

NOTTINGHAM CITY COUNCIL

NOTICE TO OWNER

To:

NOTICE to OWNER (NtO)

The Traffic Management Act 2004, s80, s82; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

Date of this Notice to Owner and date of posting:

To:

This Notice to Owner has been served on you because it appears to Nottingham City Council that you are the owner/hirer of:

Vehicle Registration Number:

Make:

Colour:

Tax Disc:

Expiry:

in respect of which Penalty Charge Notice (PCN) Number

was served on

by Civil Enforcement Officer(CEO)

who had reason to believe that the following contravention had occurred and that a penalty charge is payable:

(Code)

Location:

Date of Contravention:

Time:

The penalty charge is £

To date £

has been received.

£ is 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 became due. Either no payment has been received or any payment received has been insufficient to clear the penalty charge.

A penalty charge of £ is now payable by you as the owner/hirer and must be paid not later than the last day of the period of 28 days beginning with the date on which this Notice to Owner is served. This Notice to Owner will be taken to have been served on the second working day after the day of posting (as show above) unless you can show that it was not.

You may make representations to Nottingham City 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 28 days beginning with the date on which this Notice to Owner 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 and take steps to enforce payment.

See page 2 for: How to pay/How to make representations

Return this section with your payment

Vehicle Registration Number

Penalty Charge Notice Number

Penalty Charge Notice Date

I enclose a cheque/postal order to the value of: £.....

From:

Name:

Address:



HOW TO PAY - Payments should only be made if the Notice is NOT disputed



By Post:

- (a) Make your cheque or postal order payable to Nottingham City Council, write the notice number and vehicle registration on the reverse. Complete the slip at the bottom of page 1 of this notice and send it with your cheque or postal order.
- (b) For credit/debit card payments complete and return the slip at the bottom of page 1 of this notice.

DO NOT SEND CASH

Allow 2 working days for 1st class post and 5 working days for 2nd class post.

All postal payments must be sent to:
Nottingham City Council
Processing & Enforcement Services
PO Box 10169
NOTTINGHAM
NG1 9HS

By Telephone: - 24 hour payment service

Payment of this Penalty Charge may now be made 24 hours a day, 7 days a week by telephone using a credit/debit card. Please telephone 08456 580590.

Have card and vehicle details and PCN number ready.

By Internet: - 24 hour website payment service

Visit www.nottinghamcity.gov.uk. Click on payments then follow instructions on the screen to complete your payment. This service is available one business day after the date on the Penalty Charge Notice.

NOTICE OF COMPLETION

1. 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 owner/keeper of the vehicle (or the person who was hiring the vehicle) at the time the Penalty Charge Notice was issued, 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 50% discounted rate, you therefore have two options.

PAY/DISPUTE

- a) **PAY - Pay the Penalty Charge in full using an above method OR**
- b) **DISPUTE - Make representations to the Council**

There are set grounds on which you may make representations. If you think that one or more of the listed grounds applies to your case, complete the form and return it to the Council in the envelope provided to the above address. The letter you are sent if your representations are unsuccessful will explain how you can appeal to an independent Adjudicator.

CREDIT/DEBIT CARD PAYMENT VOUCHER

Please debit my MASTERCARD / VISA / SWITCH / MAESTRO / DELTA / SOLO* account with the sum of £ :

My Credit / Debit Card number is:

Valid From: : Expiry Date: : Issue No: Security Code:

Name on Card (Block Capitals):

Cardholders Address (Block Capitals):

Telephone Number: Cardholders Signature:

*Delete as applicable

NB Failure to supply all details may result in a delay processing your payment.

HOW TO MAKE REPRESENTATIONS

If you believe that the Penalty Charge should not be paid you may make representations to Nottingham City Council. Representations must be in writing by post and you may use this form.

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 to Owner 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 to Owner. If you submit your representations late, you should explain why.

The specified 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 page 4. This Notice to Owner **will** be cancelled if one or more of the specified grounds is established. This Notice to Owner **may** be cancelled for other compelling reasons even if none of the specified grounds apply. If the Notice to Owner is cancelled any sums already paid will be refunded.

If your representations are received in time or are received late but are taken in account, Nottingham 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 (received by the Council). If it fails to do so, this Notice to Owner 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. This form will explain how and when to appeal to the Adjudicator.

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 copies of any documents such as an invoice or bill of sale).

☐ **The vehicle has 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, 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 Nottingham City 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. 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. 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 to Owner should not have been served because the penalty charge has already been paid:**

- (i) **in full; or**
(ii) **at the discounted rate** set in accordance with Schedule 9 to the Traffic Management Act 2004 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, when and how the payment was made and include a copy of any supporting documentary information such as a receipt or bankstatement).

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 day 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 page 4.**

Please enter your Penalty Charge Notice number NG_____ and write your representations here (attaching any extra sheets if necessary)

Name and address of buyer/seller/hirer of vehicle (where relevant - include copies of any documents (such as an invoice or bill of sale).

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)

General Data Protection Regulations (EU) (2016/679) and Data Protection Act 2018

The personal information obtained from the DVLA and you is for the purpose of issuing a penalty charge notice. For further information on how we use and share your data please visit <https://www.nottinghamcity.gov.uk/privacy-statement/>. If you prefer paper, contact the Data Protection Team on 0115 876 3855 and we will post you a copy.

THE RULE RELATING TO SERVICE

The Civil Enforcement of Parking Contravention (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) Saturday or 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 Finance Dealings Act 1971.
- (f) any concessionary days of Nottingham City Council.

(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 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 County Court.