Regulation 10 Penalty Charge Notice

Penalty Charge Notice

Nottingham City Council

THE TRAFFIC MANAGEMENT ACT 2004 SECTION 78; THE CIVIL ENFORCEMENT OF PARKING CONTRAVENTIONS (ENGLAND) GENERAL REGULATIONS 2007 (SI No. 3483)

To:

Penalty Charge Notice Number:

Date of Contravention:

Date Issued & Posted:

Date of Service:

Liability for the Penalty Charge lies with you, the Owner/Hirer

Nottingham City Council believes that a **Penalty Charge of** is payable for the following alleged contravention:

Code:

The vehicle was seen by CEO

in Nottingham, at

This PCN (which also acts as the Notice to Owner) has been served by post for the reason defined in paragraph 6 below. The attached photographs in the Authority's opinion establish the contravention.

The above photographs have been provided free of charge

YOU MUST NOT IGNORE THIS NOTICE

1. This Penalty Charge Notice (PCN) has been sent to you, as the registered owner/hirer of the vehicle because the Authority has reason to believe you are the person liable to pay the charge. **This must be paid by no later than 28 days beginning with the Date of Service.**
2. If the penalty charge is paid before the end of the period of 14 days beginning with the Date of Service of the notice, **the penalty charge will be reduced by one half to** . Please note that the Date of Service has been calculated for you being 2 working days after the date of posting, as sent by 1st class post unless you can prove otherwise.
3. You can make representations against paying the Penalty charge, within 28 days, beginning with the Date of Service. The grounds on which you can make representations are set out overleaf. The council may disregard representations made outside this 28 day period. All representations must be in writing, either by post or online. All representations are against the full amount of the Penalty Charge. If you make unsuccessful representations which have been replied to by the Council within the 14 day period (Para. 2 above), any remaining discount period will still apply. **Please note that during consideration of your representations the discount period is not put on hold.**
4. **If you haven't paid the penalty charge or made representations** by the end of this 28 day period, the Council may serve a Charge Certificate **increasing the penalty charge by a half to** and take steps to enforce payment of the increased amount.
5. You may review the photos of the alleged contravention online by going to www.nottinghamcity.gov.uk/parkingtickets. Please enter your PCN number along with vehicle registration number and confirm that you have read the terms and conditions.
6.

PAYMENT OPTIONS

Internet: Pay online at our secure website **www.nottinghamcity.gov.uk/parkingtickets. By telephone:** most major credit/debit cards accepted, 24/7 payment service. Telephone 08456 580590. Have card, vehicle details and PCN number ready. **By Post:** Cheques and Postal Orders made payable to Nottingham City Council. Do not send cash. If a receipt is required a stamped addressed envelope should also be enclosed. Please allow up to 5 working days for postal payments. **All postal payments and other correspondence must be sent to Nottingham City Council, Processing & Enforcement Services, P.O. Box 10169, Nottingham NG1 9HS.**

If this Notice has a barcode printed on it You can pay at any Post Office or Paypoint outlet where you see these signs.

POST OFFICE

PayPoint

Post Office - Will accept payment in cash, by cheque (Payable to "Post Office Counters Ltd") or most major debit cards.

PayPoint outlets - Must be in cash.
For your nearest PayPoint outlet go to **www.paypoint.co.uk**

Please take care of this Notice. Should the barcode become damaged it may become unreadable. A separate receipt will be issued. Please keep receipts safe. There is no charge for this service.

Notice to Owner - how to make representations against the Penalty Charge.

If you do not think that you should have to pay this Penalty Charge you may make representations to the Authority. These must be either in writing by post to the address overleaf (you may use this form), or by going online to **www.nottinghamcity.gov.uk/parking tickets**. The Civil Enforcement of Parking Contraventions (England) Representations & Appeals Regulations 2007 (SI 3482) specifies the grounds on which representations can be made. These are set out below, together with an indication of the information which should be supplied in support of your representations. Tick the relevant boxes and write your reasons in the box provided. This Notice to Owner will be cancelled if one or more of the specified grounds are established. However, the Council may consider other mitigating circumstances and you should tick the box "Other Reasons" and give full details.

If your representations are received in time, or are received late but are taken into account, the Authority will consider them and let you know its decision in writing not later than the last day of the period of 56 days beginning with the date on which your representations were received by the Council. If it fails to do so this Notice to Owner will be cancelled and any sums already paid will be refunded. If your representations are rejected you have the right to appeal against that decision to an independent Adjudicator. An appeal form will be sent with the letter rejecting your representations. The form will explain how and when to appeal to the Adjudicator.

The Specified Grounds

☐ **The alleged contravention did not occur.**
Please explain why you believe no contravention took place.

☐ **The penalty exceeded the relevant amount.**
Tick this box if the PCN asked you to pay more than you are legally liable to.

☐ **The vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner.**
Tick this box if your vehicle was stolen or taken without your consent. Please supply any supporting information that you may have e.g. any crime reference or insurance claim reference.

☐ **We are a vehicle-hire firm, the vehicle was on hire under a hiring agreement and the hirer had signed a statement acknowledging liability for any PCN issued during the hiring period.**
The hiring agreement must be one which qualifies by containing prescribed particulars. You must supply the name and address of the hirer. Please also supply a copy of the signed agreement.

☐ **There has been a procedural impropriety by the enforcement authority**
If you believe that Nottingham City Council has failed to comply with any requirement imposed by the Traffic Management Act 2004, by the Civil Enforcement of Parking Contraventions (England) Representations & Appeals Regulations 2007 or by the Civil Enforcement of Parking Contraventions (England) General Regulations 2007. Please set out the statutory requirement, time limit or other procedural step with which you believe the Council has failed to comply.

☐ **The Order which is alleged to have been contravened in relation to the vehicle concerned is invalid.**
Please explain why you believe the parking restriction in question is invalid or illegal.

☐ **Other reasons** - This Notice to Owner may be cancelled for other compelling reasons even if none of the specified grounds apply. Please provide details.

☐ **I was not the owner/hirer of the vehicle at the time of the alleged contravention.**

- ☐ **I was never the owner of the vehicle in question**
- ☐ **I had ceased to be its owner before the date on which the alleged contravention occurred**
- ☐ **I became its owner after the date on which the alleged contravention occurred.**

Please supply proof of purchase or sale of the vehicle e.g. a copy of the receipt or DVLA notification or confirmation from your insurers that you have renewed or cancelled insurance. You must give the name and address of the person who bought/sold the vehicle and the date of sale/purchase in the box provided.

☐ **Where a PCN was served by post on the basis that a CEO was prevented by some person from fixing it to the vehicle concerned or handing it to the owner or person in charge of the vehicle, that no CEO was so prevented.**

For more information on representations and appeals go to;
www.trafficpenaltytribunal.gov.uk or
www.nottinghamcity.gov.uk/article/22542/
How-to-challenge-your-parking-penalty
Please note the references to informal challenge are not applicable to this Notice to Owner.

DETAILS TO SUPPORT YOUR REPRESENTATIONS

Attach additional sheets if required, clearly marking each sheet with the Penalty Charge Notice Number

Name and Address of Buyer/Seller/Hirer

Name _____

Address _____

_____

Postcode _____

Date of Purchase/Sale _____

Data Protection Act 1998
Nottingham City Council will use any data collected through the issuing of this Penalty Charge Notice for the enforcement of traffic contraventions and other associated purposes. This data may also be shared with other agencies as required by law. All processing of this data will be in accordance with the Data Protection Act 1998.

DECLARATION — This must be signed in order for your representations to be considered

I confirm the details of my representations are correct to the best of my knowledge. I realise that making a false statement may result in prosecution and a fine upon conviction of up to level five on the standard scale (currently £5,000).

Signature: _____ *Date:* _____

Name (Block Capitals) _____ *Position in Company (if relevant)* _____