

## Parking fines

You should check first whether you have received a parking fine on public or private land as the rules are different.

### Parking fines on public land

If you park on a **public road** and don't follow the parking restrictions, you could have to pay a parking fine. A parking fine is officially called a **fixed penalty** or **penalty charge**. The rules about fixed penalties and penalty charges depend on the policy of the local authority where you parked. In many local authorities, parking is not a criminal matter and the council, not the police, are responsible for fixed penalties and penalty charges. But in some areas, if you don't follow the parking rules, this is a criminal matter and the police and magistrates' courts are responsible for fixed penalties and penalty charges.

### Fixed penalties and penalty charges if the police are responsible

If you commit a parking offence, a police officer or traffic warden can fix a penalty notice to your vehicle. The details of the offence will be on the notice.

**If you accept that you committed the offence**, you can pay the amount they ask for. If you pay within a certain time period, the amount you have to pay is reduced. The notice will tell you how and when to pay.

If you did commit the offence but don't pay within the correct period, you'll be sent a **'notice to owner'**, reminding you to pay. If you don't pay within the correct period of time, the amount you must pay will be increased by a further 50%. It will be registered as a criminal matter and **you could get sent to prison if you don't pay up**.

**If you don't agree that you committed the offence**, you can opt for a magistrates' court hearing by filling in Part III on the reverse of the penalty notice and returning it to the address provided. You will then receive a summons to attend a magistrates' court.

If you weren't the owner of the vehicle when it was illegally parked, you can send in a statement, called a **statutory declaration**, to say you are not the owner. In this case, you won't have to pay up.

## Fixed penalties and penalty charges if the local authority is responsible

If you park where you shouldn't, a local authority civil enforcement officer can fix a penalty notice to your vehicle. In some circumstances, they can also send it to you. The details of what you have done wrong will be on the notice.

**If you don't agree that you were in the wrong**, you can appeal to the local authority. The penalty notice will tell you how to appeal and the time limits. You might want to appeal because:

- you weren't the owner of the vehicle when it was wrongly parked. You'll have to provide proof of this, for example, a receipt and a copy of the DVLA registration form
- meter time had not expired, so you weren't illegally parked
- your vehicle had broken down, so you weren't illegally parked
- you were legally loading or unloading your vehicle. Your evidence could include a garage receipt or delivery note.

The local authority must consider your case and tell you whether it accepts or rejects your appeal. If it accepts your appeal, it will cancel your penalty notice. If it rejects your appeal, it must send you a notice of rejection. You should also be sent details of how to make a further appeal to the Traffic Penalty Tribunal or the Parking and Traffic Appeals Service. For contact details of the Traffic Penalty Tribunal, see under How to appeal.

**If you accept you were in the wrong**, you can pay the amount they ask for. If you pay within a certain time period, the amount you have to pay is reduced. The notice will tell you how and when to pay.

**If you don't appeal and you don't pay**, you'll be sent a '**notice to owner**', reminding you to pay. If the penalty charge notice has been sent by post, it also acts as a notice to owner. The notice to owner must be sent to you within six months. If you don't pay within the correct period of time, you'll be sent a **charge certificate** and the amount you must pay will be increased by a further 50%. You will have to pay the local authority, but you won't have committed a criminal offence.

If you don't pay within the correct time period, the local authority can register the debt as if it were a **county court judgment (CCJ)**. The local authority will then send you this court order with another form called a **witness statement**. In some cases, for example if you never received the 'notice to owner', you can challenge the order by filling in the witness statement. You have to sign the statement of truth. This means you are promising you're telling the truth. If you don't tell the truth, this is very serious and you could be fined or even sent to prison.

If you don't pay or send in the witness statement, the local authority can then apply to court for an order to send round **bailiffs** to your home. They could

take your personal belongings from inside your home. But more usually they would take your car away and sell it, whether it's parked on the road or on your drive.

## Parking fines on private land

If you **park on private land** without permission (or stay longer than you paid for, for example, in a shop car park), you might get sent a notice telling you to pay a parking fine. This might look like an official fixed penalty but it isn't one. It's a notice that they intend to take you to court for trespassing, and will offer to let you pay some money to settle the case out of court. **This isn't a criminal matter.** If you get one of these notices, get advice from a Citizens Advice Bureau.

There is no independent appeal process for parking fines on private land. But if the parking operator decides to take you to a county court, the court may decide that you don't have to pay the fine. This might be, for example, because the parking restrictions weren't clear. A parking operator doesn't have a legal right to recover a parking fine without first taking court action against you.

You can also look on the website of the British Parking Association which acts as a trade association for companies that carry out parking enforcement activities on private land. Members of the Association must comply with a Code of Practice on the issuing of parking fines. You can find the Code of Practice on the website at [www.britishparking.co.uk](http://www.britishparking.co.uk).

## How to appeal

### Traffic Penalty Tribunal

You can appeal to the Traffic Penalty Tribunal against a Penalty Charge Notice issued anywhere in England and Wales except for London. The Notice must have been issued by a local authority operating Civil Parking Enforcement.

Traffic Penalty Tribunal  
Barlow House  
Minshull Street  
Manchester  
M1 3DZ  
Tel: 0161 242 5252  
Fax: 0161 242 5265  
E-Mail: [info@trafficpenaltytribunal.gov.uk](mailto:info@trafficpenaltytribunal.gov.uk)  
Website: [www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)

## The Parking and Traffic Appeals Service

You can appeal to the Parking and Traffic Appeals Service against a fixed penalty notice issued in London.

Parking and Traffic Appeals Service  
PO Box 279  
Chertsey  
Surrey  
KT16 6BU  
Tel: 020 7520 7200  
Website: [www.parkingandtrafficappeals.gov.uk](http://www.parkingandtrafficappeals.gov.uk)

## Traffic Enforcement Centre

You can appeal to the Traffic Enforcement Centre against an order for an unpaid penalty charge.

Traffic Enforcement Centre  
The Court Service  
4<sup>th</sup> Floor  
St Katharine's House  
21- 27 St Katharine's Street  
Northampton  
NN1 2LH

## Further help

### Citizens Advice Bureau

Citizens Advice Bureaux give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#), or look under C in your phone book.

### PATROL

You can get information about the enforcement of parking regulations by councils in England (outside London) and Wales which are in the civil enforcement scheme from PATROL at: [www.patrol-uk.info](http://www.patrol-uk.info).

### Other fact sheets on Adviceguide which might help

- Wheel-clamping
- Help with debt fact sheet
- Budget sheet
- Dealing with people you owe money to
- Court fines
- Bailiffs

This fact sheet is produced by [Citizens Advice](#), an operating name of The National Association of Citizens Advice Bureaux. It is intended to provide general information only and should not be taken as a full statement of the law. The information applies to England and Wales only.

This fact sheet was last updated on 9 May 2011 and is reviewed regularly. If it is some time since you obtained this fact sheet, please contact your local Citizens Advice Bureau to check if it is still correct. Or visit our website - [www.adviceguide.org.uk](http://www.adviceguide.org.uk) - where you can download an up-to-date copy.