

Notice to Owner (NtO)

The Traffic Management Act 2004, s82; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007



North Tyneside Council

To: address

Date of this Notice: todaysdate

This Notice has been served on you because it appears to North Tyneside Council that you are the registered keeper/ owner of		
Vehicle Registration Number: vrm	Make: vehiclemake	Colour: vehiclecolour
Tax Disc: roadtaxserial	Expiry: roadtaxexpiry	
In respect of which Penalty Charge Notice (PCN) Number: pcnno		was served on: issdateonly
by Civil Enforcement Officer (CEO): shouldernumber		
who had reason to believe that the following contravention had occurred and that a penalty charge was payable.		
Contravention: contraventiondescription		
Location: streetname		
Date of Contravention: issdateonly	Time: isstimeonly	

The penalty charge is £fullamount to date £amountpaid has been received. £amountdue outstanding.

NOTE: The person appearing to be in charge of the vehicle was served with a penalty charge notice (PCN), which allowed 14 days for payment of a 50%, discounted penalty charge; otherwise the full penalty charge became due. Either no payment has been received or any payment received has been insufficient to clear the penalty charge.

A penalty charge of £amountdue now payable by you as the owner 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.

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.

NOTE: If you do not pay the penalty charge or make representations before the end of the 28 day period specified above the Council may increase the original penalty charge by 50% to £ccamount and take steps to enforce payment.

SEE REVERSE FOR:
How to pay.
How to make representation.

HOW TO PAY

BY POST - Payment may be made by crossed cheque or postal order made payable to North Tyneside Council. Write the Penalty Charge number and your address on the reverse of the cheque/postal order. Please allow 2 working days for 1st class post and 5 for 2nd class.

Send your payment to **North Tyneside Council, Team Revenue, PO Box 694, North Shields, Tyne and Wear, NE27 9AF.**

BY TELEPHONE - Credit or debit card payments can be made by telephone on **0845 200 0107** quoting the Penalty Charge number and your card details.

IN PERSON - Payment may be made in person with cash, cheque, credit or debit card at the following Customer Service Offices: -

York Road, Whitley Bay
Northumberland Square, North Shields
Forum House, Wallsend

Opening Times of these offices are:

9.00 a.m. to 4:30 p.m. Monday to Thursday
9:00 a.m. to 4:00 p.m. Friday

ONLINE - Payment can be made online at www.northtyneside.gov.uk using your Debit/Credit card

NOTICE FOR COMPLETION

1. The driver was allowed 14 days to pay a 50% discounted sum. Any sum already paid, as shown overleaf, was insufficient to clear the charge in full.
2. As the registered keeper/owner of the vehicle (or the person who was hiring the vehicle) at the time the Penalty Charge Notice was served, you are legally liable for the Penalty Charge even if you were not the driver at the time.
3. It is now **too late** to pay the 50% discounted rate, you therefore have two options:

Pay/Appeal

- a. **PAY** – Pay the Penalty Charge in full using a method listed above.
- b. **APPEAL** – Make Representations to the Council.

HOW TO MAKE REPRESENTATIONS

If you believe that the penalty charge should not be paid you may make representations in writing to **Parking Control, North Tyneside Council, 1st floor, Quadrant East, The Silverlink North, Cobalt Business Park NE27 0BY.** You may use this form to make your representation. **Please quote the PCN, the vehicle registration and your address in all contacts.**

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 statutory grounds on which representations may be made are set out on page 3 of this document 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 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 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.

North Tyneside Council's policy about late representations and/or representations not covered by the statutory grounds can be found on www.northtyneside.gov.uk.

Further information about Civil Parking Enforcement (including PCNs and NtOs) is available online at www.northtyneside.gov.uk

(Please turn to Page 3)

THE SPECIFIED GROUNDS

(Tick the relevant box and write your reasons in the box overleaf)

- 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 copies of any documents such as an invoice or bill of sale)
- 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.**
(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 was on hire under a hiring agreement and the hirer had signed a statement acknowledging liability for any PCN issued during the hiring period.**
(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.)
- There has been a procedural impropriety by the enforcement authority.**
(Tick this box if you believe that the North Tyneside Council has failed to comply with any requirement imposed by the Traffic Management Act 2004, by the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 or by the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 Regulations. 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. *Please note that this ground will not apply in respect of a provision in an Order to which Part VI of Schedule 9 to the Road Traffic Regulation Act 1984 applies.*)
- This Notice should not have been served because the penalty charge had already been paid:**
(i) In full; or
(ii) At the discounted rate set in accordance with Schedule 9 to the Traffic Management Act 2004 Act **and within the time specified in paragraph 1(h) of the Schedule to the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.**
(Please indicate the amount of the payment made and when and how the payment was made and include a copy of any supporting documentary information such as a receipt or bank statement.
N.B. The discounted rate was 50% of the penalty charge and should have been paid not later than the last day of the period of 14 days beginning with the date on which the PCN was served.

OTHER GROUNDS

- If there are any other reasons why you consider the Council should cancel the penalty charge notice and refund any sum already paid please tick this box and set out those reasons in full in the box on the following page.**

(Please turn to Page 4)

Penalty Charge Notice (PCN) Number:

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

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):

The rule relating to service

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

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.