

## PENALTY CHARGE NOTICE (PCN)

The Traffic Management Act 2004, The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022; The Civil Enforcement of Road Traffic Contraventions (Representations and Appeals) (England) Regulations 2022

«Offender\_Address\_Name»

«Offender\_Business\_Name»

«Offender\_Address\_1»

«Offender\_Address\_2»

«Offender\_Address\_3»

«Offender\_Address\_4»

«Offender\_Post\_Code»

Date of this Notice and date of posting		«PCN_Issue_Date»	PCN Number	«PCN_Ticket_Number»
To:		«Offender_Address_Name» «Offender_Business_Name»		
This Notice has been served on you because it appears to Brighton & Hove City Council that you are the owner/hirer of				
Vehicle Registration Number:		«PCN_Registration_Nu	Make:	«PCN_Vehicle_Make» «PCN_Vehicle_Colo
and that the following contravention has occurred		«PCN_Offence_Code» «PCN_Offence_Long_Description»		
Date of Contravention:		«PCN_Issue_Date»		
Time:		Observed From:	to:	«PCN_Issue_Time»
Location:		«PCN_Street_or_Carpark_		
Pay and display details (if relevant):		Ticket No:	Expiry Time:	

This Notice has been served by post because a Civil Enforcement Officer (CEO) «PC had reason to believe that the above parking contravention had occurred and had begun to prepare a penalty charge notice for service but the vehicle was driven away from the place in which it was stationary before the Civil Enforcement Officer had finished preparing the penalty charge notice or had served it by affixing it to the vehicle or giving it to the person in charge of the vehicle.

**A penalty charge of £ «PCN\_Amount» is now payable and must be paid not later than the last day of the period of 28 days beginning with the date on which this notice is served. This Notice will be taken to have been served on the second working day after the day of posting (as shown above) unless you can show that it was not.**

**The penalty charge will be reduced by a discount of 50% to £ «PCN\_Amount» if it is paid not later than the last day of the period of 14 days beginning on the date on which this Notice is served.**

**NOTE: If you do not pay the penalty charge or make representations within the period specified above the Council may increase the original penalty charge by 50% to £ «PCN\_Amount» and take steps to enforce payment.**

**SEE REVERSE FOR: How to Pay.**

**How to make representations about this Notice.**

## How to Pay

Payment should only be made if the Notice is not disputed



Payment can be made **online** by visiting website [www.brighton-hove.gov.uk/parkingdoitnow](http://www.brighton-hove.gov.uk/parkingdoitnow) (Follow the link Pay a Penalty Charge Notice).

Alternatively, if you do not have access to a computer, payment can be made by:

- **Telephone** – Please dial the automated 24 hour service on 0345 603 5469 and make a Credit/Debit card payment.
- **Post** – Send your Cheque or Postal order made payable to Brighton and Hove City Council together with the completed payment slip overleaf to Brighton and Hove City Council, Parking Services, G39, Hove Town Hall, Norton Road, Hove, BN3 3BQ.  
**DO NOT send cash or make credit card payment by post. Post dated cheques will not be accepted.**

### Service by post or electronically

- (1) This regulation makes provision about the service of documents under these Regulations, other than notices or orders made by a county court.
- (2) A notice or charge certificate which is required by these Regulations to be served by post—
  - (a) may be served by first class (but not second class) post, and
  - (b) where the person on whom it is to be served or to whom it is to be given is a body corporate, is duly served or given if it is sent by first class post to the secretary or clerk of that body.
- (3) Service of such a notice or charge certificate contained in a letter sent by first class post which has been properly addressed, pre-paid and posted is to be taken to have been effected on the second working day after the day of posting.
- (4) For the purposes of paragraph (3) "working day" means any day except—
  - (a) a Saturday or a Sunday,
  - (b) New Year's Day,
  - (c) Good Friday,
  - (d) Christmas Day, or
  - (e) any other day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971(1).
- (5) A document may be transmitted to a vehicle-hire firm by means of electronic data transmission where—
  - (a) it has indicated in writing to the person sending the document that it is willing to regard a document as having been duly sent to it if it is transmitted to a specified electronic address, and
  - (b) the document is transmitted to that address.

## General Data Protection Regulations

Details of why we hold data under the **General Data Protection Regulations** and our privacy policy can be found at [www.brighton-hove.gov.uk/penalty-data](http://www.brighton-hove.gov.uk/penalty-data) or by contacting [Data.Protection@brighton-hove.gov.uk](mailto:Data.Protection@brighton-hove.gov.uk)

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### Payment Slip (only applicable if you do not have access to the internet and you are paying by post)

You must complete this slip in block capitals and return it with your payment to the address below.

**Brighton and Hove City Council, Parking Services, G39, Hove Town Hall, Norton Road, Hove, BN3 3BQ.**

Penalty Charge Notice:	Name:
Vehicle Registration No:	Address:
Date of the Notice:	
Payment Amount Due:	Postcode:
Email Address:	

## How to make representations in respect of this notice

If you believe that the penalty charge should not be paid you may make representations to Brighton and Hove City Council asking that the charge be cancelled.

Representations should be made online by visiting [website www.brighton-hove.gov.uk/parking](http://www.brighton-hove.gov.uk/parking), (follow the Penalty Charge Notices link).

Alternatively, if you do not have access to the internet complete the representation section of this form below and post it to Brighton and Hove City Council, PO Box 204, Sheffield, S98 1LS. Please quote the Penalty Charge Number in all correspondence.

Representations which are made after the expiry of the 28 day period specified on the first page of this Penalty Charge Notice may be disregarded. This Notice will be taken to have been served on the second working day after the day of posting unless you can show that it was not. If you submit your representations late, you should explain why.

The statutory grounds on which representations may be made are set out below together with an indication of the information which you should supply in support of your representations. It is important to provide all relevant information. Tick the relevant boxes and write your reasons in the box on the following page. This Notice **will** be cancelled if one or more of the specified grounds is established. This Notice **may** be cancelled for other compelling reasons even if none of the specified grounds apply. If the Notice is cancelled any sums already paid will be refunded.

If your representations are received in time or are received late but are taken into account, Brighton & Hove City Council will 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 representation was served on it. If it fails to do so, this Notice 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.

Brighton & Hove City Council's policy about late representations, representations not covered by the statutory grounds and extension of the time for payment of the discounted penalty can be found on the council's website.

Further information about Civil Parking Enforcement (including PCNs and NtOs) is available online at [www.patrol-uk.info](http://www.patrol-uk.info) or [www.brighton-hove.gov.uk/parking](http://www.brighton-hove.gov.uk/parking).

### The Specified Grounds

- ☐ **The alleged contravention did not occur.**  
(Please explain why you believe no contravention took place.)
- ☐ **I was never the owner of 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.**  
(If you bought or sold the vehicle, you **must** give the new or former owner's name and address if you have it. Please also provide the date of the transaction and any other details, and include any documents such as an invoice or bill of sale)
- ☐ **At the time that the alleged contravention occurred, the vehicle in question was in the control of a person who did not have the consent of the owner.**  
(Tick this box if your vehicle was stolen or taken without your consent. Please provide any supporting information that you may have e.g. any crime reference or insurance claim reference).
- ☐ **We are a vehicle-hire firm and the vehicle in question was at the material time hired from that firm under a hiring agreement and the person hiring it had signed a statement of liability acknowledging their liability in respect of any penalty charge notice served in respect of any relevant road traffic contravention involving the vehicle during the currency of the hiring agreement.**  
(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)
- ☐ **The penalty charge exceeded the amount applicable in the circumstances of the case.**  
(Tick this box if you think you are being asked to pay more than is required by law and explain why.)

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- ☐ **There has been a procedural impropriety on the part of the enforcement authority.**  
(Please set out the statutory requirement, time limit or other procedural step with which you believe that 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 that the Order in question is invalid.)
- ☐ **No person prevented a Civil Enforcement Officer from :-**
  - (i) fixing a regulation 9 penalty charge notice to the vehicle concerned, or
  - (ii) handing such a notice to the owner or person in charge of the vehicle.
- ☐ **This Notice should not have been served because the penalty charge had already been paid :-**
  - (i) in full; or
  - (ii) at the discounted rate.

### Other grounds

- ☐ If there are any other reasons not listed above why you consider the Council should cancel this Notice please tick this box and set out those reasons in full in the box on the following page.  
(Please turn to page 4)

**Write your representations here** (attach any extra sheets if necessary)



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**Name and address of buyer / seller / hirer of vehicle** (where relevant)

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

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

NAME (in capitals): \_\_\_\_\_ Position in company (if relevant): \_\_\_\_\_

Email Address: \_\_\_\_\_

Please tick here if you would like to receive a reply by email ☐

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