Regulation 10 Penalty Charge Notice (Approved Device)
(in this case a camera with a digital recording system capturing digital video images)

Penalty Charge Notice

Nottingham City Council

THE TRAFFIC MANAGEMENT ACT 2004 SECTIONS 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 £70** is payable for the following alleged contravention:

Code:

The vehicle ____ ____ ____ was seen by Camera Operator ____

in ____ Nottingham, at ____

This Penalty Charge Notice has been served by post on the basis of a record produced by an approved device and also acts like a Notice to Owner. 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 or the person who was hiring the vehicle at the time the PCN was issued for the contravention 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 21 days beginning with the date of service of the notice, **the penalty charge will be reduced by one half.** 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. As the penalty charge has been set at £70, all representations are against this amount. If you make unsuccessful representations which have been replied to by the Council within the 21 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 £105** and take steps to enforce payment of the increased amount.
5. **The Council has a digital video of the alleged contravention**. You may view it online by going to www.nottinghamcity.gov.uk/buslanes Please enter your PCN number and vehicle registration number and confirm that you have read the terms and conditions. Alternatively, you or your representative may, by notice in writing to the Authority, request to view the record of the contravention. This will be arranged in a reasonable time, at one of the Authority's offices of your choosing that has the necessary facilities, at a time during normal office hours (Monday to Friday 08:30 to 16:50). The Council does not charge for either of these services.

PAYMENT METHODS

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 - 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.

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 either online at **www.nottinghamcity.gov.uk/parkingtickets** or in writing by post to the address overleaf and you may use this form. The Civil Enforcement of Parking Contraventions (England) Representations & Appeals Regulations 2007 (SI 3482) specifies the grounds on which representations can be made. The specified grounds on which you can make representations 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. In addition the Council may consider other mitigating circumstances and you should tick the box "Other Reasons" and give full details. This Penalty Charge will be cancelled if one or more of the specified grounds are established.

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 Penalty Charge 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.

If payment is made at any time during the appeals process, liability for the contravention is accepted and the case will be closed.

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 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.

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 and online appeals are not applicable to this Penalty Charge Notice.

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)* _____