

# NOTICE TO OWNER

Traffic Management Act 2004 - s82;  
Civil Enforcement of Parking Contraventions (England)  
General Regulations 2007; Civil Enforcement of Parking  
Contraventions (England) Representations and Appeals  
Regulations 2007



Customer Services/Parking, Customer Services  
Centre, Town Hall, St Stephens Road,  
Bournemouth BH2 6EB  
[www.bournemouth.gov.uk/parking](http://www.bournemouth.gov.uk/parking)

«Offender_Title» «Offender_Initials»
«Offender_Surname»
«Offender_Address_1»
«Offender_Address_2»
«Offender_Address_3»
«Offender_Town»
«Offender_Post_Code»

PCN Number	«ECN_Ticket_Number»
Vehicle Registration Number	«ECN_Registration_Number»
Vehicle Make	«ECN_Vehicle_Make»
Colour	«ECN_Vehicle_Colour»
Tax Disc	«ECN_Tax_Disc_Number»
Expiry	«ECN_Tax_Disc_Expiry_Date»
Date of this Notice and date of posting	«Date_Letter_Created»
Pin Number	«NTO_PIN_Number»

This notice has been served on you because it appears to Bournemouth Borough Council that you are the owner of the above vehicle in respect of which the above Penalty Charge Notice was served on «ECN\_Issue\_Date». Civil Enforcement Officer «ECN\_Attendant\_Number» had reason to believe the following contravention occurred and that a Penalty Charge was payable.

<b>Details of alleged contravention:</b> «ECN_Offence_Long_Description»
<b>Location:</b> «ECN_Street_or_Carpark_Name»
<b>Date of contravention:</b> «PCN_Contravention_Date» <b>Time:</b> «PCN_Contravention_Time»

### THE PENALTY CHARGE NOTICE HAS NOT BEEN PAID

The Penalty Charge is «ECN\_Amount\_of\_Full\_Fine» to date £«ECN\_Amount\_Paid\_to\_date» has been received.

The sum of £«ECN\_Amount\_Outstanding» is outstanding.

**NOTE:** The person appearing to be in charge of the vehicle was served with a Penalty Charge Notice (PCN) which allowed 14 days for payment of 50% discounted penalty charge; otherwise the full penalty charge became due. Either no payment has been received or any payment received has been insufficient to clear the charge.

A penalty charge of £«ECN\_Amount\_Outstanding» is now payable by you as the owner and must be paid not later than the last day of the period of 28 days beginning with the date on which this Notice is served. 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 that it was not.

You may make representations to Bournemouth Borough Council as to why this Penalty Charge should not be paid. These representations should be made not later than the last day of the period of 28 days beginning with the date on which this Notice is served and any representations which are made outside that period may be disregarded.

**NOTE:** If you do not pay the Penalty Charge or make representations before the end of the 28 day period specified above the Council may increase the original Penalty Charge by 50% to !Syntax Error, « and take steps to enforce payment.

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### PAYMENT SLIP

PCN Number:«ECN\_Ticket\_Number» Vehicle Registration Number«ECN\_Registration\_Number» issued in «ECN\_Street\_or\_Carpark\_Name» at «ECN\_Issue\_Time» on «PCN\_Contravention\_Date» Contravention Code: «ECN\_Offence\_Code»

Mr/Mrs/Ms/Miss
_____
Address _____
_____ Postcode _____

## **HOW TO PAY**

(payment should only be made if the notice is not disputed)

### **24 HOUR PAYMENT LINE:**

on 0845 658 2400 (calls charged at local rate)

### **ONLINE:**

at [www.bournemouth.gov.uk/parking](http://www.bournemouth.gov.uk/parking)

### **BY POST:**

by using the payment slip and sending it to Bournemouth Borough Council, Customer Services/Parking, Customer Services Centre, Town Hall, St Stephens Road, Bournemouth, BH2 6EB. **DO NOT send cash through the post. Please make cheques and postal orders payable to 'Bournemouth Borough Council' and write the Penalty Charge Notice number on the back. DO NOT send post-dated cheques as these will not be accepted. Allow 2 working days for 1<sup>st</sup> class post.**

### **BY TELEPHONE:**

during office hours (01202) 454721, Monday - Thursday 08:30 - 17:00 and Friday 08:30 - 16:30, using a debit/credit card.

### **IN PERSON:**

by cash/cheque/credit or debit card at Customer Services/Parking, Customer Services Centre, Town Hall, St Stephens Road, Bournemouth, BH2 6EB during office hours: Monday to Thursday 09:00 - 16:30 and Friday 09:00 - 16:00. If paying in cash Parking Services will accept £1 coin as minimum and a maximum of £35 in £1 coins towards payment of your Penalty Charge Notice.  
**(N.B. if you pay by cash it is very important to get a receipt, in case there is any later query about your payment).**

## **HOW TO MAKE REPRESENTATIONS IN RESPECT OF THIS NOTICE**

If you believe that the Penalty Charge should not be paid you may make representations to Bournemouth Borough Council. Representations must be in writing and you may use this attached form. The representations may be made by:

**POST:** at Customer Services - Parking, Customer Services Centre, Town Hall, St Stephens Road, BH2 6EB;

**EMAIL:** to [parkingshop@bournemouth.gov.uk](mailto:parkingshop@bournemouth.gov.uk)

**ONLINE:** at [www.bournemouth.gov.uk/parking](http://www.bournemouth.gov.uk/parking).

If you are unable to use any of these methods or have any other enquiry, please telephone 01202 454721.

Representations which are made after the expiry of the 28 day period specified on the first page of this Notice may be disregarded. This 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. For more information on this, please turn to the last page of this Notice. If you submit your representations late, you should explain why.

The statutory grounds on which representations may be made are set out on the following page together with an indication of the information which you should supply in support of your representations. It is important to provide all relevant information. Tick the relevant boxes and write your reasons in the box on the following pages. This Notice will be cancelled if one or more specified grounds is established. This Notice may be cancelled for other compelling reasons even if none of the specified grounds apply. If the Notice is cancelled any sums already paid will be refunded.

If your representations are received in time or are received late but are taken into account, Bournemouth 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, 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.

Bournemouth Borough Council's policy about late representations, representations not covered by the statutory grounds and extension of the time for payment of the discounted penalty can be found on [www.bournemouth.gov.uk/parking](http://www.bournemouth.gov.uk/parking) or in a leaflet available from the Council offices. Further information about Civil Parking Enforcement (including PCNs and NtOs) is available online at [www.patrol-uk.info](http://www.patrol-uk.info) or in a leaflet available from Bournemouth Borough Council.



Data Protection Statement. Bournemouth Borough Council will use any data collected through the issuing of this Notice to Owner and associated statutory requirements for the enforcement of traffic contraventions and other associated purposes. This data may be disclosed to other enforcement agencies. All processing of this data will be in accordance with the Data Protection Act 1998. The Council will hold the information that you provide in both computerised and manual record systems. You are able to see a copy of the information held about you. For further information about this, please ask for a copy of the Council's data protection leaflet or visit the Council's website, [www.bournemouth.gov.uk](http://www.bournemouth.gov.uk).

Penalty Charge Notice Number «ECN\_Ticket\_Number»

**Representations against the Notice to Owner**

Tick one of the following

- I was never the owner of the vehicle in question - *or*
- I had ceased to be its owner before the date on which the alleged contravention occurred - *or*
- I became its owner after the date on which the alleged contravention occurred.  
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 any documents such as an invoice or bill of sale
- The alleged contravention did not occur.**  
Please explain why you believe no contravention took place. When returning this form please enclose relevant details (e.g. delivery note, pay and display ticket).
- The vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner.**  
Tick this box if your vehicle was stolen or taken without your consent. Please provide any supporting information that you may have e.g. any crime reference or insurance claim reference.
- The Order which is alleged to have been contravened in relation to the vehicle concerned is invalid.**  
Please explain why you believe that the Order in question is invalid. Please note that this ground will not apply in respect of a provision in an Order to which Part VI of Schedule 9 to the Road Traffic Regulation Act 1984 applies.
- There has been a procedural impropriety by the enforcement authority.**  
Tick this box if you believe that Bournemouth Borough Council has failed to comply with any requirement imposed by the Traffic Management Act 2004, by the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 or by the Civil Enforcement of Parking Contraventions (England) General Regulations 2007. Please set out the statutory requirement, time limit or other procedural step with which you believe that the Council has failed to comply.
- We are a vehicle-hire firm and the vehicle was on hire under a hiring agreement and the hirer had signed a statement acknowledging liability for any PCN issued during the hiring period.**  
The hiring agreement must be one which contained certain prescribed particulars. You must supply the name and address of the hirer. Please also supply a copy of the signed agreement.
- The penalty charge exceeded the amount applicable in the circumstances of the case.**  
Tick this box if you think you are being asked to pay more than is required by law and explain why.
- This Notice should not have been served because the penalty charge had already been paid:**
  - (i) in full -*or*
  - (ii) at the discounted rate set in accordance with Schedule 9 to the Traffic Management Act 2004 and within the time specified in paragraph 1(h) of the Schedule to the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.Please indicate the amount of the payment made and when and how the payment was made and include any supporting documentary information such as a receipt or bank statement.  
**N.B. The discounted rate was 50% of the penalty charge and should have been paid not later than the last day of the period of 14 days beginning with the date on which the PCN was served.**
- Other grounds**  
  
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 on the following page.

Write your representations here (please use black ink and continue on additional paper if necessary)

### Ownership details

I was not the owner/keeper of the vehicle when the PCN (parking ticket) was issued because:

- I had sold the vehicle before the contravention to:
- I bought the vehicle after the date from:
- We are a vehicle hire firm and have supplied the name of the hirer and enclose copies of the hire agreement/hirers liability

Date of Purchase/Sale/Hire:

Name of Buyer/Seller/Hirer:

Address:

Postcode

(Please provide documentary evidence if you are able to)

### DECLARATION

I confirm that my representations are true to the best of my knowledge. I realise that knowingly or recklessly making 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) \_\_\_\_\_

### The Rule Relating to Service

The Civil Enforcement of Parking Contravention (England) General Regulations 2007: Regulation 3 'Service by post

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(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.'