

BUS LANE PENALTY CHARGE NOTICE (PCN)
 This notice also acts as a **NOTICE TO OWNER (Nto)**

Transport Act 2000
 Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement)
 (England) Regulations 2005 ('The Regulations')



address	Vehicle Registration Mark	vrn
	PCN Number	pcnno
	Detection date of alleged Bus Lane Contravention	issdateonly
	Date of this PCN (date of posting)	today'sdate

On issdateonly ("the detection date") at isstimeonly a vehicle with the registration mark vrn ("the vehicle") was involved in the following alleged bus lane contravention.

Alleged Bus Lane Contravention Being in a bus lane		
Location: streetname		

The alleged contravention has been detected and recorded by an approved device (in this case a camera and recording system) and this is why the notice has been served on you by post.

North Tyneside Council having reason therefore to believe that a penalty charge is payable, serves this PCN on you, ("the recipient") as the person appearing to the Council to be the owner of the vehicle or person liable to pay the penalty charge.

The penalty charge of £ fullamounts now payable by you as the owner/registered keeper and must be paid not later than the last day of the period of 28 days beginning with the date on which this PCN was served. This Notice will be taken to have been served on the second working day after the date of posting (as shown above).

The penalty charge will be reduced by a discount of 50% to £ discountamounts paid not later than the last day of the period of 14 days beginning with the date on which this Notice was served

As this penalty charge has become payable because the alleged bus lane contravention was recorded on an approved device, you or your representatives may make a written request to North Tyneside Council to view the record produced by the approved device. You may also request North Tyneside Council to provide you with such still images from the record which, in their opinion, establishes the contravention. You may also view the images online by visiting

http://www.northtyneside.gov.uk/parking-photos.shtml?p_subjectCategory=880

NOTE: You may make representations to North Tyneside Council as to why this penalty charge should not be paid. These representations should be made not later than the last day of the period of 28 days beginning with the date on which this Notice is served and any representations which are made outside that period may be disregarded.

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% and take steps to enforce payment.

SEE FOLLOWING FOR: How to Pay or How to make Representations about this Notice

HOW TO PAY

Payment should only be made if the Notice is not disputed

By Post - Cheques & Postal Orders must be made payable to 'North Tyneside Council'. The PCN number and address must be written on the reverse of the cheque. Please send to: Team Revenue, North Tyneside Council, PO Box 694, North Shields, Tyne & Wear, NE28 7RR. Allow 2 days for 1st class post and 5 days for 2nd class post.

In Person - Payment can be made using cash, cheque, credit / debit card at the following Customer Service Offices:

Whitley Bay Customer Services Office, York Road, Whitley Bay, NE26 1AB.	Office open 9.00am to 4.30pm Monday to Thursday; 9.00am to 4.00pm Friday
North Shields Customer First Centre, Northumberland Square, North Shields, NE30 1QU.	Office open 9.00am to 4.30pm Monday to Thursday; 9.00am to 4.00pm Friday
Wallsend Customer First Centre, Forum House, Segedunum Way, Wallsend, NE28 8LX.	Office open 9.00am to 4.30pm Monday to Thursday; 9.00am to 4.00pm Friday

By Telephone - Credit Card / Debit cards payments only Tel: 0345 2000107. Please have your PCN Number ready and debit or credit card details available. (Visa Debit, Maestro, Visa Credit or Mastercard).

Online - visit http://www.northtyneside.gov.uk/parking-pay.shtml?p_subjectCategory=360 you will need your PCN Number, vehicle registration and your debit or credit card details.

HOW TO MAKE REPRESENTATIONS

If you believe that you should not pay this penalty charge you may make representations to North Tyneside Council. Representations **must** be in writing and should be sent to Parking Control, Quadrant East, The Silverlink North, Cobalt Business Park, Tyne and Wear, NE27 0BY.

Representations which are made after the end of the 28 day period specified on the first page of this 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. For more information on this, please turn to the last page of this Notice. If you submit your representations late, you should explain why. The Enforcement Authority will consider your request and notify you in writing whether they are prepared to consider your late representations.

The statutory grounds on which your representations may be made are set out on the following page 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 are 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, North Tyneside 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. If the Council 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 Bus Lane Adjudicator. An appeal form will be sent with the letter rejecting your representations. The form will explain how and when to appeal to the Bus Lane Adjudicator.

Further information about Bus Lane Enforcement is available online at www.patrol-uk.info.

The specified grounds

The alleged bus lane contravention did not occur

For example:

- the signs and lines were wrong
- the vehicle was permitted to be in the bus lane
- the vehicle was not in the bus lane.

The penalty charge exceeds 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 the regulations)

The penalty charge exceeded the amount applicable in the circumstances of the case.

Either:

- the alleged contravention is the subject of criminal proceedings; or
- a Fixed Penalty Notice, as defined by Section 52 of the Road Traffic Offenders Act 1988, has been issued for the same incident.

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 bus lane contravention occurred/
or**

I became its owner after the date on which the alleged bus lane 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)

You 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 of liability for any PCN issued during the hire period.

This ground applies only to formal hire agreements where the hirer has signed an agreement accepting liability for penalty charges. The requirements are specific. They are contained in Schedule 2 to the Road Traffic (Owner Liability) Regulations 2000 and Section 66 of the Road Traffic Offenders Act 1988. You **must** provide the hirer's name and address and a copy of the agreement.

You are a hirer of the vehicle at the time but did not enter into an agreement assuming liability for any contraventions

This applies when the PCN has been served on you on the basis that you had the vehicle on hire under an agreement that placed liability for any contravention on them, but there is no such agreement. You **must** enclose a copy of the agreement.

When the bus lane contravention occurred, the vehicle was kept by a trader

This applies if, although the appellant owned the vehicle at the time, the vehicle was kept by a vehicle dealer, auctioneer, scrap yard, insurer or had been repossessed.

When the bus lane contravention occurred, the vehicle had been taken without the appellant's consent

This ground covers stolen vehicles and vehicles used without the owner's consent. It could apply, for example, to a vehicle taken by "joy-riders". It does not generally apply to vehicles in the possession of a garage or borrowed by a relative or friend. If possible, the appellant should supply a Crime Reference Number from the police.

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 on the following page.

Write your representations here: (attach any extra sheets if necessary. Please include the Penalty Charge Reference on all sheets) pcno

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

Date of sale/purchase

Date of Hire (from & to)

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)

THE RULE RELATING TO SERVICE

The Civil Enforcement of Contraventions (England) Regulations 2005:

“Service 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 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 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)“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 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