



NOTICE TO OWNER (KEEPER /HIRER) (NtO)

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

Parking Services
Town Centre
Blackburn
BB1 1NB
01254 588100

Date of this Notice (date of posting):
Penalty Charge Notice (PCN) Number:
Location:
Date of event:
Vehicle Registration Mark (VRM):

This 'Notice to Owner' has been sent to you, as the registered owner/keeper /hirer of the above vehicle, by Blackburn with Darwen Borough Council, the Enforcement Authority, because a Penalty Charge Notice was issued to the vehicle and, to date, full payment has not been received. As the registered owner/keeper of the vehicle (or the person named as the hirer of the vehicle at the time of contravention) you are liable for the penalty charge **even if you were not the driver at the time of event** and the Council are within their rights to pursue you for payment of the outstanding charge.

DO NOT IGNORE THIS NOTICE

You are legally responsible for complying with this Notice to Owner (NtO). DO NOT pass this notice to the person who was in control of the vehicle at the time of contravention. Please note that the driver was given 14 days, from the date of contravention, to pay the notice at the discounted sum as shown on the Penalty Charge Notice. If any sum has already been paid, shown below, we can confirm that this was received outside the discounted period and the full amount is due.

The Penalty Charge has been listed at £ . To date £ has been received therefore the sum of £ is outstanding. It is now too late to pay the 50% discounted rate and you must pay the outstanding balance or submit formal representations within 28 days of the date of service (effected on the second working day after the date of posting).

PENALTY CHARGE NOTICE

Blackburn with Darwen Borough Council has received notification that you were the registered owner/keeper or hirer of the above vehicle when the contravention occurred and a Penalty Charge Notice was served by a Civil Enforcement Officer (CEO) who had reason to believe that the following contravention occurred and that a penalty charge was payable.

Contravention Date: **Time:**
Penalty Charge Notice (PCN): **Code:**
Contravention Description:
Civil Enforcement Officer (CEO): **Location:**
Vehicle Registration Mark (VRM):

If the Civil Enforcement Officer has taken photographs at the time of contravention, you will find these below. **Please note that lack of photographic evidence does not invalidate the issue of the Penalty Charge Notice.**

If you do not make full **payment** or submit formal **representations** within **28 days** of the date of service of this notice, the matter will continue to progress without further notice, a Charge Certificate will be issued and the original penalty charge will increase by 50% to £

PLEASE DO NOT MAKE PAYMENT IF YOU WANT TO CHALLENGE THIS NOTICE

THE RULES RELATING TO SERVICE

The Civil Enforcement of Parking Contraventions (England) General Directions 2007 (as amended): 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 –
- may be served by first class (but not second class) post; and
 - 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;
 - New Years Day;
 - Good Friday;
 - Christmas Day
 - 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 detailed in regulation 5(4)) by means of electronic data transmissions where –
- 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;
 - the document is transmitted to that address,
- (5) Nothing in this regulation applies to the services of any notice or order made by a County Court”

COUNCIL POLICIES The Councils local policies may be viewed online – www.blackburn.gov.uk

DATA PROTECTION STATEMENT

Data collected through the issuing of this notice may be used for enforcement of traffic offences, parking contravention and other associated purposes.

This data may also be disclosed to other Enforcement Agencies. All processing of this data will be in accordance with the Data Protection Act 1998.

ENFORCEMENT AGENTS AND FEES

If you do not pay the full amount in the time specified, Blackburn with Darwen Borough Council may seek to recover the debt via Enforcement Agents. If this occurs, the debt will be registered at the Traffic Enforcement Centre and a Warrant for Recovery will be issued. Failure to pay the outstanding amount may result in additional charges up to **£420.00**.

Stage 1: Notice of Enforcement - Penalty Charge plus an additional charge of £75.00

Stage 2: Enforcement - Penalty Charge & Stage 1 costs plus an additional charge of £235.00

Stage 3: Removal & Sale of goods/property - Penalty Charge, Stage 1 & 2 costs plus and additional charge of £110.00

HOW TO PAY

Telephone: 01254 588100 – you will need a Credit/Debit card

Online: www.blackburn.gov.uk – you will need a Credit/Debit card

Post: CHEQUES or POSTAL ORDERS ONLY made payable to **BLACKBURN WITH DARWEN BOROUGH COUNCIL**

Please also write the Penalty Charge Notice number on the reverse of the cheque. Send your payment to:

Parking Services, Town Hall, King William Street, Blackburn, BB1 7DY

Person: At any **ALLPAY** outlet (Post Office/E-Pay/PayZone). You will need the original PCN with barcode.

HOW TO MAKE A FORMAL REPRESENTATION

If you believe that the penalty charge should not be paid, you may make a formal representation to Blackburn with Darwen Borough Council. Formal Representation must be made in writing and you may use this form. Formal representations may be submitted using one of the following methods –

- By post – *Parking Services, Town Hall, King William Street, Blackburn, BB1 7DY*
- Email – parkingservices@blackburn.gov.uk
- Online – www.blackburn.gov.uk

If you are unable to use any of the above or have any other query, please telephone 01254 588100.

You must submit your formal representation in writing within 28 days of this notice. The Council may disregard any representations received outside the 28 day period commencing with the date of service.

Further information about Civil Parking Enforcement (including PCNs and NtOs) is available online at www.patrol-uk.info or in a leaflet available, upon request, from Parking Services.

MAKING REPRESENTATIONS

The statutory grounds for making representations are listed below;

Please provide the grounds for your formal representation (tick box)

The alleged contravention did not occur.

Please explain why you believe no contravention took place in the section 'Details of Formal Representation'

The penalty charge exceeded the amount applicable in the circumstance of the case.

Please explain why you believe you are being asked to pay more than you should legally in the section 'Details of Formal Representation'

There has been a procedural impropriety on the part of the Enforcement Authority.

Please explain why you believe the Enforcement Authority has failed to comply with any requirement imposed by The Traffic Management Act 2004 in the section 'Details of Formal Representation'

The vehicle had been permitted to remain at rest in the location in question by a person who was in control of the vehicle without the consent of the owner (stolen).

Please provide evidence to support your statement, such as a police crime reference number or insurance claim.

The Notice to Owner should not have been served as the penalty charge had already been paid, in full, or the reduced charge had been paid within the specified period.

Please provide a copy of your receipt of payment and any other supporting evidence.

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

Please provide a receipt of sale/purchase and a copy of the full vehicle registration document (V5C) if available. You must also provide the full name and postal address of the person who bought/sold the vehicle in the section 'Notification of new vehicle owner/hirer' below.

The order which is alleged to have been contravened in relation to the vehicle concerned invalid. (Please note that this ground will not apply in respect of a provision in a Traffic Regulation Order to which part VI of schedule 9 to the Road traffic Regulation Act 1984 applies).

Please explain why you believe the Traffic Regulation Order is invalid in the section 'Details of Formal Representation'

I am/we are a vehicle hire firm and the vehicle in question was at the material time hired from the firm under a hire agreement and the person hiring it had signed a statement of liability acknowledging his liability in respect of any parking contravention involving the vehicle during the currency of the hiring agreement.

Please provide a copy of the hire agreement and statement of liability. You must also provide the full name and full postal address of the person who hired the vehicle at the time of contravention.

Any other ground you wish to raise. Please provide a full explanation in the section 'Details of Formal Representation'

NOTIFICATION OF NEW VEHICLE OWNER/HIRER

I was not the owner/keeper of the vehicle when the penalty charge was issued because:

I sold the vehicle on/...../..... to
Please provide evidence of sale.

I bought the vehicle on/...../..... to
Please provide evidence of purchase.

I have never owned the vehicle.
Please provide an explanation on page 4.

Keeper Details

Name

Address

Postcode

