

Charge Certificate

Traffic Management Act 2004

The Traffic Management Act 2004, s82; Civil Enforcement of Parking Contraventions (England) General Regulations 2007;
The Civil Enforcement of Parking Contraventions (Guidelines on Levels of Charges) (England) Order 2007

«Corresp_Title» «Corresp_ForeName»
«Corresp_Surname»
«Corresp_Business_Name»
«Corresp_Address_Line_1»
«Corresp_Address_Line_2»
«Corresp_Town»
«Corresp_County»
«Corresp_Post_Code»

Date of this Certificate: «Printed_Date»

PCN No : «Notice_Number»
Date of Contravention : «Notice_Contravention_Date»
Vehicle Registration Number : «Notice_VRM»
Location of Alleged Contravention : «Notice_Issue_Location_Town», «Notice_Area_Name»

Dear «Corresp_Title» «Corresp_ForeName» «Corresp_Surname»,

On «Corresp_NTO_Date» a Notice to Owner/Penalty Charge Notice was served on you which explained that, as the person we believe to be the owner (or hirer) of the above vehicle, you had to pay a penalty charge, or write to us explaining why you believed that you should not have to pay it.

We are now sending you this Charge Certificate because you either:

- did not respond to the Notice to Owner; or
- wrote to us but we did not accept your reasons for not having to pay the penalty charge and you did not then appeal to the Traffic Penalty Tribunal; or
- appealed to the Traffic Penalty Tribunal but your appeal was rejected,

and the outstanding charge of £«Notice_Original_Penalty» has not been paid. As a result, the penalty charge has now increased by 50% to £«Notice_Surcharge_Penalty»

So far £«Notice_Net_Paid» has been received. **Payment of £«Notice_Outstanding_Account» is now due.**

You must pay this increased amount before the end of the period of 14 days beginning with the date of this Certificate. If we do not receive payment within the period described above we may register the charge as a debt at the County Court and after doing so we may ultimately pass the case to enforcement agents (bailiffs) to recover the debt.

This Certificate 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.

HOW TO PAY THE CHARGE

Please make cheques and postal orders payable to 'Devon County Council' and write the PCN number and vehicle registration number on the back. Please do not send post-dated cheques, as they will not be accepted.

ONLINE: Go to www.devon.gov.uk/parking and follow the on-line instructions.

BY TELEPHONE: 24 hours a day on 0345 155 1075 using your debit or credit card.

BY POST: Complete the payment slip below and return with your cheque or postal order made payable to Devon County Council to: Parking Services, Devon County Council, County Hall, PO BOX 811, Exeter, Devon EX1 9WA. Please send a stamped addressed envelope if you would like a receipt. Please do not send cash through the post.

IN PERSON: Complete the payment slip below and bring it with your payment to:

Cashiers Office, County Hall, Topsham Road, Exeter. EX2 4QD – Office hours Monday to Friday 9.00am – 4.00pm
If you pay by cash please ensure that you obtain a receipt. If you have any questions about this Charge Certificate please telephone 0345 155 1073.

THE RELEVANT PERIOD

- (1) The relevant period within which the penalty charge should have been paid is the period of 28 days beginning –
- (a) where no representations have been made under regulation 4 of the Representations and Appeals Regulations, with the date on which the notice to owner is served;
 - (b) where –
 - (i) such representations have been made;
 - (ii) a notice of rejection was served by the authority concerned; and
 - (iii) no appeal against the notice of rejection was made, with the date on which the notice of rejection is served;
 - (c) where an adjudicator has, under regulation 7(4) of the Representations and Appeals Regulations, recommended the enforcement authority to cancel the notice to owner, with the date on which the enforcement authority notified the appellant under regulation 7(5) of those Regulations that it does not accept the recommendation; or
 - (d) in a case not falling within subparagraph (c) above where there has been an unsuccessful appeal to an adjudicator under the Representations and Appeals Regulations against a notice of rejection, with the date on which notice of the adjudicator's decision was served on the appellant.
- (2) Where an appeal against a notice of rejection was made but was withdrawn before the adjudicator served notice of his decision, the relevant period in relation to a notice to owner is the period of 14 days beginning with the date on which the appeal was withdrawn.

THE RULE RELATING TO SERVICE

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007: Regulation 3 states:

“Service by post

3 – (1) Subject to paragraph (5), any notice (except a penalty charge notice served under regulation 9) or charge certificate under these Regulations –

- (a) may be served by first class (but not second class) post; and
- (b) where the person on whom it is to be served is a body corporate, is duly served if it is sent by first class post to the secretary or clerk of that body.

(2) Service of a notice or charge certificate contained in a letter sent by first class post which has been properly addressed, pre-paid and posted shall, unless the contrary is proved, be taken to have been effected on the second working day after the day of posting.

(3) In paragraph (2), – “working day” means any day except –

- (a) a Saturday or a Sunday;
- (b) New Year's Day;
- (c) Good Friday;
- (d) Christmas Day;
- (e) any other day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971.

(4) A document may be transmitted to a vehicle hire firm (as defined in regulation 5(4)) by a means of electronic data transmission where –

- (a) the vehicle hire firm has indicated in writing to the person sending the notice or 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.

(5) Nothing in this regulation applies to the service of any notice or order made by a county court.”

Data Protection Statement

In accordance with our responsibility under the Data Protection Act, you should be aware that the personal information you are giving will be held and may be passed to other services of the Council, so that you are provided with the best possible support.

We will not pass your personal information to external individuals or organisations unless there is a legal obligation to do so.
We will not use your personal information for direct marketing purposes.

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PAYMENT SLIP

Penalty Charge Notice Number: «Notice_Number»

VRM: «Notice_VRM»

Date of Charge Certificate: «Printed_Date»

«Corresp_Title» «Corresp_ForeName» «Corresp_Surname» «Corresp_Business_Name» «Corresp_Address_Line_1» «Corresp_Address_Line_2» «Corresp_Town» «Corresp_County» «Corresp_Post_Code»
