic Management Act 2004.

- 4.13 Applications may be made for the whole, or part of, a local authority area by a county council, or an individual metropolitan district council. Applications may also be made by two or more metropolitan district councils acting jointly, in which case the moving traffic enforcement powers will apply to the whole of their administrative areas. Under the TMA only areas within, or coextensive with, areas already designated as civil enforcement areas for parking contraventions may be designated as areas for moving traffic enforcement.
- 4.14 It is sufficient to formally apply for designation of the moving traffic enforcement powers by means of a letter to the Secretary of State, signed by the Chief Executive. The letter will need to state:
- The full name of the authority applying and the type of authority (e.g. a county council, a unitary authority, or a metropolitan district council);
  - The area to be designated; and
  - Any roads to be excluded.
- 4.15 The letter will also need to confirm that it has been sent with the authority of the Council, and that the Council has already:
- a) Consulted the appropriate Chief Officer of Police;
  - b) Carried out a minimum six-week public consultation on the detail of planned civil enforcement of moving traffic contraventions (rather than whether people agree with the principle of moving traffic enforcement), including the types of restrictions to be enforced and the location(s) in question. This is intended to communicate the rationale for, and benefits of, moving traffic enforcement to residents and businesses, and allow them the opportunity to raise any concerns. There is no requirement for newspaper advertising. Local authorities should consider the full range of media available to them when communicating with the public. They should consider telling every household in the CEA when they propose changes - for example, to the operation of a scheme.
  - c) Considered all objections raised and has taken such steps the Council considers reasonable to resolve any disputes;
  - d) Carried out effective public communication and engagement as the Council considers appropriate, for example using local press and social media, and that this will continue up to the start of enforcement and for a reasonable period thereafter;
  - e) Ensured all moving traffic restrictions to be enforced will be underpinned by accurate TROs, where applicable, and indicated by lawful traffic signs and road markings;
  - f) Ensured all the relevant equipment has been certified by the Vehicle Certification Agency (VCA) specifically for moving traffic contraventions.
- 4.16 When applying for designation of the moving traffic enforcement powers, Chief Executives will also be required to undertake to carry out the steps set out in a-f above in respect of any additional enforcement locations in the future. However, it will not be necessary to seek further approval from the Secretary of State for additional enforcement locations in cases where the whole area has already been so designated.
- 4.17 As part of ensuring that TROs and traffic signs are accurate and lawful, applicant local authorities are encouraged to take the opportunity to identify and remove any signs that are either obsolete or no longer necessary, whether or not relating directly to the restriction being enforced. This will reduce sign clutter, and aid effective enforcement by ensuring drivers are presented with clear information in an uncluttered environment.

- 4.18 Applicant local authorities are encouraged to confer with neighbouring authorities and, where relevant, combined authorities as it is important that road users benefit from a consistent approach to moving traffic enforcement.
- 4.19 Before making a Designation Order, the Secretary of State must consult the appropriate Chief Officer of Police.
- 4.20 Local authorities are not required to enforce every sign or marking; instead, enforcement should only be used to target problem locations. At any location where it is considered that contraventions could be avoided by reasonable improvements to the highway or to traffic signing, such improvements should be made, and appropriate monitoring carried out before enforcement action is considered.
- 4.21 Improvements to signing may include removal of redundant or poorly maintained signs and posts, which have the potential to confuse drivers. Local authorities are therefore encouraged to review their traffic signing in accordance with the 'Golden Rules' as set out in [Chapter One](#) of the Traffic Signs Manual.
- 4.22 To help the certification process, early engagement with the VCA is also encouraged, at: [civil-enforcement@vca.gov.uk](mailto:civil-enforcement@vca.gov.uk).

## 5. Setting Charges

- 5.1 The primary purpose of penalty charges is to encourage compliance with traffic restrictions, not for raising revenue. In pursuit of this, local authorities outside London should adopt the lowest charge level that is consistent with a high level of public acceptability and of compliance. Charging levels are set in regulations<sup>15</sup>. The local authority must<sup>16</sup> ensure that the public knows what charge levels have been set by the local authority by publishing them well in advance of their introduction in such media as to achieve a high level of recognition. They must also publish any subsequent change to the charge levels<sup>17</sup>. The charges must accord with guidelines set by the Secretary of State unless he permits the local authority to depart from the guidelines<sup>18</sup>.
- 5.2 Civil parking enforcement operates a differential parking system, where different parking penalties apply to different contraventions. However, the Secretary of State has set PCNs for bus lane and moving traffic enforcement at the higher penalty charge level as he believes the higher rate would help motorists to better understand the objectives of enforcement and provide a simpler enforcement regime if the same charge level were applied for bus lane and moving traffic contraventions as for parking contraventions. The charge levels for bus lane and moving traffic contraventions will be the same as that for higher-level parking contraventions.

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<sup>15</sup> Regulation 26 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>16</sup> Schedule 9, Paragraph 9 Traffic Management Act 2004.

<sup>17</sup> Schedule 9, Paragraph 9 Traffic Management Act 2004.

<sup>18</sup> Schedule 9, Paragraph 8 Traffic Management Act 2004.





## 6. Financial Objectives

- 6.1 For good governance, enforcement authorities need to forecast revenue in advance. But raising revenue should not be an objective of civil enforcement of bus lane or moving traffic contraventions, nor should authorities set targets for revenue or the number of PCNs they issue.
- 6.2 Enforcement authorities should run their enforcement operations efficiently, effectively, and economically. The purpose of penalty charges is to dissuade motorists from breaking traffic restrictions. The objective of civil enforcement should be for 100 per cent compliance, with no penalty charges. Penalty charges should be proportionate, so authorities should not set them at unreasonable levels. The surplus income from any penalty charge payments received from bus lane or moving traffic enforcement must only be used in accordance with regulations.<sup>19</sup>
- 6.3 Any surplus arising from bus lane or moving traffic enforcement must be applied for all or any of the following:
- the making good to the local authority's general fund of any amount charged to that fund in respect of any deficit arising from its bus lane or moving traffic enforcement, in the four years preceding the financial year in question;
  - for environmental improvement<sup>20</sup> in the enforcement authority's area;
  - meeting costs incurred, whether by the local authority or by some other person, in the provision or operation of, or of facilities for, public passenger transport services;
  - for highway improvement projects<sup>21</sup> in the local authority's area.
- 6.4 English local authorities outside London must keep an account of all income and expenditure in respect of their functions as an enforcement authority for bus lane and moving traffic contraventions.
- 6.5 Local authority civil enforcement should be self-financing as soon as practicable; but compliant applications for civil enforcement of bus lane or moving traffic contraventions will be granted without the scheme being self-financing. However, authorities will need to bear in mind that if their scheme is not self-financing, then they need to be certain that they can afford to pay for it from within existing funding. The Secretary of State will not expect either national or local taxpayers to meet any deficit.

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<sup>19</sup> Regulation 31 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022

<sup>20</sup> Section 1(2) and 1(3) Pollution Prevention and Control Act 1999.

<sup>21</sup> Section 55, Paragraph (4A) Road Traffic Regulation Act 1984.

## 7. Communicating and Consulting on Bus Lane and Moving Traffic Enforcement

- 7.1 The Government's policy document 'Gear Change: a bold vision for cycling and walking', announced the Government's intention to introduce the moving traffic enforcement powers under Part 6 of the TMA. That document highlighted the importance of ensuring motorists are properly informed of the new arrangements for enforcing contraventions of moving traffic restrictions, which have previously only been enforced by the Police.

### Publicity

- 7.2 It is important that the public understand why a local authority has introduced the enforcement regime and what regulations are in place. Motorists and other road users need to be aware that enforcement is about supporting wider transport objectives and keeping traffic moving. Once authorities have finalised their enforcement policies, it is recommended that they publish and promote them openly. There needs to be regular, formal communication after moving traffic enforcement is introduced and when changes are made.
- 7.3 It is also important that motorists and other road users understand the details of the scheme. Unclear restrictions, or restrictions that do not comply with regulations or with the Secretary of State's Statutory Guidance will confuse people, and ultimately undermine the operation and enforcement of the scheme overall. If local authorities detect hot spots where a disproportionate number of PCNs are issued or representations or appeals are being made, that should alert them to a possible need to review the cause. Monitoring of PCN / challenge levels should be carried out from the outset.
- 7.4 Local authorities should consider the full range of media available to them when communicating with the public, including websites, local press, and social media. Any online engagement or consultation materials should comply with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018 to ensure they are accessible to disabled people. They should consider advising every household in the area when they propose changes to the operation of a scheme. Local authorities should also consider how the restrictions will be conveyed to drivers visiting from outside the local authority area.
- 7.5 It is vitally important that authorities should try to work regularly with neighbouring authorities to ensure a consistent approach to enforcement and to share best practice. This is particularly important where bus lanes pass through the areas of different local authorities.

### Traffic Signing

#### Bus Lanes

- 7.6 Local Authorities should check that signs comply with the TSRGD, are up to date, consistent with the TROs and are properly and visibly mounted. This will avoid challenges on the grounds of inadequate, inconsistent, or defective signing. It is important that drivers and riders are alerted to the fact that cameras are being used to enforce bus lane restrictions, camera enforcement signs should be erected in each of the areas to be covered by the system to advise motorists that camera enforcement is in place and to encourage compliance.

7.7 Traffic signs informing road users about camera enforcement must conform to TSRGD<sup>22</sup>. The Department's [working drawings](#) for diagram 878, including the bus lane camera variants, set out the appropriate design.

### Moving Traffic Enforcement

7.8 Prior to the introduction of camera enforcement at specific sites, local authorities should also consider placing temporary 'A-frame' traffic signs<sup>23</sup> on the final approaches. This additional, temporary, and inexpensive, option has the benefit of directly communicating with all motorists, whether or not they are the vehicle owner, including locals who might not expect to encounter enforcement at familiar locations. Guidance on the appropriate use of temporary traffic signs is available in Chapter 8 of the Traffic Signs Manual<sup>24</sup>. Local authorities should consider placing permanent traffic signs to diagram 878 to provide longer term information as to the presence of traffic enforcement cameras to indicate the boundary of the area where moving traffic enforcement is taking place.

7.9 There are only two categories of sign that may be placed on the public highway: prescribed traffic signs and outdoor advertisements, which include public notices. Data handling information is not, in itself, relevant to the journey and is therefore not appropriate for inclusion on traffic signs. Moreover, contact details such as email addresses, websites and telephone numbers are not permitted on traffic signs, which must be assimilated quickly from a vehicle in normal traffic conditions. Such information should instead be placed at the camera location as a public notice; with the font size too small to prevent any attempt to read while driving. Motorists wishing to know the details of the organisation capturing their data should park lawfully at a safe location before proceeding to view the notice, which should not be placed in an unsafe location. The Department for Levelling Up, Housing and Communities is responsible for outdoor advertisement and guidance is available in the document '[Outdoor advertisements and signs: a guide for advertisers](#)'<sup>25</sup>.

### Warning Notices

7.10 To promote compliance by helping motorists understand the seriousness of moving traffic contraventions, for a period of six months following implementation of enforcement of moving traffic contraventions, at each particular camera location, local authorities outside London should issue warning notices for first-time moving traffic contraventions. This also applies to any new camera location in the future.

7.11 The warning notice should set out the six-month period and advise that any further moving traffic contravention at the same camera location would result in the issue of a PCN. It is therefore strongly recommended that accurate records of enforcement commencement dates are maintained.

7.12 Warning notices should be issued in respect of new restrictions, for example at new junctions and new (or major changes to) road layouts; or existing restrictions, such as a long-established box junction, being civilly enforced by camera for the first time.

7.13 Although outside the scope of this statutory guidance, within London where moving traffic contraventions have been enforced for many years, local authorities are expected to issue warning notices for first-time contraventions of the new cycle lane,

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<sup>22</sup> Schedule 11, Part 2, Item 63 (diagram 878) The Traffic Signs, Regulations and General Directions 2016.

<sup>23</sup> Schedule 13, Part 9, Paragraph 1(c) The Traffic Signs, Regulations and General Directions 2016.

<sup>24</sup> Traffic Signs Manual <https://www.gov.uk/government/publications/traffic-signs-manual>.

<sup>25</sup> Outdoor advertisements and signs: a guide for advertisers

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/11499/326679.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/11499/326679.pdf)

cycle route and 'buses prohibited' contraventions (civilly enforceable in London for the first time) when they occur within six months from when enforcement commences in practice.

## 8. Appraising the Regulatory Regime

- 8.1 Local authorities should periodically monitor their bus lane and moving traffic policies, regimes and associated regulatory framework (including penalty charge levels) and should aim for continuous improvement in compliance. This should be done at the same time as they review their plans for enforcing vehicle parking contraventions. They should appraise them when reviewing Transport Plans.
- 8.2 Experience has shown that compliance with the restrictions markedly improves soon after enforcement is commenced. If non-compliance at a particular location persists at the same rate for a long period of time, that should alert the authority to a possible need to review the lay out and signing of the restriction, including warning and advisory signs along the route, considering representations made about drivers' experiences.
- 8.3 Appraisals should take account of any relevant information collected as part of the bus lane and moving traffic enforcement process, in particular about the practical effectiveness of the schemes. They will benefit from interviews with camera operators, who are in a unique position to identify changes to bus lane and moving traffic enforcement patterns, and with office staff, who see challenges and representations and the reasoning behind them. These might, for example, identify specific enforcement issues that should be addressed to improve compliance or reduce costs.
- 8.4 Appraisals should also seek the views of people and businesses with a range of different needs as well as considering the views of the police.
- 8.5 It is recommended that the appraisal should take account of:
- existing and predicted levels of demand for lane space;
  - the improved performance, reliability and punctuality of local bus services;
  - increased levels of active travel if applicable to the restriction;
  - the justification for, and accuracy of, existing TROs;
  - the adequacy, clarity, accuracy and quality of traffic signing and road markings in accordance with the Traffic Signs Manual;
  - policies in neighbouring local authorities, to ensure consistency of approach;
  - the optimum level of compliance with parking, bus lane and moving traffic contravention controls;
  - the level of enforcement necessary for compliance;
  - the number of representations received and outcomes of appeals to the adjudicators;
  - the levels of penalty charges in line with prescribed banding;
  - the need to resource the operation effectively (including staff to consider representations) and ensure that all staff are appropriately trained;
  - the targeting of enforcement at problem locations;
  - impact on traffic flow (i.e. congestion and journey-time outcomes);
  - impact of changes made to the highway layout.
- 8.6 At any location where a local authority believes that the number of contraventions could be significantly reduced by reasonable improvements to the highway or to traffic signs, enforcement should be suspended until such improvements are made.

## 9. Training and Professionalism

9.1 Once a solid foundation of policies, legitimate TROs, and clear and lawful traffic signs and road markings are in place, the success of the enforcement regime will depend on the dedication and quality of the staff that deliver it. It is essential to give staff at all levels the skills and training to do their jobs effectively if the service is to command public confidence and respect. This should also improve the self-esteem and job satisfaction of staff, resulting in higher retention rates. Training should be seen as a legitimate and important aspect of bus lane and moving traffic enforcement running costs.

9.2 Local authorities should provide sufficient staff resource for the volume of work. They should also make sure that those staff, have the skills, training, authority and resources to give the public a high quality, professional, efficient, timely and user-friendly service.

**(Note: there are no ‘informal’ representations when PCNs are sent by post.)**

9.3 Local authorities should ensure that the office staff operating cameras are properly trained to enforce the controls fairly, accurately and consistently. Local authorities should make sure that the officers understand all exemptions.

### The Exercise of Discretion

9.4 The Secretary of State recommends that local authorities set out discretionary policies as part of considering challenges and representations against PCNs. Local authorities may also wish to set out certain situations when a PCN should not be issued. For example, a local authority may wish to consider issuing a written warning rather than a PCN in appropriate circumstances. The local authority should have clear policies, instructions and training for officers on how to exercise such discretion and authorities should publish their policies.

9.5 Local authorities should always bear in mind that it could constitute a procedural impropriety not to consider representations properly and an adjudicator may allow an appeal if it is found that there was procedural impropriety on the part of the authority.

### Back Office and Management Staff

9.6 All staff directly involved with enforcement should be trained in general enforcement procedures and any special requirements of the authority. Not all aspects of general training will be relevant to all authorities, but the majority will be.

9.7 Back office processes are important and office staff need similar levels of skill, training and professionalism to Council Officers. Training needs to take place before they start work and at regular intervals thereafter whether personnel are employed directly by the authority or via a contractor. This is important for the ongoing improvement of the service provided where both appeals staff and CEOs can share learning. A local authority is responsible for ensuring that an appropriate training programme is in place.

9.8 Enough staff should be provided for the volume of work, and authorities should also make sure that those staff (whether employed directly by the authority or by a contractor) have the skills, training, authority and resources to provide a high quality, professional, efficient, timely and user-friendly service. Local authorities that outsource any part of enforcement to private companies should ensure that the contractor fulfils all the requirements for the authority itself. However, local

authorities must, themselves, handle and consider representations, reflecting their responsibility for the policy.

9.9 In addition to issues about which all the staff and contractors of the authority need to know, back office, supervisory and managerial staff will also need training that includes:

- Government transport policy and objectives and the role of road traffic contraventions regulations and enforcement in delivering it;
- The legal nature of and framework for civil enforcement;
- Applying the authority's published policies;
- Contravention codes and descriptions, and their appropriate use;
- Considering challenges and representations; and
- Mitigation.



## 10. Enforcement Activities

### Camera Enforcement

- 10.1 Local authorities outside London may issue PCNs for bus lane and moving traffic contraventions only based on evidence from a camera and associated recording equipment (an “approved device”). Such devices must<sup>26</sup> be approved by the Secretary of State before they can be used for this purpose.
- 10.2 The approval of the Secretary of State is accompanied by Guidance<sup>27</sup> issued by the Government. That Guidance makes it clear that the image of the vehicle and contravention must be reviewed by a properly trained Council Officer who should be satisfied that the image clearly established the contravention before the decision is taken to issue the PCN. If the image has not been viewed, or for any reason is not in compliance with the VCA requirements the image is rendered inadmissible as evidence of the contravention. It is recommended that a record is kept of who viewed the image and authorised the issue of the PCN and when that happened. Ideally this should be incorporated in the PCN processing system. The Council Officer must be fully trained in all aspects of the potential contravention being assessed, including the relevant exemptions. For example, a Council Officer must be aware of the right turning exemption for box junctions markings and know that the contravention can only occur due to circumstances present when a vehicle enters the box, and not as the result of anything unexpected occurring subsequently.
- 10.3 If requested to do so, the authority must send a clear copy of the record of the contravention to the vehicle owner<sup>28</sup>, in the form of a still image showing information relating only to the vehicle in question. The authority may also provide a URL reference to an online moving image. Provided that cameras on board buses meet the requirements of the Secretary of State (i.e. that the cameras are “approved devices”) they can be used to collect evidence of bus lane and moving traffic contraventions and so support the issue of PCNs.

### Collecting Evidence of Contraventions

- 10.4 The local authority must provide evidence of the contravention from the record of an approved device<sup>29</sup>. These data should be kept until payment has been received or all the legal processes related to pursuing payment of the penalty or any representations/ appeals have been exhausted. The Secretary of State recommends that appropriate quality checks on evidence are carried out periodically.
- 10.5 Local authorities should disclose their evidence at the earliest possible opportunity. PCNs may be served by first class (but not second class) post<sup>30</sup> to the owner of the vehicle, whose identity is ascertained from the Driver and Licensing Agency (DVLA). Regulations will require all postal PCNs to be sent within 28 days of the

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<sup>26</sup> Traffic Management Act 2004, Section 92, and Regulation 4 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>27</sup> Guidance on the Certification of Approved Devices to Local Authorities on the Civil Enforcement of Road Traffic Contraventions: bus lane, moving traffic contraventions and parking [To be updated once published].

<sup>28</sup> Regulation 3(3) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>29</sup> Regulation 7 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>30</sup> Regulation 3(2)(a) The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

contravention. Regulations will set out what information must<sup>31</sup> be stated on a PCN. This will include:

- vehicle registration mark;
- detailed location of vehicle;
- the contravention code; and
- PCN number (all PCNs should be uniquely identifiable).

**10.6** Any vehicle that is parked or loading in contravention of the TRO will be subject to the Regulations governing civil parking enforcement. This includes parking or loading restrictions in bus lanes and mandatory cycle lanes as indicated by traffic signs, road markings and kerb markings.

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<sup>31</sup> Paragraphs 2 and 3 in Schedule 2 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

# 11. Policy and Administrative Functions

## Providing a Quality Service

- 11.1 In line with the general principles of good regulation, any enforcement function to which this Guidance applies should be carried out in a way which is transparent, accountable, proportionate and consistent; and should be targeted **only where action is needed to maintain safe and free-flowing traffic**. Processes must comply with all relevant primary legislation, regulations, TROs and administrative law. It would be prudent for authorities to obtain appropriate legal appraisal of their draft documents and proposed procedures before implementation.
- 11.2 Local authorities should deal with motorists promptly and professionally. Local authorities are encouraged to set time and quality performance indicators for dealing with queries, in addition to any statutory time limits and those set down in this Guidance. They should report on performance against these indicators in their annual report.
- 11.3 Local authorities should remember that an appeal is a judicial proceeding and that time limits laid down in regulations or set by adjudicators must be adhered to strictly. Local authorities should respond promptly to contacts from the adjudicator concerning appeals.
- 11.4 It is recommended that local authorities should offer motorists flexible and efficient ways to contact them, by at least one method, including e-mail and telephone. They should ensure there is an adequate audit trail to defend any accusations of unfairness.

## Collecting Penalty Charges

- 11.5 The penalty charge is usually payable by the owner<sup>32</sup> of the vehicle unless the vehicle was hired at the time of the contravention.
- 11.6 Local authorities should offer motorists a range of facilities for paying penalty charges. Where they use payment centres, authorities should make sure that these are safe and accessible. Local authorities should make sure that any payment facility (particularly telephone and online payments) can confirm any amount outstanding if part payment only has been received. Local authorities should not charge an additional surcharge (i.e. towards administrative costs) for a particular method of payment. The penalty collected must adhere to the Guidelines.
- 11.7 If there are unusual delays with the postal system, authorities should make allowances for late payments made by post when considering whether a payment was received within the statutory period. This will also apply to representations. Local authorities may wish to keep the envelope that the payments came in, as the franking can be used as evidence of the date of posting. It is recommended that authorities use their discretion to extend payment periods where it seems reasonable to do so.
- 11.8 A PCN is deemed 'paid' as soon as the payment is received within the relevant period at any payment office belonging to the enforcement authority that issued the PCN. When the payment of the PCN is received in full, the enforcement authority should promptly close the case. A local authority's systems should accurately record

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<sup>32</sup> Regulation 6 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

the day on which it receives the full payment of the PCN so that no further enforcement action is taken.

- 11.9 Where the local authority receives full payment within the period of 21 days beginning with the date of service of the PCN, it must<sup>33</sup> accept the discounted amount. The Secretary of State has determined that the discounted amount must be set at 50% of the penalty charge<sup>34</sup>. The authority should then close the case. This is similar to the arrangement that applies to civil parking enforcement.

## Issuing the PCN

- 11.10 The ‘vehicle owner’ is defined<sup>35</sup> as the person by whom the vehicle is kept, which is presumed to be the person in whose name the vehicle is registered with the DVLA, unless the contrary is proved. The PCN must therefore be served on the registered keeper.
- 11.11 There is no Notice to Owner procedure for bus lane and moving traffic contraventions. Where a photograph or other camera evidence shows the contravention taking place, it is recommended that authorities send this with the PCN, since it is helpful for the vehicle owner to see the evidence. Local authorities must also specify on the PCN the statutory grounds on which representations will result in a penalty charge being cancelled.
- 11.12 The PCN is deemed to have been served on the date two days following the date on which the PCN was posted. PCNs may be served by first class (but not second class) post within the period of 28 days beginning with the date of the contravention. This period can be extended where keeper details cannot be supplied by the DVLA. A suitably senior local authority officer should review all cases in which a delayed PCN is being considered because of a problem in obtaining data from the DVLA.

## Charge Certificate

- 11.13 The Charge Certificate informs the vehicle owner that the penalty charge has been increased because the PCN has not been paid and that action will be taken to recover the sum through the County Court if it is not paid within 14 days. The Secretary of State has determined that the increase in the penalty charge must<sup>36</sup> be set at 50%.
- 11.14 The authority may issue a Charge Certificate where the penalty charge has not been paid and all avenues for making representations or for appealing have been exhausted.
- 11.15 Where representations have been made and rejected, and no appeal has been made, the enforcement authority must not<sup>37</sup> issue the Charge Certificate before the end of 28 days beginning with the date on which the Notice of Rejection was served.
- 11.16 Where cases go to adjudication, authorities must not<sup>38</sup> issue a Charge Certificate before all due processes have been completed. If an appeal is made and withdrawn

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<sup>33</sup> Schedule 3, Paragraph 1 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>34</sup> Schedule 3, Paragraph 1 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>35</sup> Section 92 Traffic Management Act 2004.

<sup>36</sup> Schedule 3, Paragraph 1 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>37</sup> Regulation 21(1) The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>38</sup> Regulation 21(1) The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

before the hearing the authority may, after 14 days beginning with the date on which the appeal was withdrawn, issue the Charge Certificate. If a local authority issues a Charge Certificate before an appeal is decided, the adjudicator may then cancel the PCN on the grounds of procedural impropriety. The authority should also be instructed to cancel the void Charge Certificate.

- 11.17 If the penalty charge has not been paid 14 days after the Charge Certificate was served, the authority may apply to the Traffic Enforcement Centre at Northampton County Court to recover the increased charge as if it were payable under a county court order. Although authorities are not obliged to consider late representations, they should nevertheless exercise discretion in appropriate cases.

## Persistent Evaders

- 11.18 Some vehicle owners contravene road traffic regulations deliberately and often and fail to settle the debts they incur. Usually, this is because the vehicle keeper is not registered or is not correctly registered on the DVLA database, and the owner is confident that they can avoid paying any penalty charges.
- 11.19 Where a vehicle appears to be registered in the UK, but the identity and address are not registered or are not correctly registered on the DVLA database, authorities should consider making the information available to the police who can, if appropriate, investigate any criminal offence. Local authorities should therefore develop clear strategies for taking action against vehicle owners who persistently fail to pay PCNs for bus lane or moving traffic contraventions.

## 12. Challenges, Representations & Appeals

- 12.1 The vehicle owner (or the person whom the local authority believes to be the owner) may challenge the issuing of a PCN at two stages:
- An owner may make a representation to the local authority against the PCN.
  - If a representation is rejected the owner may appeal against the Notice of Rejection to an independent adjudicator.
- 12.2 It is in the interests of the authority and the motorist to resolve any dispute at the earliest possible stage. Local authorities should always give representations objective and impartial consideration.
- 12.3 A local authority has discretion to cancel a PCN at any point throughout the enforcement process. It can do this if the authority deems it to be appropriate in the circumstances of the case. Under general principles of public law, authorities have a duty to act fairly and proportionately<sup>39</sup>. Local authorities are encouraged to exercise discretion sensibly and reasonably and with due regard to the public interest.
- 12.4 Local authorities have a duty<sup>40</sup> not to fetter their discretion, so should ensure that PCNs, leaflets and any other advice they give do not mislead the public about what they may consider in the way of representations. They should approach the exercise of discretion objectively and without regard to any financial interest in the penalty or decisions that may have been taken at an earlier stage in proceedings. Local authorities should formulate their policies on discretion with advice from their legal department and should publish them. They should apply these policies flexibly and judge each case on its merits. A local authority should be ready to depart from its policies if the particular circumstances of the case warrant it.
- 12.5 The process of considering representations and defence of appeals is a legal process that requires officers dealing with these aspects to be trained in the relevant legislation and how to apply it.

### Consideration of Representations

- 12.6 Local authorities must not contract out the consideration of representations made following the issue of a PCN for bus lane or moving traffic contraventions. Handling representations is a quasi-judicial function. However, local authorities may consider working together such that one authority deals with representations on behalf of several authorities.
- 12.7 Where bus lane and moving traffic enforcement and associated operations are done by in-house staff, there should be a clear separation between the staff that decide on the issuing and processing of PCNs and the staff that decide on representations. This is particularly important for cases referred back by the adjudicators. It ensures that decisions are impartial.
- 12.8 Elected Members and unauthorised staff should not, under any circumstances, play a part in deciding the outcome of individual challenges or representations. This is to ensure that only fully trained staff, make decisions on the facts presented. The authority's standing orders should be specific as to which officers have the authority to cancel PCNs. There should also be a clear audit trail of decisions taken with reasons for those decisions.

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<sup>39</sup> Failure to act in accordance with the general principles of public law may lead to an application for a judicial review.

<sup>40</sup> As above.

- 12.9 The grounds on which representations may be made are set out in the Regulations<sup>41</sup> and must<sup>42</sup> be stated on the PCN. Local authorities must<sup>43</sup> consider representations made on these grounds.
- 12.10 The TMA Regulations will extend a ground of appeal already available under civil parking enforcement to bus lane and moving traffic enforcement; namely that there was a procedural impropriety on the part of the local authority. A vehicle owner also has a right to set out compelling circumstances, which the authority must consider. The authority is under a duty to consider ‘compelling reasons’ and these should be given equally objective and impartial attention as the other grounds. For cases relating to contravention of bus lane restrictions, it is generally considered that compelling reasons would apply only where it could be shown that entry into a bus lane was unavoidable, for example to avoid or prevent an accident, in the case of a medical emergency, or where the restriction was not adequately signed.
- 12.11 The following are good principles to follow when accepting representations from rental or leasing companies:
- A rental or lease agreement can be for any fixed duration, by agreement of both parties beyond the prescribed six-month duration;
  - A statement of liability must be signed by the customer accepting responsibility for penalty charge notices;
- The key information required other than the statement of liability should be:
- Name or Company Name;
  - Address at the time of hire or lease;
  - Vehicle make and model;
  - Start and end dates of the hiring agreement.
- 12.12 Failure to consider representations properly may amount to a procedural impropriety and an adjudicator may subsequently allow an appeal on that ground if it is evident that the actual representations were not considered and addressed.
- 12.13 Representations must be made within 28 days of service of the PCN. Local authorities have the discretion to accept late representations, and the Secretary of State would encourage them to use this discretion when a vehicle owner gives a valid reason for the delay and has strong grounds for representations.
- 12.14 The local authority must<sup>44</sup>, having considered the representations and any supporting evidence against a PCN, serve notice of its decision on the person making the representations within 56 days of the service of the representations. The 56-day period in the Regulations should be seen as the maximum period and authorities should aim to decide representations as quickly as possible.
- 12.15 If a local authority accepts a representation against a PCN, it must<sup>45</sup> cancel the PCN and refund any sum already paid. Cancellation does not prevent the authority from serving another PCN for the same contravention on another person<sup>46</sup>. Where a response or notice of decision is likely to be delayed for any reason, the local authority should acknowledge receipt of the representation and explain the representation process, including when a decision notice will be dispatched.

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<sup>41</sup> Regulation 5(4) and 8(6) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>42</sup> Regulation 3 The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>43</sup> Regulation 6(4) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>44</sup> Regulation 6(3) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>45</sup> Regulation 6(5) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>46</sup> Regulation 6(8) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

## Providing False Information

- 12.16 A person who recklessly or knowingly makes a representation to a local authority or adjudicator which is false in a material particular is guilty of an offence, and on summary conviction may be liable to a fine of any amount.

## Notification of the Outcome of Representations

- 12.17 Once a local authority has come to a decision about a representation, it should promptly tell the person making the representation (usually the registered keeper as registered with the DVLA) what they have decided to do and why. This may still be done via first class post, or by email with the prior consent of the registered keeper. If the person making the representation is not the owner (but is acting officially on their behalf) the owner should be informed, where possible, of the decision.
- 12.18 If the authority rejects the representation, it must<sup>47</sup> serve a notice of rejection (NoR) to the registered keeper, either by first class post to the address registered with the DVLA or to the email address provided by the registered keeper, stating that it will within 28 days issue a Charge Certificate unless the PCN is paid, or an appeal made to an adjudicator. The notice of rejection must<sup>48</sup> set out the general form and manner in which an appeal can be made and the nature of the adjudicator's power to award costs against either party. The information about the Traffic Penalty Tribunal, that the Adjudicators require to be given in the Notice of Rejection should be followed, and this may cover the statutory requirements. In addition to the minimum required information, the authority should give the owner clear and full reasons for its decision on a representation. Feedback is important to improve the representations and appeals procedure and help prevent unnecessary appeals. Local authorities should take note of any patterns discerned from representations as these may imply that action is required. They should also take account of reasons the adjudicator gives in relation to an appeal and apply the principles to future consideration of representations.
- 12.19 If the representations have been made by email or through the authority's website the Notice of Rejection may be emailed to the registered keeper. This provides a more immediate and responsive service and begins to establish the 'digital by default' initiative. If, following an unsuccessful representation, a local authority decides to offer a new discount period for prompt payment, it should set out the dates of this period in the Notice of Rejection.

## Adjudication

- 12.20 The adjudicators for the bus lane and moving traffic enforcement are also the adjudicators for civil parking enforcement<sup>49</sup> and there is a common process set down in the TMA regulations. The adjudicators are wholly independent.
- 12.21 If a local authority rejects a formal representation, the person who made the representation has the right to appeal to an adjudicator within 28 days of the date of service of the NoR<sup>50</sup>. An adjudicator has the discretion to consider an appeal made

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<sup>47</sup> Regulation 6(6) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>48</sup> Regulation 6(6) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>49</sup> Regulation 16 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.

<sup>50</sup> Regulation 7(2) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.



after 28 days in appropriate circumstances. The grounds for appeal are the same as those for formal representations and are set out in the Regulations<sup>51</sup>.

- 12.22** If an adjudicator allows the appeal, the adjudicator may issue appropriate directions for giving effect to its decision, including a direction to the authority to cancel the PCN and refund any sum already paid in respect of the penalty charge. The authority must<sup>52</sup> comply with any direction without delay.
- 12.23** Where the adjudicator has questioned or criticised a local authority's traffic signing, that authority should review the particular case, review the traffic signing and consider applying the effect of the adjudicator's decision to other cases.
- 12.24** The adjudicator's decision is final, subject to the limited circumstances where the regulations permit the decision to be reviewed by the same or a different adjudicator<sup>53</sup>. For example, if either party considers that fresh evidence has come to light that was not available or could not have been envisaged at the time the decision was made.
- 12.25** No further challenges can be made other than on a point of law through an application for judicial review to the High Court.

### Cases Referred Back to the Authority by the Adjudicator

- 12.26** An adjudicator must allow an appeal if one of the statutory grounds for appeal applies. Where a contravention has taken place, but the adjudicator considers that the local authority should have used its discretion to cancel the PCN, the adjudicator may refer the case back for the local authority to reconsider<sup>54</sup>. Such cases should be directed to the Office of the Chief Executive and a decision must<sup>55</sup> be notified to the appellant and the adjudicator within 35 days from the notice of the adjudicator's recommendation. If the local authority does not notify a decision within this period, it is deemed to have accepted the adjudicator's recommendation and must<sup>56</sup> cancel the PCN and refund any sum paid. The local authority must<sup>57</sup> have regard to the reasons given by the adjudicator for the recommendation. Where the authority does not accept this recommendation, it must<sup>58</sup> notify the adjudicator and the appellant of the reasons for its decision before issuing the Charge Certificate.
- 12.27** If the local authority decides to accept the recommendation of the Adjudicator, it must<sup>59</sup> cancel the PCN as soon as possible and refund any sums paid in relation to the PCN within the 35-day period. It must also notify the adjudicator that the recommendation has been accepted so that the outcome of the case can be fully recorded in the Adjudicators' register.

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<sup>51</sup> Regulation 10 The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>52</sup> Regulation 7(7) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>53</sup> Paragraph 12 of Schedule 1 The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>54</sup> Regulation 13(6) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>55</sup> Regulation 13(8) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>56</sup> Regulation 13(12) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>57</sup> Regulation 13(8) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>58</sup> Regulation 13(9) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.

<sup>59</sup> Regulation 13(11) The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022.



## 13. Use of Enforcement Agents

- 13.1 Local Authorities should remember that enforcement agents are acting on their behalf and that ultimately, they are responsible and accountable for the behaviour of the enforcement agents acting on their behalf.
- 13.2 Enforcement agents responsible for executing warrants of control on behalf of local authorities are obliged to follow the code set out in Part 3 of, and Schedule 12 to, the Tribunals, Courts and Enforcement Act 2007 and the Taking Control of Goods Regulations 2013<sup>60</sup>.
- 13.3 Local Authorities are encouraged to have regard to the good practice set out in the Taking Control of Goods: National Standards 2014, and the Guidance to Local Councils on Good Practice in the Collection of Council Tax Arrears (June 2013). Some key points from this are:
- Local Authorities should ensure that clear information is provided about the enforcement process and should publicise details of how to find help and advice.
  - Information provided should be geared towards avoiding the need for enforcement action in the first place, warning about the implications of not paying and the benefits of engaging early with the Local Authority. This should include clear information on the costs of legal proceedings and enforcement action.
  - Local authorities may only charge reasonable costs. In relation to fees for enforcement agents these are clearly set out in the Taking Control of Goods (Fees) Regulations 2014<sup>61</sup>. It is inappropriate for local authorities to receive extra payment or profit-sharing from the use of enforcement agents and the charging of fees.
  - Local authorities should have robust contracts in place with their enforcement agents. These contracts should not involve rewards or penalties that incentivise the use of enforcement agents. When contracting and working with enforcement agents, they should at all times be guided by the Ministry of Justice publication: [Taking Control of Goods: National Standards, April 2014](#). These clearly set out the expectations of a responsible creditor. Equally local authorities should expect enforcement agents they work with to uphold the standards.
  - We would expect local authorities to actively manage their contracts with enforcement agents, ensuring that they are aware of how their enforcement agents are operating.
  - Enforcement agents and those who employ them or use their services, must maintain high standards of business ethics and practice. Any fraudulent practices (for instance 'phantom visits') should be reported to the police as a criminal offence under the Fraud Act 2006 and that Local Authority should terminate any contract with companies whose activities are proved fraudulent.
  - Local authorities should have and publish a clear complaints procedure in place to address complaints regarding the performance of those recovering debts on their behalf.

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<sup>60</sup> The Taking Control of Goods Regulations 2013 S.I. 2013/1894.

<sup>61</sup> The Taking Control of Goods (Fees) Regulations 2014 S.I. 2014/1.

## 14. Ensuring the Effectiveness of Bus Lane and Moving Traffic Enforcement

- 14.1 Local authorities can improve the efficiency and effectiveness of their enforcement regimes by maintaining a regular dialogue - and undertaking joint activity where appropriate - with the police, neighbouring authorities, local bus operators, the DVLA, the Traffic Enforcement Centre (TEC) and representatives of road user groups. A local authority should also ensure that it has an effective working relationship with any contractor it employs on its behalf. This will be vital to ensure that the contractor is managed and supervised appropriately, and that the authority remains properly accountable.
- 14.2 It is especially important that authorities should maintain good working relations with the police. The police continue to have responsibility for enforcing some types of moving traffic offences, and for taking action against vehicles where security or other traffic policing issues are involved, for example number plate cloning. Regular liaison will help to ensure that the civil and the criminal enforcement operate effectively.
- 14.3 It is recommended that local authorities keep abreast of developments in neighbouring authorities' operations and consider the benefits of consistent, and possibly collaborative, approaches to enforcement. It is particularly important regularly to liaise with any neighbouring authority where a bus lane crosses the boundary with that authority's area. Where possible the same exemptions should be agreed and applied to avoid a class of vehicle being exempt in one authority but not in the other. Local authorities should develop good working relations with the DVLA, in particular with regard to local authorities receiving keeper information promptly.
- 14.4 As far as possible, the performance of contractors and of staff should be judged according to how far desired transport objectives have been achieved. Wherever possible, a local authority should base performance measures and rewards or penalties on outcomes. Performance indicators should never be based on the number of PCNs issued or income from them. Performance indicators might include compliance statistics, how quickly PCNs are sent following detection of the contravention, accuracy of documents, the number of appeals, the number and length of contraventions and the localised impact they appear to have had on road safety and congestion. Incentives should work towards good customer service.
- 14.5 When enforcement operations are carried out 'in house', there may need to be a service level agreement (SLA) incorporating the terms and conditions required by a client department (the same as for a contract with an external service provider). This would potentially apply if, for example, different functional responsibilities (e.g. for technical issues and PCN processing) are not handled within one department in the local authority.

### Reporting

- 14.6 All surplus income of local authorities in connection with their bus lane and moving traffic enforcement activities must be applied in accordance with the regulations<sup>62</sup>. This means that authorities must<sup>63</sup> keep an account of all income and

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<sup>62</sup> Regulation 31 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.










<sup>63</sup> Regulations 28 and 29 The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022.









expenditure in respect of their bus lane enforcement, and another account of all income and expenditure in respect of their moving traffic enforcement. These accounts should be combined with the authorities' parking accounts, but the amounts for each listed separately and not as overall income and expenditure.








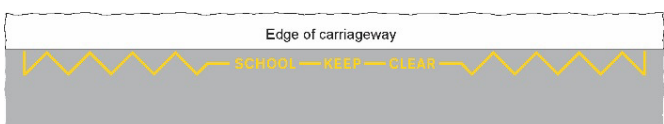
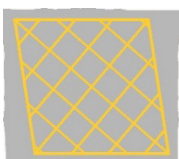
- 14.7 The Secretary of State believes strongly that reporting of accounts is an important part of accountability. The transparency given by regular and consistent reporting should help the public understand and accept enforcement. Monitoring also provides the authority with management information for performance evaluation and helps to identify where it needs to improve its enforcement regime. It provides a framework for performance comparisons between councils.
- 14.8 The Secretary of State believes that local authorities should produce a report dealing with their civil enforcement duties, whether just parking, or including bus lanes and moving traffic. That report should include the accounts and be expanded to include enforcement activities by restriction type and location that contribute to meeting traffic management duties and objectives and be published on the authority's website within six months of the end of each financial year. As a minimum the report should cover financial and statistical data. The Secretary of State believes that local authorities' annual reports should therefore combine reports about civil parking enforcement as well as bus lane and moving traffic contraventions.

## Annex A: Traffic Signs Subject to Moving Traffic Enforcement

- A.1 Under TMA Schedule 7, restrictions indicated by the below traffic signs, as prescribed in the Traffic Signs Regulations and General Directions 2016 (as amended: 'TSRGD') are civilly enforceable as moving traffic contraventions. This applies to any permitted variant under TSRGD; for example, diagram 606 when varied to point ahead or to the right.
- A.2 The TMA does not provide for the list of traffic signs on a selective basis, so all the contraventions will be available to local authorities taking on moving traffic enforcement. The table below mirrors the moving traffic enforcement regime operating in London under the London Local Authorities and Transport for London Act 2003.

Description	TSRGD diagram number & location	
Vehicular traffic must proceed in the direction indicated by the arrow	606 (Schedule 3, Part 2, item 1 and Schedule 14, Part 2, item 42)	
Vehicular traffic must turn ahead in the direction indicated by the arrow	609 (Schedule 3, Part 2, item 2)	
Vehicular traffic must keep to the left/right of the sign indicated by the arrow	610 (Schedule 3, Part 2, item 3)	
No right turn for vehicular traffic	612 (Schedule 3, Part 2, item 7 and Schedule 14, Part 2, item 43)	
No left turn for vehicular traffic	613 (Schedule 3, Part 2, item 8 and Schedule 14, Part 2, item 43)	
No U-turns for vehicular traffic	614 (Schedule 3, Part 2, item 6 and Schedule 14, Part 2, item 43)	
Priority must be given to vehicles from the opposite direction	615 (Schedule 3, Part 2, item 9)	
No entry for vehicular traffic (when the restriction or prohibition is one that may be indicated by another traffic sign subject to civil enforcement)	616 (Schedule 3, Part 2, item 10 and Schedule 14, Part 2, item 44)	
All vehicles prohibited except non-mechanically propelled vehicles being pushed by pedestrians	617 (Schedule 3, Part 2, item 11)	

Description	TSRGD diagram number & location	
Entry to and waiting in a pedestrian zone restricted	618.3B (Schedule 8, Part 2, item 1)	
Entry to and waiting in a pedestrian and cycle zone restricted	618.3C (Schedule 8, Part 2, item 2)	
Motor vehicles prohibited	619 (Schedule 3, Part 2, item 12)	
Motor vehicles except solo motorcycles prohibited	619.1 (Schedule 3, Part 2, item 18)	
Solo motorcycles prohibited	619.2 (Schedule 3, Part 2, item 20)	
Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited	622.1A (Schedule 3, Part 2, item 13)	
One-way traffic	652 (Schedule 9, Part 4, item 5)	
Buses prohibited	952 (Schedule 3, Part 2, item 17)	

Description	TSRGD diagram number & location	
Route for use by buses, pedal cycles and taxis only	953 (Schedule 3, Part 2, item 33)	
Route for use by trams only	953.1 (Schedule 3, Part 2, item 36)	
Route for use by pedal cycles only	955 (Schedule 3, Part 2, item 28)	
Route for use by pedal cycles and by pedestrians only	956 (Schedule 3, Part 2, item 29)	
Route comprising two ways, for use by pedal cycles only and by pedestrians only	957 (Schedule 3, Part 2, item 32)	
With-flow cycle lane	959.1 (Schedule 9, Part 4, item 9)	
Contra-flow cycle lane	960.1 (Schedule 9, Part 4, item 6)	
Part of the carriageway outside an entrance where vehicles must not stop when the marking is placed in conjunction with the prescribed upright sign which includes the symbol at Schedule 4, Part 3, item 10	1027.1 (Schedule 7, Part 4, item 10)	
Box junction markings	1043 (Schedule 9, Part 6, item 25)	



## Annex B: Contravention Codes for Bus Lane, Moving Traffic & Higher-level Parking

Code		Description		Notes
General suffix(es)				
Parking – On-street				
01	ajoyz	Parked in a restricted street during prescribed hours		Code specific suffixes apply. Suffixes y & z for disabled badge holders only. See additional notes
02	ajo	Parked or loading / unloading in a restricted street where waiting and loading / unloading restrictions are in force		Code specific suffixes apply. See additional notes
12	arstuwy 4	Parked in a residents' or shared use parking place or zone without a valid virtual permit or clearly displaying a valid physical permit or voucher or pay and display ticket issued for that place where required, or without payment of the parking charge		Code specific suffixes apply
14	ay 89	Parked in an electric vehicles' charging place during restricted hours without charging		
16	abdehqstwxz 4569	Parked in a permit space or zone without a valid virtual permit or clearly displaying a valid physical permit where required		Code specific suffixes apply. Suffix "s" only for use where bay is completely non-resident
18	abcdefghmprsvxy 12356789	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 part of a parking place marked by a yellow line where waiting is prohibited		
21	abcdefghlm npqrsuvxy1256789	Parked wholly or partly in a suspended bay or space		
23	abcdehghklprsvwx 123789	Parked in a parking place or area not designated for that class of vehicle		Suffix required to fully describe contravention
25	n 2	Parked in a loading place or bay during restricted hours without loading		On-street loading bay or place
26	n	Parked in a special enforcement area more than 50 cm from the edge of the carriageway and not within a designated parking place		"50 cm" may be varied to another distance in Scotland.
27	no	Parked in a special enforcement area adjacent to a footway, cycle track or verge lowered to meet the level of the carriageway		
28	no	Parked in a special enforcement area on part of the carriageway raised to meet the level of a footway, cycle track or verge		
40	n	Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner		
41		Stopped in a parking place designated for diplomatic vehicles		
42		Parked in a parking place designated for police vehicles		
43		Stopped on a cycle docking station parking place		
45	nw	Stopped on a taxi rank		"stopped" may be varied to "waiting"
46	n	Stopped where prohibited (on a red route or clearway)		
47	jn	Stopped on a restricted bus stop or stand		

Code	General suffix(es)	Description	Notes
48	j	Stopped in a restricted area outside a school, a hospital or a fire, police or ambulance station when prohibited	CCTV can be used on a restricted area outside a school only
49	j	Parked wholly or partly on a cycle track or lane	
55		A commercial vehicle parked in a restricted street in contravention of the Overnight Waiting Ban	
56		Parked in contravention of a commercial vehicle waiting restriction	Non- overnight waiting restriction
57		Parked in contravention of a bus ban	Non- overnight waiting restriction
61	124cgn	A heavy commercial vehicle wholly or partly parked on a footway, verge or land between two carriageways	Code-specific suffixes apply.
62	124cgn	Parked with one or more wheels on or over a footpath or any part of a road other than a carriageway	Code-specific suffixes apply.
64	124	Parked in contravention of a notice prohibiting leaving vehicles on a grass verge, garden, lawn or green maintained by a local authority	Code-specific suffixes apply. For use in Essex only
65	124	Parked in contravention of a notice prohibiting leaving vehicles on land laid out as a public garden or used for the purpose of public recreation	Code-specific suffixes apply. For use in Essex only.
66	124cg	Parked on a verge, central reservation or footway comprised in an urban road	Code-specific suffixes apply. For use in Exeter only.
99	no	Stopped on a pedestrian crossing or crossing area marked by zigzags	Pedestrian Crossings
<b>Bus Lane</b>			
34	J0	Being in a bus lane during times of operation	
<b>Moving Traffic</b>			
29	j	Failing to comply with a one-way restriction	
31	j	Entering and stopping in a box junction when prohibited	
32	jdt	Failing to proceed in the direction shown by the arrow on a blue sign	Code-specific suffixes apply.
33	jbcfeafhikqrsyz	Using a route restricted to certain vehicles	Code-specific suffixes apply.
36	j	Being in a mandatory cycle lane	
37	j	Failing to give way to oncoming vehicles	
38	jlr	Failing to comply with a sign indicating that vehicular traffic must pass to the specified side of the sign	Code-specific suffixes apply.
50	jlr	Performing a prohibited turn	Code-specific suffixes apply.
51	j	Failing to comply with a no entry restriction	
52	bgjmsvx	Failing to comply with a prohibition on certain types of vehicle	Code-specific suffixes apply.
53	cj	Failing to comply with a restriction on vehicles entering a pedestrian zone	'and cycle' may be added (see additional notes)

Code	General suffix(es)	Description	Notes
54	cj	Failing to comply with a restriction on vehicles entering and waiting in a pedestrian zone	'and cycle' may be added (see additional notes)
<b>Parking - Off-street</b>			
70		Parked in a loading place or bay during restricted hours without loading	Off-street loading areas
71		Parked in an electric vehicles' charging place during restricted hours without charging	Off-street car parks
74	prs	Using a vehicle in a parking place in connection with the sale or offering or exposing for sale of goods when prohibited	Off-street car parks
78	abdefghklpqv 156789	Parked wholly or partly in a suspended bay or space	Off-street car parks
81	O	Parked in a restricted area in an off-street car park or housing estate	Off-street car parks
85	abtrwyz 45	Parked without a valid virtual permit or clearly displaying a valid physical permit where required	Off-street car parks. Code specific suffixes apply.
87		Parked in a designated disabled person's parking place without displaying a valid disabled person's badge in the prescribed manner	Off-street car parks
89		Vehicle parked exceeds maximum weight or height or length permitted	Off-street car parks
91	cg	Parked in a car park or area not designated for that class of vehicle	Off-street car parks
92	o	Parked causing an obstruction	Off-street car parks

<b>Moving traffic specific suffixes</b>			
<b>32:</b>	d) proceeding in the wrong direction	t) turning in the wrong direction	
<b>33:</b>	b) buses only c) buses and cycles only e) buses, cycles and taxis only f) buses and taxis only g) local buses only	h) local buses and cycles only i) local buses, cycles and taxis only k) local buses and taxis only q) tramcars and local buses only r) tramcars only	s) tramcars and buses only y) pedal cycles only z) pedal cycles and pedestrians only
<b>38:</b>	l) must pass to the left	r) must pass to the right	
<b>50:</b>	l) no left turn	r) no right turn	u) no U-turn
<b>52:</b>	b) buses g) goods vehicles exceeding max gross weight indicated	m) motor vehicles s) solo motorcycles	v) all vehicles except non-mechanically propelled ones being pushed x) motor vehicles except solo m/cycles
<b>53</b>	Code specific suffix c) amends the description to add 'and cycle' after the word pedestrian		
<b>54</b>	Code specific suffix c) amends the description to add 'and cycle' after the word pedestrian		

<b>General Suffixes</b>		
a) permit holder only electric vehicle charging bay	n) red route	0) local buses / trams only
b) business bay	o) blue badge holder	1) electric vehicles bay
c) buses only	p) pay & display	2) goods vehicle loading bays
d) doctor's bay	q) market traders' bay	3) bicycle bay
e) car club bay	r) residents' bay	4) virtual permit
f) free parking bay	s) shared use bay	5) dedicated disabled bay
g) motorcycle bay	t) voucher/P&D ticket used in permit bay	6) hotel bay
h) hospital bay	u) electronic payment	7) taxis only
i) wrong type of voucher	v) voucher	8) zero emission capable taxis only
j) camera enforcement	w) e-scooter bay	9) electric vehicle car club bay
k) ambulance bay	x) disabled bay	
l) loading place	y) electric solo motorcycle bay	
m) parking meter		
<b>Restricted street (codes 01 and 02) only</b>		
Suffix a) 'temporary traffic order' (code specific)		
<b>Permit contraventions (codes 01, 12, 16, 19 and 85) only</b>		
Suffixes		
w) 'wrong parking zone'	y) 'obscured/illegible permit'	
x) 'incorrect VRM'	z) 'out of date permit' (code specific)	
	Note: Suffixes 'y' and 'z' are applicable on code 01 for Blue Badge contraventions only	
<b>Taxi Ranks (code 45) only</b>		
w) amends the contravention code description to change the wording from 'stopped' to 'waiting'		
<b>Camera Enforcement</b>		
Suffix 'j' identifies a contravention that can be used on highways other than red routes using CCTV. The suffix itself is not required on a PCN. For contravention codes 01 and 02, Suffix 'j' can only be used if there is also a mandatory cycle lane at the location.		