

PENALTY CHARGE NOTICE

The Road Traffic Regulation Act 1984 sections 1, 2, 4, 9 and 14 as amended;

The Transport Act 2000 section 144 (1), (2) and (9) (as amended)

The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005
Bus Lane Enforcement OCN (Approved Device) (In this case a camera with a digital recording system capturing digital video images)



To:

«Offender_Address_Name»
«Offender_Address_1»
«Offender_Address_2»
«Offender_Address_3»
«Offender_Address_4»
«Offender_Town»
«Offender_County»

Penalty Charge Notice Number:

«PCN_Ticket_Numbe

Date of Contravention:

«PCN_Issue_Date»

Date Issued & Posted:

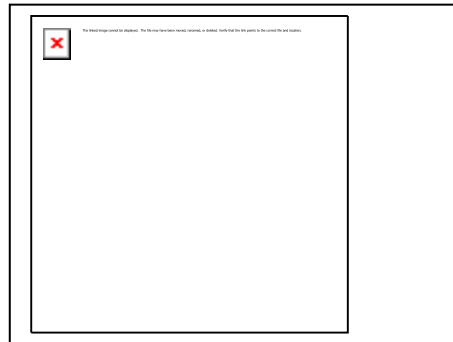
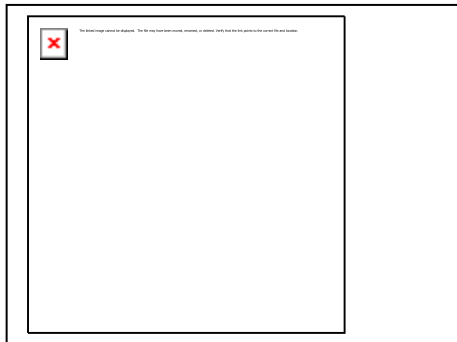
«PCN_Date_of_Corre

Liability for the Penalty Charge lies with you, the Owner/Hirer

Southampton City Council believes that **Penalty Charge of £60** is payable for the following alleged contravention:
Code 34: being in a Bus Lane (as defined in S.144 (5) Transport Act 2000 (as amended)).

This vehicle «PCN_Registration_» was seen on «PCN_Street_or_Carpark_Name», Southampton,
at «PCN_Issue_Time». The alleged contravention was noted by «PCN_Attendant_Number».

This Penalty Charge Notice has been served by post on the basis of a record produced by an approved device and also acts like a Notice to Owner. The attached photograph(s) were extracted from digital video images, captured by either a manned or unmanned roadside camera from the time stated above, and in the Authority's opinion, establish the contravention.



YOU MUST NOT IGNORE THIS NOTICE

(The above digital image has been provided free of charge)

1. The Penalty Charge Notice (PCN) has been sent to you as the registered owner/hirer of the vehicle because the Council believes that you are liable to pay a Penalty Charge for the contravention being in and/or proceeding in a bus lane. **This must be paid no later than 28 days beginning with the Date of Service.** Please note that the date of service has been calculated for you being 2 working days after the date of posting, as sent by 1st class post unless you can prove otherwise.
2. As the registered owner or the person who was hiring the vehicle at the time the PCN was issued, you are liable for the Penalty Charge even if you were not the driver at the time.
3. To claim a discounted rate of 50% to £30, the reduced Penalty Charge must be paid within 14 days, beginning with the Date of Service. Please note that the date of service has been calculated for you being 2 working days after the date of posting, as sent by 1st class post unless you can prove otherwise.
4. You must pay the Penalty Charge or you can make representations against paying the Penalty Charge, within 28 days, beginning with the date of service. The grounds on which you can make representations are set out overleaf. The Council may disregard representations made outside this 28 day period. All representations must be in writing in accordance with the instructions overleaf.
5. If you have not paid the Penalty Charge or made representations by the end of this 28 days period, the Council may serve a Charge Certificate increasing the Penalty Charge by 50% to £90 and take steps to enforce payment of this sum.
6. You may review the alleged contravention online by going to www.southampton.gov.uk/roads-parking, or you/your representative may, by notice in writing to the Authority, request to view the record of the contravention, free of charge. If you do not have access to the internet, viewing can be carried out at Gateway during normal office hours using the self-serve terminals.

HOW TO PAY

- ☐ By telephone Credit / debit card payments 023 8083 3008. Please have card and vehicle details and PCN number ready.
- ☐ By post to: Parking Services, PO Box 1098, Southampton SO14 7WE. Allow 2 working days for 1st class post and 5 for 2nd class. Please quote PCN Number and VRM with payment.
- ☐ In person at the Cash Office, Gateway, One Guildhall Square, Southampton SO14 7FP.
- ☐ Online at www.southampton.gov.uk. Follow links to penalty fine payments.

Notice to Owner – how to make representations against the Penalty Charge

If you do not think that you should have to pay this Penalty Charge, you may make representations to the Council in writing either by:

Post to Southampton City Council, PO Box 1098, Southampton SO14 7WE or **On-line** www.southampton.gov.uk/parking

Please note that representations cannot be taken or considered over the telephone. If you have any other enquiry, please telephone 02380833008 Monday to Friday 09.30 hours – 17.30 hours.

The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (SI No. 2757) sets out six grounds on which you may make representations. These are set out below, together with an indication of the information that should be supplied in support of your representations. Tick the relevant boxes and write your reasons in the box provided. However, the Council may consider other mitigating circumstances and you should tick the box "Other reasons" and give full details. This Notice to Owner will be cancelled if one or more of the specified grounds are established. If your representations are received in time or are received late but are taken into account, the Council will consider them and let you know its decision in writing. 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.

The Penalty Charge Notice WAS ISSUED INCORRECTLY BECAUSE:

☐

The alleged contravention did not occur

Tick this box if you believe the contravention did not occur or you believe an exemption to the regulations applies.

☐

The penalty exceeded the relevant amount

Tick this box if the PCN asked you to pay more than you are legally liable to. Penalty charges in Southampton are set in accordance with guidance from the Department for Transport.

☐

The circumstances leading to the issue of the PCN are subject to criminal proceedings or a Fixed Penalty Notice (FPN) has been issued.

Tick this box if you have been issued a FPN or are subject to a summons for the same offence by the Police. (You must attach a copy of the FPN).

I AM NOT LIABLE TO PAY the Penalty Charge Notice BECAUSE:

☐

I was not the owner/keeper of the vehicle at the time of the alleged contravention.

Tick this box if you did not own the vehicle when the PCN was issued. When returning this form please enclose details – such as a receipt of sale/ purchase or a copy of the DVLA registration form. You must give the name and address of the person who bought / sold the car and the date of the sale / purchase in the adjacent box.

☐

I was not the hirer of the vehicle at the time of the alleged contravention

I was the hirer of the vehicle but I had not signed a statement of liability. If you have been elected by a car hire company as the hirer of the vehicle at the time of the contravention but you dispute this or dispute that you signed a statement of liability. Please supply any documentary evidence you have to support this.

☐

I was the registered owner/keeper of the vehicle on the date of the alleged contravention, however:

- We are a hire company and the hirer had signed a statement accepting liability. Please supply name and address of the hirer in the adjacent box and the signed agreement.
- The vehicle was being kept by a vehicle trader at the time of the contravention. Please supply name and address of trader in the adjacent box and a copy of any documentary evidence.
- The vehicle was being used without my consent at the time of the contravention; If the vehicle had been stolen please provide details of the Police crime number or insurance claim number.

☐

Other reasons

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 in the box opposite.

DETAILS TO SUPPORT YOUR REPRESENTATIONS

Write your representations here

Attach additional sheets if required, clearly marking each sheet with the Penalty Charge Notice Number.

I was not the owner/keeper of the vehicle on the date of the alleged contravention:

☐

I had sold the vehicle before that date to:

☐

I purchased the vehicle after that date from:

☐

I never owned the vehicle.

*(please supply proof of purchase or sale of the vehicle e.g. a copy of the receipt or DVLA notification).

Name of Buyer/Seller Name

Address

Postcode

Date of Purchase/Sale

Data Protection Act 1988

Southampton City Council will use any data collected through the issuing of this Penalty Charge Notice for the enforcement of traffic contraventions and other associated purposes. This data may also be shared with other agencies as required by law. All processing of this data will be in accordance with the Data Protection Act 1998.

The rule relating to service: The Bus Lane Contravention (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 Regulation 2: (5) References to the service of a document include service by post and, in determining for the purposes of these Regulations the date on which a notice or other document is served by post, it shall be presumed that service of a notice sent by first class post was effected on the person to whom it was addressed on the second working day after the day on which it was posted. "working day" means any day which is not a Saturday, a Sunday, Good Friday, Christmas Day, or a bank holiday in England and Wales by virtue of section 1 of the Banking and Financial Dealings Act 1971.

DECLARATION This must be signed in order for your representations to be considered unless you are submitting the form electronically 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) _____