

Notice to Owner how to make representations against the Penalty Charge

If you believe that the penalty charge should not be paid you may make representations to Tameside MBC.

Representations must be in writing and you may use this form or by going on-line to www.tameside.gov.uk/parking

In writing to

Tameside MBC, Wellington Road, Ashton Under Lyne, Tameside, OL6 6DL or Faxed to: 0161 342 3911

The Bus Lane contraventions (Penalty Charge adjudication and enforcement) (England) regulations 2005 (SI NO.2757) set out 6 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 representation. 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 have been established.

If your representations are received in time or are received late but are taken into account, Tameside MBC will 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 specified grounds

☐ **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 charge exceeded the relevant amount.**

Tick this box if you think you are being asked to pay more than is required by law and explain why Penalty Charges in Tameside 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 has been issued:**

tick this box if you are being 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 was not the owner / keeper of the vehicle in question 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 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 vehicle and the date of the sale/purchase in the box provided.

☐ **Other reasons**

Tick this box if there are any other reasons not listed above why you consider the Council should cancel this Notice. Set out those reasons in full in the box below.

☐ **I was not the hirer of the vehicle at the time of the alleged contravention.**

Tick this box if you were the hirer of the vehicle but had not signed a statement of liability. If you have been elected by a 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 copy of the hire agreement. Please supply name and address and the signed agreement, statement accepting liability.
- The vehicle was being kept by a vehicle trader at the time of the contravention. Please supply name and address of trader and a copy of any documentary evidence.
- The vehicle was being used without my consent; if driver is known to you please provide name and address. If the vehicle had been stolen please supply details of the Police crime number or insurance claim number.

Write your Representations here (attach any extra sheets if necessary)

How to Pay

Payment should only be made if the Notice is not disputed



- **Online** at www.tameside.gov.uk. Follow links from **Pay Online**.
- **By telephone** credit / debit card payments only. Automated payment line **0844 848 2566** (24 hours / 7 days a week). Have card and Penalty Charge number ready which starts with "TM".
- **By post** Cheque or postal order payable to Tameside MBC, write the notice number and your address on the reverse and send to: Parking Services, Tameside MBC, Council Offices, Wellington Road, Ashton- Under- Lyne, OL6 6DL. Allow 2 working days for 1st class post and 5 for 2nd class.

Please do not sent Cash or Credit Card details by post

- **In person** cash or cheque at any post office. Cash at any paypoint agency
By cheque, credit or debit card at Tameside libraries or Customer Services Offices.

PAYMENT CAN BE MADE AT ANY POST OFFICE/PAY POINT/ PAY ZONE BY USING THE BAR CODE ABOVE

TICK RELEVANT BOX

I was not the owner / keeper of the when the PCN was issued because;

- ☐ * I had sold the vehicle before that date to:
- ☐ * I had 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 or confirmation from your insurers that you have renewed or cancelled the insurance.

Name and address of Buyer/Seller/Hirer

Name
Address.....
.....post code.....
Date of purchase/Sale

Data Protection Act 1998

Tameside MBC 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 includes 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 that 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

I confirm 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 5 on the standard scale (currently£5000)

Signature

Date

Name (in capitals)
(if relevant)

Position in company

«PCN_Ticket_Number»: