

**BUS LANE PENALTY CHARGE NOTICE (PCN)
[NOTICE TO OWNER]**

Section 144, Transport Act 2000; Bus Lane Contraventions
(Penalty Charges, Adjudication and Enforcement) (England)
Regulations 2005



«Corresp_Title» «Corresp_ForeName» «Corresp_Surname»
«Corresp_Business_Name»
«Corresp_Address_Line_1»
«Corresp_Address_Line_2»
«Corresp_Address_Line_3»
«Corresp_Town»
«Corresp_Post_Code»

To make an on-line representation or to view
the photographic images taken at the time the
alleged contravention occurred please visit

www.Sandwell.gov.uk/pcn

PCN Number: «Notice_Number»

Vehicle Registration: «Notice_VRM»

Unique Web Code: «Notice_Web_Code»

**PLEASE DO NOT IGNORE THIS NOTICE, AS THE OWNER / KEEPER / HIRER OF THIS VEHICLE THIS
NOTICE IS YOUR RESPONSIBILITY. DO NOT PASS THIS NOTICE TO ANOTHER PARTY.**

PCN Number:«Notice_Number»

Date of this Notice and the date of posting: «Printed_Date»

This notice has been served to you because it appears to Sandwell Metropolitan Borough Council that you are the
owner/keeper/hirer of **Vehicle Registration Mark:** «Notice_VRM»

Make: «Notice_Make»

Colour: «Notice_Colour»

The following alleged contravention has been detected and recorded by an Approved CCTV Device. The attached
images have been extracted from the CCTV footage and show the vehicle at the time of the alleged contravention.

Contravention: «Notice_Contravention_Code» : «Notice_Contra_Long_Desc»

Location: «Notice_Issue_Location», «Notice_Area_Name»

Detection Date: «Notice_Contravention_Date» **Detection Time:** «Notice_Contravention_Time»

A penalty charge of £«Notice_Original_Penalty» is now payable and must be paid not later than the last day of the period
of 28 days beginning with the date of service of this notice. 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 it was not.

The penalty charge will be reduced by 50% to £«Notice_Discount_Penalty_1» if it is paid not later than the last day of the
period of 14 days beginning on the date on which this Notice was served.

PAYMENT SLIP – For payment options see overleaf

<p>Please complete in BLOCK CAPITALS</p> <p>Name:</p> <p>Address:</p> <p>Post Code:</p>	<p>Penalty Charge Notice:«Notice_Number»</p> <p>Vehicle Registration Mark: «Notice_VRM»</p> <p>Date of Notice:«Notice_Issue_Date»</p> <p>Payment Amount Due:</p> <p>£«Notice_Discount_Penalty_1»</p> <p>(If paid within 14 days as detailed above)</p>
---	--

As the registered owner/keeper of the vehicle in question, or the person who was hiring the vehicle at the time the alleged contravention was observed, you are legally liable for this penalty charge even if you were not the driver at the time. You are therefore required to either pay the Penalty Charge Notice, details are provided below, or to make representation.

Representations against the penalty charge may be made to the Council on any of the statutory grounds of appeal as set out on page 3 of this notice. Representations made outside of the 28 day period may be disregarded. If at the end of the 28 day period no representations have been made and the penalty charge has not been paid, the Council may increase the penalty charge by 50% to «Notice_Surcharge_Penalty» and take steps to enforce payment of the increased penalty charge.

HOW TO MAKE REPRESENTATIONS IN RESPECT OF THIS NOTICE

If you wish to make representations against this notice you should read the following notes carefully.

If you believe the penalty charge should not be paid you may make representations to Sandwell Metropolitan Borough Council. **Representations must be in writing, you may use the attached form.**

Representations may be made by the following methods:

Post to:

APCOA PARKING
C/O Sandwell MBC
P O Box 2374
Council House Oldbury

Online: www.sandwell.appeals-co.uk

Using the above link will require the information given on the top right hand side of page one.
Video footage and still photographs can be viewed via the above link.

If you are unable to use any of these methods or have any other enquiry, please telephone 0121 569 4330

You must make your representations not later than the last day of the period of 28 days beginning with the date on which this Penalty Charge Notice was served. The 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. Representations which are made after the expiry of the 28 day period as specified above may be disregarded. If you submit your representations late, you should explain why.

The statutory grounds on which representations may be made are set out on the attached sheet together with an indication of the information which you should supply in support of your representations. It is important to provide all relevant information. This notice will be cancelled if one or more of the specified grounds are established. This Notice may also be cancelled for other compelling reasons even if none of the specified grounds apply. If the Notice is cancelled any sum already paid will be refunded.

If your representations are received in time or are received late but are taken into account, Sandwell Metropolitan Borough 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 a written Notice of Rejection (NoR) will be sent to you. You must either **pay the amount due or appeal to the Independent Adjudicator** before the end of the period of the 28 days starting from when you receive the Notice of Rejection. You are deemed to have received the Notice of Rejection 2 working days after the date of the Notice of Rejection. If your representations are rejected you do have the right to appeal against the decision, the Adjudicator acts independently and the decision of the Adjudicator is legally binding on both parties. Full details of how to appeal to the Adjudicator will be included with the formal Notice of Rejection.

Failure to either pay the amount due or make an appeal with the Adjudicator, within the prescribed time, will result in a Charge Certificate being served and the amount due increased by 50% to «Notice_Surcharge_Penalty»

Sandwell Council's policy regarding representations not covered by the statutory grounds can be found at www.sandwell.gov.uk. Further information about Civil Parking Enforcement (including PCN's and NtOs) is available online at www.patrol-uk.info

HOW TO PAY



BY TELEPHONE: You can pay by telephone 24 hours a day, 365 days a year, using your debit or credit card. Simply call **0121 569 3460**. (penalty charge number required)



ON-LINE: You can pay on-line 24 hours a day, 365 days a year, using your debit or credit card. Simply go to www.sandwell.gov.uk (penalty charge & vehicle registration number required)



BY POST: Please send your payment, together with the completed payment slip overleaf to:

APCOA Parking, C/O Sandwell MBC, Council House Oldbury, PO Box 2374, B69 3DE
Payment may be made by cheque or postal order payable to: **Sandwell Metropolitan Borough Council**

Please write the PCN number and your address on the reverse of the cheque or postal order.
Please note that post-dated cheques will not be accepted. Do not send cash or blank postal orders.
Sandwell MBC will not accept responsibility for the loss of such items sent by post.

In person at Cashier Services Sandwell MBC, Council House, Freeth Street, Oldbury B69 3DE 09.00 - 16.30 Monday - Friday (except Bank Holidays)

Penalty Charge Notice: «Notice_Number»

Vehicle Registration Mark: «Notice_VRM»

√	If you think any of the grounds below applies, please indicate which by ticking the relevant box or boxes and provide any further details overleaf.	
A	The alleged contravention did not occur.	Please explain why you believe the contravention did not happen or you believe an exemption to the regulations applies.
B	The penalty charge exceeded the amount applicable in the circumstances of the case.	If you think you are being asked to pay more than is required by law please explain why.
C	I was never the owner of the vehicle in question	Please provide a formal statement to this effect.
C	I was not the owner of the vehicle in question at the date and time of detection as I had ceased to be the owner before the detection date or became its owner after the detection date.	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.
D	The vehicle was taken without the owner's consent.	If your vehicle was stolen or taken without your consent please provide any supporting information that you may have e.g. police crime report or insurance claim reference.
E	I am / We are a vehicle hire firm and (i) the vehicle in question was on hire under a hiring agreement at the time of the contravention, and: (ii) the person hiring the vehicle had signed a statement of liability acknowledging his/her liability in respect of any penalty charge notice served during the period of the hire agreement (Regulation 5(2) of SI2757)	Please provide a copy of the signed hire agreement which must be one which qualifies by containing prescribed particulars. You must also supply a signed copy of the 'Statement of Liability' acknowledging his/her liability in respect of any penalty charge incurred. Transfer of liability cannot be undertaken without the necessary documentation. [The Road Traffic (Owners Liability) Regulations 2000, SI 2546 - Schedule 2]
F	I was the hirer of the vehicle concerned but I am not liable to pay the penalty charge (Regulation 5(2) of SI2757)	If you were the hirer of the vehicle concerned but had not signed a statement of liability for any penalty charge notices. Please provide a formal statement to this effect.
G	The circumstances leading to the issue of the PCN are already subject to criminal proceedings or a Fixed Penalty Notice (FPN) has been issued	You should use these grounds if the matter has been dealt with by the Police or a FPN has been issued. Remember to include any supporting documentation with your representations.
H	The vehicle was being kept by a vehicle trader at the date and time of the detection	If you were not the keeper at the time of the contravention as the vehicle was being kept by a vehicle trader you should complete the relevant box overleaf and enclose a copy of any documentary evidence you may have.
Z	There has been a procedural impropriety by the enforcement authority.	If you believe that Sandwell Metropolitan Borough Council has failed to comply with any requirement imposed by the Section 144, Transport Act 2000; Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005. Please set out the statutory requirement, time limit or other procedural step with which you believe that the Council has failed to comply.

THE RULE RELATING TO SERVICE

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."

Please complete the information above before posting

Please provide details to support your representation here. (Continue on a separate sheet if necessary)

Name and Address of Buyer / Seller / Hirer of vehicle (where relevant)

DECLARATION: This must be signed in order for your representations to be considered

I confirm that the details of my representations are correct to the best of my knowledge. I realise that making a false statement may result in prosecution and a fine upon conviction of up to level five on the standard scale (currently £5,000).

Signature..... Date

Name (BLOCK CAPITALS)

Position in company (if relevant).....

Please advise us if your name or address is incorrect

Name: _____

Address: _____

Postcode: _____

Penalty Charge Notice: «Notice_Number»

Vehicle Registration Mark: «Notice_VRM»