VIEW THE VIDEO CLIP & PAY ONLINE AT
www.nottinghamcity.gov.uk/parkingtickets

Nottingham City Council

Understanding Your Regulation 10 Penalty Charge Notice

(Please Note: This document is for advice only and does not form part of the Penalty Charge Notice).

Penalty Charge Notices

You have received a Penalty Charge Notice (PCN) for an alleged static traffic contravention which has been detected by CCTV. **As the owner/hirer, the City Council believe you are liable for the penalty charge of £70 which must be paid by no later than 28 days beginning with the date of service of the notice. This amount is reduced by 50% to £35 if you are paying within 21 days of the date of service (which is printed on the front of the PCN).** If you believe that you are not liable for the penalty charge you may make representations against paying it on specified grounds – the process and grounds are described on the reverse side of the PCN.

PCNs are issued by local authorities which have been authorised by the Secretary of State for Transport to carry out civil enforcement of traffic contraventions such as alleged bus lane and parking contraventions. Traffic Management Act 2004 regulations give the power to authorities throughout England to issue PCNs for contraventions detected with a camera and associated recording equipment. The Secretary of State must certify any type of device used solely to detect contraventions (i.e. with no supporting Civil Enforcement Officer (CEO) evidence). Once certified they may be called an 'approved device'. Nottingham City Council has the powers to issue PCNs to stationary vehicles which have been observed and recorded by an Authorised Officer using an Approved Device on the CCTV network connected to a digital recording system. The same approved devices may also be used to detect bus lane contraventions. The Council also has powers to issue PCNs for bus lane/bus gate/tram gate contraventions using images from unmanned cameras.

Why have you issued a PCN from CCTV images?

Powers granted in the Traffic Management Act 2004, under Regulation 10 of The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 SI2007/3483, state that approved devices (in this case a camera with a digital recording system capturing digital video images) may be used to detect static traffic contraventions. The Authority will use CCTV equipment where enforcement is difficult or sensitive and CEO enforcement is not practical. A difficult area is defined as an area where it is difficult for On-Street CEOs to issue a PCN, either because the vehicle is moved prior to issuing a ticket, or there is risk of verbal or physical abuse to the Officer.

What is an alleged contravention?

The City Council has decided to issue PCNs where alleged contraventions are detected by CCTV in the following circumstances;

- Where vehicles are observed stationary in a parking "hotspot"; where it is known that vehicles wait, in contravention of the road signs and markings and only drive away when a CEO appears; or an area where CEOs encounter regular physical or verbal abuse whilst carrying out their duties
- Where vehicles are observed stationary in the controlled area of a Pedestrian Crossing
- Where vehicles are observed stationary in a zig-zag area outside a school entrance where vehicles must not stop
- Where vehicles are observed stationary in areas where there are no waiting/no loading restrictions in force i.e. double yellow lines when there is a loading restriction in force, generally during peak periods
- Where vehicles are observed to be stationary in a Clearway, a bus stop/bus stand clearway or a taxi clearway.

Photographic Evidence - The Authority will have a record, which is a continuous digital video film of the alleged contravention, taken by an approved device, of the complete evidence. **You can view the recording online by logging onto Authority's website and following the link www.nottinghamcity.gov.uk/parkingtickets. Here, you can pay or make a representation against paying the penalty charge.** You may also view the recording by making an appointment in writing to the Authority. Currently there is only one office with the necessary secure and appropriate viewing facilities. This viewing will be free of charge and at a time in normal office hours. The recipient of the PCN may be accompanied by a representative. The Authority has provided you, free of charge, with 3 still photographs taken from the moving video on the PCN, which in the Authority's opinion establish the alleged contravention.

Representations - As the PCN is issued for £70, any representation is against the full £70 penalty. The discounted rate is available for the full 21 days even if you make an unsuccessful representation which has been replied to by the Authority within the 21 day period. If you pay the penalty charge and then make a representation or if you make a representation and then pay later before receiving a reply, the process will be stopped as liability will be deemed to have been accepted and the case will be closed. Please note that the discount period will not be put on hold during consideration of your representations.

Date of Service - For the purposes of the Regulations, it shall be presumed that service of the notice by post is calculated as being the 2nd working day after the day on which it was posted / issued as sent by 1st class post, unless you can prove otherwise. This excludes weekends and Bank Holidays. The Authority has calculated this for you and it is printed on the front of the PCN.

Payment - The penalty charge can be paid using a credit card either online at www.nottinghamcity.gov.uk/parkingtickets or over the telephone by calling 08456 580590; If there is a barcode on the front, cash, cheques or debit cards can be used to pay at any Post Office branch; Cash payments are accepted at PayPoint outlets; and cheques and postal orders can be sent by post to the address on the PCN.

Further information – General information about parking contraventions detected by CCTV and other information can be found on the Council's website at **http://www.nottinghamcity.gov.uk/index.aspx?articleid=852** . For general queries about your PCN and for further information on the appeal system please see the Council's website above, or phone the City Council's Processing & Enforcement team on 0115 876 1499 or e-mail parkingappeals@nottinghamcity.gov.uk. Alternatively you can visit the website of the Traffic Penalty Tribunal at www.trafficpenaltytribunal.gov.uk. **Please note that as the Penalty Charge Notice has been issued from CCTV evidence, there is no informal appeal process, as the Penalty Charge Notice incorporates the 'Notice to Owner'.**

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