



Chief Executive: P. J. Simpkins

Transport Act 2000

Bus Lane Contraventions (Penalty Charge Notices, Adjudication and Enforcement) (England) Regulations 2005

If payment is not received or a formal appeal is not made to the Traffic Penalty Tribunal within the period of 28 days as stated above, the Council may increase the penalty charge by 50% to £90.00 and take steps to enforce payment by serving on you a Charge Certificate. **Please note that the Council is unable to accept instalment payments at any stage.**

HOW TO PAY



- Online at <https://www.bedford.gov.uk/PenaltyChargeNotice>
 - By phone 01234 718061 (24 hours).
 - By post - Please make your cheque payable to 'Bedford Borough Council', write your Penalty Charge Notice number on the back and send to Bedford Borough Council, Customer Service Centre, PO Box 1494, Bedford MK40 9EA .
 - In person at Bedford Borough Council, Cash Hall (rear of Customer Service Centre), Horne Lane, Bedford MK40 1RA.

Customer Service Centre:	Monday to Thursday 08:45 to 17:15 Friday 08:45 to 16:45
Cash Hall:	Monday to Friday 08:45 to 16:00
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HOW TO APPEAL

You may appeal against this decision to an independent Adjudicator using the form enclosed with this decision. The following are the only grounds upon which the Adjudicator may allow an appeal:

- A. The alleged contravention did not occur.**
e.g. the contravention did not happen as stated on the PCN. This would include a dispute about signs.
- B. The penalty exceeded the amount applicable in the circumstances of the case.**
Penalty Charges are fixed by law; this ground applies if the penalty you are being required to pay is the wrong amount.
- C. I never owned the vehicle in question; or I had ceased to be its owner before the date on which the alleged contravention occurred; or I became its owner after the date on which the alleged contravention occurred.**
- D. 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.**
e.g. the vehicle was stolen. Provide a crime reference number if available.
- E. We are a vehicle hire firm and: (i) the vehicle was on hire under a qualifying hiring agreement; and (ii) the hirer had signed a statement acknowledging liability for any PCN issued during the hire period.**
Include the hire agreement relied upon.
- F. I/We am/are not responsible for the penalty as a hirer under a hire agreement.**
The PCN has been sent to you because the Council believes that you were the hirer of the vehicle at the time of the incident and that when hiring the vehicle you signed a statement of liability that you would be responsible for any penalty charge incurred, but this is not the case.
- G. The Police are already taking action.**
Bus lane contraventions can be dealt with by either the Police or the Council but not both.
- H. The vehicle was kept by a vehicle trader at the time of the alleged contravention.**
Although you are the registered keeper of the vehicle, a motor dealer was the true keeper. This does not apply where the vehicle is merely in the possession of a garage for vehicle repairs.

Any appeal must be made before the end of the period of 28 days beginning with the date this Notice is served, but the Adjudicator may decide to allow you a longer period - **see below**.

A notice of appeal:

- a) must be in writing signed by you or by someone who you have authorised to sign on your behalf;
- b) must state your name and address or some other address to which you want the documents to be sent to you in connection with the appeal;
- c) must state the date and any reference number of the disputed decision; and
- d) you may include any representations which you want to make in addition to the original representations.

If the notice of appeal is sent after the end of the 28 day period specified above, you must provide a statement setting out the reasons for the delay. The Adjudicator will then treat that statement of reasons for delay as a request to extend the time limit.

The Traffic Penalty Tribunal is also able to accept appeals lodged on-line via its website at www.trafficpenaltytribunal.gov.uk. Your Personal Identification Number for submitting an appeal on-line is **73F622**.

COSTS

The Adjudicator will not normally make an order awarding costs and expenses to either an appellant or to an enforcement authority but **may** do so where the Adjudicator is of the opinion that one of those parties to the appeal has acted frivolously or vexatiously, or that the conduct in making, pursuing or resisting an appeal was wholly unreasonable.

No order for costs would be made without giving the affected party an opportunity of making representations against the making of the order.

CAMERA RECORDING



Please visit Bedford Borough Councils website at <https://www.bedford.gov.uk/PenaltyChargeNotice> to view the digital video footage, along with the still photographs and details of the alleged contravention. If you do not have access to the internet you may use the facilities based at the Customer Service Centre, Horne Lane, Bedford, MK40 1RA

THE RULE RELATING TO SERVICE

This PCN will be taken to have been served on the second working day after the day of posting in accordance with: The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005, Part 1, Regulation 2:

- (5) References to the service of a document include service by post and, in determining for the purposes of these Regulations the date on which a notice or other document is served by post, it shall be presumed that service of a notice sent by first class post was effected on the person who it was addressed on the second working day after the day on which it was posted.