

## **KIRKLEES COUNCIL**

# **YOUR RIGHT TO APPEAL**

Kirklees Council does acknowledge that there are occasions when there are exceptional reasons why a PCN should be cancelled, even when a parking contravention has been committed. On this occasion your appeal has been carefully considered by the Council but regretfully the reasons put forward by you were insufficient to justify cancellation of the notice.

The reasons for the rejection are given in the enclosed rejection letter. In view of this, the Council will not, at this stage, enter into any further correspondence regarding this matter unless you provide some additional evidence to that already with the Council.

### **What should I do now?**

#### **1. Pay the charge.**

Please pay the relevant charge, within the specified time, as indicated in the rejection letter.

#### **2. What happens if I do not pay charge?**

##### **2a. Wait for a Notice to Owner and make a Formal Representation.**

If the Penalty Charge is not paid in full within 28 days from the date of our rejection letter, a Notice to Owner will be sent to the registered keeper of this vehicle. Do not ignore the Notice to Owner -You must either PAY or make a FORMAL REPRESENTATION within 28 days of the date on which the notice was served (i.e. – date of service is deemed to be two days after the date of posting). If you wish to make a Formal Representation you should do so on the Notice to Owner which gives full instructions on how to make the representation and details of the specific grounds on which representation can be made.

##### **2b. Issue of Charge Certificate**

If you fail to pay the outstanding charge or make a Formal Representation to the Council within 28 days of the service of the Notice to Owner, a Charge Certificate will be issued and the charge will be increased by a further 50%.

**Please Note: You cannot make a Formal Representation after the Charge Certificate has been issued.**

##### **2c. Formal Appeal to the Traffic Penalty Tribunal.**

If your Formal Representation is rejected by the Council you should pay the outstanding charge in full within 28 days of the rejection letter sent to you, or you can make a Formal Appeal to an independent Adjudicator at the Traffic Penalty Tribunal.

#### **3. Traffic Penalty Tribunal (TPT):**

If your Formal Representation is rejected by the Council you can make a Formal Appeal to an independent Adjudicator at TPT – an appeal form will be sent to you with the rejection letter. Adjudicators are experienced lawyers in dealing with traffic law and are completely independent of the Council.

**Please note: You cannot appeal to the Adjudicator until you have made a Formal Representation to the Council and it has been rejected.**

If your Formal Appeal is rejected you should pay the outstanding charge in full within 28 days of the date on the letter notifying you of that decision. If you do not pay, a Charge Certificate will be issued and the charge will then be increased by a further 50%.

**If this charge is not paid formal action may be taken to recover the debt.**

**Further Information:** If you do need any more information about the appeals process, visit the TPT website at [www.trafficpenaltytribunal.gov.uk](http://www.trafficpenaltytribunal.gov.uk)