

Web Code: «Notice\_Web\_Code»  
PCN No:«Notice\_Number»

## **PENALTY CHARGE NOTICE**

### **Bus lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005**

Image 1 here

Image 2 here.

«Corresp\_Title» «Corresp\_ForeName»  
«Corresp\_Surname»  
«Corresp\_Business\_Name»  
«Corresp\_Address\_Line\_1»  
«Corresp\_Address\_Line\_2»  
«Corresp\_Address\_Line\_3»  
«Corresp\_Town»  
«Corresp\_County»  
«Corresp\_Post\_Code»

PCN Number: «Notice\_Number»  
Date of Contravention: «Notice\_Contravention\_Date»  
Time of Contravention: «Notice\_Contravention\_Time»  
Vehicle Registration Mark: «Notice\_VRM»

Date of issue and posting of this Notice: «Printed\_Date»

The vehicle was seen in (location) «Notice\_Issue\_Location», «Notice\_Area\_Name» on  
«Notice\_Contravention\_Date» at «Notice\_Contravention\_Time»

Bath and North East Somerset Council believes that a Penalty Charge is now payable with respect to the vehicle above, for the following alleged contravention:- **34J - Being in a bus lane** (as defined in S.144(5) Transport Act 2000).

### **YOU MUST NOT IGNORE THIS NOTICE OR PASS IT TO THE DRIVER**

**The Penalty Charge is £«Notice\_Original\_Penalty».** The penalty charge must be paid not later than the last day of the period of 28 days beginning on the date on which this notice is served. This notice will be taken to have been served on the second working after the day of posting as shown above unless you can show that it was not. If the payment of the penalty charge is received within 14 days of the service date of this notice the penalty charge will be reduced by one half and a reduced amount of **£«Notice\_Discount\_Penalty\_1»** is payable.

If you believe you have valid reasons you can make representations against paying the penalty charge within 28 days from the date of service of this notice. The statutory grounds on which you can make representations are set out overleaf in Section 3 and any representations made outside the 28 day time limit may be disregarded. If you do not pay the penalty charge or make a representation within 28 days from the date of service of this notice, the Council may serve a Charge Certificate and service of a Charge Certificate will increase the penalty charge by 50% to £90.00. At this stage it will be too late to make representations.

For details on the rules regarding service of documents, please contact Parking Services.

### **SECTION 2 – PAYMENT**

#### **HOW TO PAY**

**ONLINE** – <http://parking.bathnes.gov.uk>

**BY PHONE** - Have Credit / Debit Card details and PCN number ready. Automated Payment Line 0845 372 3501 (24 hours/ 7 days a week)

**IN PERSON** – One Stop Shop, 3-4 Manvers Street, Bath, BA1 1JQ. Mon, Tues, Thurs 08:30 – 17:00, Wed 09:30 – 17:00, Fri 08:30 – 16:30 excluding Bank/Public holidays.

**POST** – Return this form with your payment to **Parking Services, PO Box 5197, Bath, BA1 0UF**, cheque or postal order made payable to Bath and North East Somerset Council with the Penalty Charge Notice (PCN) number on the reverse. Allow 2 working days for 1st Class and 5 days for 2nd Class. Do not send cash or Credit / Debit Card details through the post.

### **SECTION 3 - REPRESENTATIONS:**

If you do not think that you should have to pay this Penalty Charge, you may make representations to Bath and North East Somerset Council. The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (SI No.2757) sets out the grounds on which you may make representations (see below):-

#### **How to make a representation against the Penalty Charge – (NOTICE TO OWNER)**

##### **ONLINE - Go to <http://parking.bathnes.gov.uk>**

To view photographs/video taken at the time of issue and/or to submit a representation please use the webcode printed at the top of the PCN/Notice to Owner with the vehicle registration number and the PCN number:

*N.B If you are submitting a representation electronically then in the absence of your signature you should note that the submission of a representation constitutes your personal certification that your representations are true to the best of your knowledge.*

##### **POST - Send your representations to Parking Services, PO Box 5197, Bath, BA1 0UF**

If by post tick the relevant box on page 3 of this document and give further details of your representation in the space provided. Attach any continuation sheet and supporting evidence and sign the declaration. Return the form to the address shown below.

**Please note: You may request to see a recording and still images of the contravention free of charge at any Bath and North East Somerset Council Office during normal office hours Monday – Friday by prior arrangement by contacting Parking Services on 01225 477133 or at [Parking@bathnes.gov.uk](mailto:Parking@bathnes.gov.uk). Bath and North East Somerset Council will comply with this request within a reasonable time.**

##### **WHAT HAPPENS IF I SUBMIT A REPRESENTATION?**

1. Bath and North East Somerset Council will consider your representations and aim to respond within 21 days of receipt.
2. If the grounds for your representation are accepted you will be sent a Notice of Acceptance cancelling the Penalty Charge Notice/Notice to Owner.
3. If your representations are rejected a written Notice of Rejection will be sent to you and you must, within 28 days of service, either **pay the amount due, or appeal on any of the statutory grounds to the Bus Lane Adjudicator at the Traffic Penalty Tribunal**, who acts independently. The decision of the Adjudicator is legally binding on both parties.
4. Details of the adjudication service provided by the Traffic Penalty Tribunal and an appeals form will be sent with any Notice of Rejection. More information on the appeals process can be found at [www.patrol-uk.info](http://www.patrol-uk.info)
5. Failure to either pay the amount due or lodge an appeal with the Adjudicator, within the prescribed time, may result in a Charge Certificate being issued and the penalty charge amount being increased by 50% to £90.

**An Adjudicator shall not normally make an order awarding costs and expenses but may make such an order against a party (including an appellant who has withdrawn his appeal or an authority that has consented to an appeal being allowed) if he is of the opinion that the party has acted frivolously or vexatiously or that his conduct in making, pursuing or resisting an appeal was wholly unreasonable or against the authority; where he considers that the decision appealed against was wholly unreasonable.**

**Please indicate below the grounds you wish to rely on to form your representation**

<p><b>A</b> <input type="checkbox"/></p>	<p><b>The alleged contravention did not occur</b></p>	<p>Please tick this box and give full details below if you believe the alleged contravention did not occur, for example if you dispute that you were in the bus lane</p>
<p><b>B</b> <input type="checkbox"/></p>	<p><b>I have been charged separately for this offence by the Police</b></p>	<p>Please tick this box and give full details below if you have been issued a ticket for the same offence by the Police. You must attach a copy of the ticket or other supporting evidence.</p>
<p><b>C</b> <input type="checkbox"/></p>	<p>(i) <b>I was never the owner of the vehicle.</b>                  (ii) <b>I ceased to be the owner before the date of the alleged contravention occurred, or</b>                  (iii) <b>I became its owner after that date.</b></p>	<p>Please tick this box and give full details below if you believe that the recipient of this Notice never was the owner of the vehicle in question.                   In the case of these circumstances (ii) and (iii) you are required to supply a statement confirming the name and address of the person to whom the vehicle was sold or, from whom the vehicle was acquired below.</p>
<p><b>D</b> <input type="checkbox"/></p>	<p><b>The recipient of this notice is a vehicle hire firm and:</b>                  (i) <b>The vehicle in question was at the material time hired from that firm under a hiring agreement , and:</b>                  (ii) <b>The person hiring it, or a person authorised to sign on his behalf, had signed a statement acknowledging his/her liability in respect of any penalty charge notice served in respect of any bus lane contravention involving the vehicle during the currency of the hiring-agreement</b></p>	<p>Please tick this box if you are a hire company and the hirer has signed a formal agreement accepting liability for Penalty Charge Notices (PCNs). You complete the name and address of the hirer on the rear of this form and enclose a copy of the hire agreement.</p>
<p><b>E</b> <input type="checkbox"/></p>	<p><b>The vehicle was taken without my consent</b></p>	<p>Please tick this box if the vehicle has been stolen or taken without your consent when the Penalty Charge Notice (PCN) was issued. Please give details below and enclose evidence such as a Police crime reference number or insurance claim with your representations.</p>
<p><b>F</b> <input type="checkbox"/></p>	<p><b>The Penalty Charge exceeded the amount applicable in the circumstances of the case.</b></p>	<p>Please tick this box and give full details below why you believe the amount payable exceeded the amount applicable</p>
<p><b>Z</b> <input type="checkbox"/></p>	<p><b>Other grounds</b></p>	<p>The Council is required to use discretion when enforcing Penalty Charge Notices and will do so if genuine mitigating circumstances exist. If you feel that this is the case please tick this box 'Z' and give full reasons below why the Council should consider cancelling this Penalty Charge Notice</p>

**Please give full details below: (Continue on the rear sheet if required)**

**Continue (if necessary):**

**Name and Address of the Buyer/Seller/Hirer**

<b>Name</b>	Mr / Mrs / Miss / Ms / Other*
<b>Address</b>	
<b>Postcode</b>	
<b>Date sold / purchased</b>	

**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 five on the standard scale (currently £5,000).*

Signature: ..... Date: .....

Name (Block Capitals): .....

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

**Data Protection Statement**

Bath and North East Somerset Council will use information, including personal information, collected through the issuing of this Penalty Charge Notice for the enforcement of traffic contraventions and it may also be used for compatible purposes. The information may be disclosed to other enforcement agencies and third parties where it is necessary and lawful to do so e.g. for the prevention and detection of crime. All information will be processed in accordance with the Data Protection Act 1998.

PCN No:«Notice\_Number»

**PAYMENT SLIP**

**For payment options please see section 2 on page 1 of this PCN.**

**You must ensure you return this with your payment when paying by post and write your PCN number of the reverse.**

**PCN No:** «Notice\_Number»  
**Date of issue and posting of this Notice:** «Printed\_Date»  
**Vehicle Reg No:** «Notice\_VRM»

Return this payment slip with your payment to: **Parking Services**  
**PO Box 5197**  
**Bath**  
**BA1 0UF.**

Allow 2 working days for 1<sup>st</sup> Class and 5 days for 2nd Class. DO NOT SEND CASH or credit/debit card details through the post

Please note - a receipt is not normally issued unless requested. Please provide a stamped addressed envelope if you require a receipt.

PCN No:«Notice\_Number»

## A QUICK REFERENCE GUIDE

### IF YOU CHOOSE TO PAY

If the penalty charge is paid within 14 days from the date of service of the Penalty Charge Notice (PCN) the 50% discounted rate will be accepted. **After this time the full amount of the penalty charge will be enforced.**

### PAYMENT CAN BE MADE

**Online** by visiting <https://secure.bathnes.gov.uk/payments>

**By telephone** using a credit or debit card on 0845 372 3501

**In person at THE ONE STOP SHOP, 3-4 MANVERS STREET, BATH, BA1 1JQ**

**By post,**  
Parking Services  
PO BOX 5197,  
Bath  
BA1 0UF

Cheques should be made payable to Bath & North East Somerset Council.

### **PLEASE QUOTE PCN NUMBER AT ALL TIMES**

You can contact Parking Services on 01225 477133/4. Please note that all representations must be according to the instructions detailed in section 3 of this PCN. We are unable to consider a representations against this PCN via the telephone.

### IF YOU CHOOSE TO MAKE FORMAL REPRESENTATIONS

Parking Services staff are unable to discuss details of this PCN over the telephone. This is because written evidence is required for audit purposes and for presentation to an Adjudicator at the Traffic Penalty Tribunal if an appeal is submitted. (See below)

Representations should be received by the Council within 28 days from the date of service of the PCN.

Please note that the period within which the 50% discounted rate will be accepted is 14 days from the date of service of the PCN. **After this time the full amount of the penalty charge will be enforced.**

If the Council accepts your representations, you will be notified of this decision, the PCN will be cancelled and no payment will be due.

If the Council rejects your representations, you will be sent a Notice of Rejection and details of how to pay the penalty charge or appeal to the Traffic Penalty Tribunal.

The current regulations concerning PCNs are The Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005.

**To protect your right of appeal the above procedure must be followed.**

**FULL DETAILS OF THE ENFORCEMENT PROCESS IS CONTAINED WITHIN THE PENALTY CHARGE NOTICE**