

SCHEDULE 3

Regulation 26

Guidelines for the setting by enforcement authorities of charges for relevant road traffic contraventions etc outside Greater London

PART 1

Guidelines for relevant road traffic contraventions

**Penalty charges for relevant road traffic contraventions**

- 1.—(1) Penalty charges for relevant road traffic contraventions<sup>(1)</sup> must be set—
  - (a) for higher level contraventions, at the level specified in column (2) of one of the bands in Table 1, and
  - (b) for all other contraventions, at the level specified in column (3) of the band selected for higher level contraventions.
- (2) The discounted level for a penalty charge which is paid early must be set—
  - (a) for higher level contraventions, at the level specified in column (4) of the band specifying the levels of the penalty charges;
  - (b) for all other contraventions, at the level specified in column (5) of the band specifying the levels of the penalty charges.
- (3) For the purposes of sub-paragraph (2), a penalty charge is paid early if it is paid by the applicable date.
- (4) The surcharged level for payment of a penalty charge after a charge certificate has been issued must be set—
  - (a) for higher level contraventions, at the level specified in column (6) of the band specifying the levels of the penalty charges;
  - (b) for all other contraventions, at the level specified in column (7) of the band specifying the levels of the penalty charges.
- (5) An enforcement authority may set penalty charges in accordance with different bands in the table in different parts of its area, provided that all the charges set in any part are set in accordance with the same band.

**Table 1**

<i>(1) Band</i>	<i>(2) Higher level penalty charge</i>	<i>(3) Lower level penalty charge</i>	<i>(4) Higher level penalty charge paid early</i>	<i>(5) Lower level penalty charge paid early</i>	<i>(6) Higher level penalty charge paid after service of charge certificate</i>	<i>(7) Lower level penalty charge paid after service of charge certificate</i>
1.	£60	£40	£30	£20	£90	£60
2.	£70	£50	£35	£25	£105	£75

<sup>(1)</sup> “Road traffic contravention” is defined in Schedule 7 to the TMA 2004.

**Changes to legislation:** There are currently no known outstanding effects for the The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, SCHEDULE 3. (See end of Document for details)

**Commencement Information**

**II** Sch. 3 para. 1 in force at 31.5.2022, see **reg. 1(2)**

**Meaning of “higher level contraventions”**

**2.—(1)** For the purposes of this Part of this Schedule “higher level contraventions” are those road traffic contraventions listed in sub-paragraph (2).

(2) The contraventions are—

- (a) an OGL parking contravention involving the commission of an offence of the kind referred to in paragraph 4(2)(b) of Schedule 7 to the TMA 2004 (contravention of waiting, loading or unloading restrictions or prohibitions);
- (b) an OGL parking contravention involving the leaving of a vehicle in an on-street parking place otherwise than as authorised by or under any order relating to the parking place in any of the following cases—
  - (i) without displaying a permit, voucher or pay and display ticket;
  - (ii) in a place where parking has been suspended;
  - (iii) where the vehicle is used in connection with the sale of goods or the offering or exposure of goods for sale;
  - (iv) where the vehicle does not fall within the class of vehicle permitted to park there;
- (c) a contravention of the prohibition imposed by section 85 of the TMA 2004 (double parking etc.);
- (d) a contravention of the prohibition imposed by section 86 of the TMA 2004 (dropped footways);
- (e) an OGL parking contravention consisting of an offence referred to in paragraph 4(2)(ba) of Schedule 7 to the TMA 2004 (pedestrian crossing contraventions);
- (f) a OGL parking contravention involving an offence of the kind referred to in paragraph 4(2)(d) of Schedule 7 to the TMA 2004 (offence in connection with parking places) relating to an off-street parking place and consisting of any of the following where prohibited by an order relating to the parking place—
  - (i) using a vehicle in connection with the sale of goods or the offering or exposure of goods for sale;
  - (ii) parking in a restricted area;
  - (iii) parking in a permit bay without displaying a permit;
  - (iv) parking in a disabled person’s parking place without correctly displaying a valid disabled person’s badge;
  - (v) parking a vehicle in a place where the vehicle does not fall within the class of vehicle permitted to park in that place;
- (g) an OGL parking contravention consisting of an offence of the kind referred to in paragraph 4(2)(e) of Schedule 7 to the TMA 2004 (parking in loading areas);
- (h) an OGL parking contravention consisting of an offence of the kind referred to in paragraph 4(2)(g) of Schedule 7 to the TMA 2004 (parking of HGVs on verges, central reservations or footways);

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- (i) an OGL parking contravention consisting of the commission of an offence of the kind referred to in paragraph 4(2)(h) of Schedule 7 to the TMA 2004 (offences relating to cycle tracks);
- (j) an OGL parking contravention consisting of an offence of the kind referred to in paragraph 4(2)(ha) of Schedule 7 to the TMA 2004 (bus stop or bus stand markings);
- (k) an OGL bus lane contravention;
- (l) an OGL moving traffic contravention.

#### Commencement Information

**I2** Sch. 3 para. 2 in force at 31.5.2022, see [reg. 1\(2\)](#)

## PART 2

### Guidelines for charges for removal, storage or disposal or release from an immobilisation device

#### Charges for the removal, storage and disposal of vehicles

**3.** Charges, made under section 102 of the RTRA 1984(2), for the removal, storage and disposal of vehicles found in an area that is a civil enforcement area for <sup>F1</sup>... parking contraventions must be those in Table 2.

**Table 2**

<i>(1) Item</i>	<i>(2) Type of charge</i>	<i>(3) Amount of charge</i>
1.	Vehicle removal charge	£105
2.	Vehicle storage charge	£12 for each day, or part of day, during which the vehicle is impounded
3.	Vehicle disposal charge	£50

#### Textual Amendments

**F1** Word in [Sch. 3 para. 3](#) omitted (15.7.2022) by virtue of [The Civil Enforcement of Moving Traffic Contraventions Designations and Miscellaneous Amendments Order 2022 \(S.I. 2022/686\)](#), arts. 1(3), 5(6)

#### Commencement Information

**I3** Sch. 3 para. 3 in force at 31.5.2022, see [reg. 1\(2\)](#)

#### Release of vehicle from an immobilisation device under section 79 of the TMA 2004

**4.** The charge payable under regulation [15\(1\)\(b\)](#) for the release of a vehicle from an immobilisation device must be £40.

(2) [1984 c. 27](#). There are amendments to section 102 not relevant to these Regulations.

**Changes to legislation:** There are currently no known outstanding effects for the The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, SCHEDULE 3. (See end of Document for details)

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**Commencement Information**

**I4** Sch. 3 para. 4 in force at 31.5.2022, see [reg. 1\(2\)](#)

## PART 3

### General

#### **Saving for powers of the Secretary of State**

**5.** Nothing in these guidelines prejudices or affects the power of the Secretary of State, under paragraph 8(3) of Schedule 9 to the TMA 2004, to permit an enforcement authority to depart from these guidelines.

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**Commencement Information**

**I5** Sch. 3 para. 5 in force at 31.5.2022, see [reg. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022, SCHEDULE 3.