

# NOTICE TO OWNER (NtO)

The Borough Council of King's Lynn and West Norfolk

The enforcement authority (hereafter "Council") is the North Norfolk District Council in respect of a parking contravention in an off-street car park within the area of the North Norfolk District Council and in all other cases is the Borough Council of King's Lynn and West Norfolk



**Parking Operations**  
PO Box 1149, King's Lynn  
Norfolk PE30 9AH

<https://parking.west-norfolk.gov.uk>  
[parking@west-norfolk.gov.uk](mailto:parking@west-norfolk.gov.uk)

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

**To:     &ATITL &AINIT &ANAME**  
**&AADD1**  
**&AADD2**  
**&AADD3**  
**&AADD4**  
**&APCOD**

Vehicle Registration No. <b>&amp;REGNO</b>
Penalty Charge Notice No. <b>&amp;SERNO</b>
Penalty Charge Notice Service Date. <b>&amp;DOFFC</b>

Date of this Notice to Owner and date of posting: <b>&amp;PSTDT</b>
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This Notice has been served on you because it appears to the Council that you are the owner/keeper/hirer of the vehicle, registration number &REGNO , in respect of PCN number &SERNO ,which was served on &DOFFC by Civil Enforcement Officer (CEO) &POFCD who had reason to believe that the following parking contravention had been committed and that a penalty charge is therefore payable:

**Time of Contravention** &OFF11 &OFF12 &OFF13 (Code &OFFC1 )

**Location of Contravention:**

&PLOCN

**Vehicle Make:**           &MAKER           **Colour:**           &COLOR

**Tax Disc:**               &LICNO           **Expiry:**           &LEXPD

Pay & display details (*if relevant*)

Ticket No: &CTKNO           Expiry time: &CTEXT

The Penalty Charge is:	<b>£&amp;CFINE</b>
To Date:	<b>£&amp;CPAID has been received</b>
Payment Now Due:	<b>£&amp;CBAL2</b>

**NOTE:** The person appearing to be in charge of the vehicle was served with a Penalty Charge Notice (PCN) which allowed 14 days for the payment of a 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 penalty charge.

The outstanding amount of **£&CBAL2** is now payable by you as the owner/keeper/hirer 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 date of this Notice (as shown above).

You may make representations to the Council as to why this penalty charge should not be paid. These representations should be received 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 received outside that period may be disregarded.

If after the last day of the period of 28 days of this notice, no representations have been received and the penalty charge remains unpaid the Council may increase the penalty charge by 50% to **£&CHARG** and the Council may take steps to enforce payment of the increased charge.

**NOTE:** If you do not pay the penalty charge or make representations before the 28 day period specified above the Council may increase the original penalty charge by 50% to **£&CHARG** and make steps to enforce payment.

**SEE REVERSE FOR:**

How to pay.

How to make representations.

For Post Office/Pay Point use only.

**\* &SERNO \***

&POBCD

## HOW TO PAY

### PLEASE DO NOT MAKE ANY PAYMENT IF YOU WANT TO MAKE REPRESENTATIONS



**Online:** please go to <https://parking.west-norfolk.gov.uk> and follow the links from online payments



**By post:** By sending this form to: Parking Operations, PO Box 1149, King's Lynn, PE30 9AH. Cheques and Postal Orders should be made payable to BCKLWN, and be crossed "A/C payee only" and include the PCN number and your address on the reverse. Please note that we cannot accept post-dated cheques and that cash should not be sent through the post. Please allow 2 working days for 1<sup>st</sup> class post and 5 working days for 2<sup>nd</sup> class. A receipt will be provided if a stamped addressed envelope is enclosed with your payment.



**In person:** Take this form to any Post Office/Pay Point outlet. Please ensure the correct amount is paid as you will be liable for any outstanding amount should you underpay.

## HOW TO MAKE REPRESENTATIONS

If you think that the penalty charge should not be paid you may make representations to the Council. Representations must be in writing and you may use this form. The representations may be made:



**In writing to:** Parking Operations, PO Box 1149, King's Lynn, PE30 9AH



**Fax:** 01553 819760



**Online:** <https://parking.west-norfolk.gov.uk>

Representations which are received 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.

The statutory grounds on which representations may be made are set out below together with an indication of the information which you should supply in support of your representations. These should be in writing by post to Parking Operations, PO BOX 1149, King's Lynn, PE30 9AH or made on-line at <https://parking.west-norfolk.gov.uk> or by fax. It is important to provide all relevant information. Tick the relevant box and write your reasons in the box on the following page. This Notice will be cancelled if one or more of the specified grounds are 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 taken into consideration, the Council will let you know its decision not later than the last 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 the Council will serve a Notice of Rejection on you. You will have a period of 28 days beginning with the date of service of the Notice of Rejection in which either to pay the penalty charge or to appeal against the Council's decision to an independent adjudicator through the Traffic Penalty Tribunal (TPT). The Council will tell you how to do this in the Notice of Rejection.

If an appeal is lodged, an adjudicator will consider the appeal, based on the evidence provided by the appellant and the Council before making a final decision. Please note that an adjudicator cannot allow an appeal on the basis of mitigating circumstances but may refer the case back to the Council for further consideration.

Further information regarding PCNs, NiOs and the appeals process can be found online at PATROL's website [www.patrol-uk.info](http://www.patrol-uk.info).

**DATA PROTECTION STATEMENT:** The 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 distributed to other councils and enforcement agencies. All processing of this data will be in accordance with the Data Protection Act 1998.

# REPRESENTATIONS AGAINST NOTICE TO OWNER

The Traffic Management Act 2004

**From:** &ATITL &AINIT &ANAME  
&AADD1  
&AADD2  
&AADD3  
&AADD4  
&APCOD

Vehicle Registration No.	&REGNO
Penalty Charge Notice No.	&SERNO
Penalty Charge Notice Service Date.	&DOFFC

If you think that any of the grounds below applies, please indicate which by ticking the relevant box or boxes and provide any further details overleaf.

## The Specified Grounds for Representations

- A The alleged contravention did not occur.**  
Please explain why you believe no contravention took place
- B The recipient -**
- (i) never was the owner of the vehicle in question;
  - (ii) had ceased to be its owner before the date on which the alleged contravention occurred; (see Section 1 on page 4); or
  - (iii) became its owner after the date on which the alleged contravention occurred; (See Section 1 on page 4).
- C 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.**  
If the vehicle was stolen at the time the PCN was issued, you should submit evidence to support your claim such as police crime report number or insurance claim.
- D The recipient is a vehicle hire firm and**  
The vehicle in question was at the material time hired from the that firm under agreement and the person hiring it had signed a statement acknowledging liability in respect of any Penalty Charge Notice served in respect of any parking contravention involving the vehicle during the currency of the hiring agreement (complete Section 2 on page 4).
- E The penalty charge exceeded the amount applicable in the circumstances of the case.**  
Please explain why you think you are being asked to pay more than is required by law.
- F The Traffic Order which is alleged to have been contravened in relation to the vehicle concerned is invalid, except where it is a Traffic Order to which Part VI of Schedule 9 to the Road Traffic Regulation Act 1984 applies** (Please explain why you believe that the Traffic Order in question is invalid).
- G There has been a procedural impropriety by the Council.**  
Please refer to the note on page 4 for details of "procedural impropriety".
- H This notice should not have been served because -**
- (i) the penalty charge had already been paid in full (please provide details of the payment method, date and amount);
  - (ii) the penalty charge has been paid, reduced by the amount of any applicable discount set in accordance with Schedule 9 to the 2004 Act within the period specified in paragraph 1(h) of the Schedule to the 2007 General Regulations (Please provide details of the payment method, date and amount);
- J OTHER GROUNDS -**  
If there are any other reasons why the Council should cancel the penalty charge notice and refund any sum paid please tick this box and set out those reasons on a separate sheet of paper.

## Note

“procedural impropriety” means a failure by the Council to observe any requirement on it by the Traffic Management Act 2004, by The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or by The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 in relation to the imposition or recovery of a penalty charge or other sum and includes in particular:

- (a) The taking of any step, whether or not involving the service of any document, otherwise than:
  - (i) In accordance with the conditions subject to which; or
  - (ii) At the time or during the period when, it is authorised or required by The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 or by The Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 to be taken; and
- (b) In a case where the Council is seeking to recover an unpaid charge, the purported service of a Charge Certificate under The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 before the Council is authorised to serve it by those Regulations.

## Section 1

Where the recipient ceased to be the owner of the vehicle before the date of the alleged contravention, the recipient must include a statement of the name and address of the person to whom the vehicle was disposed of if that information is in the possession of the recipient. If the recipient became the owner of the vehicle after that date, the recipient must include a statement of the name and address of the person from whom the vehicle was acquired, if that information is in the possession of the recipient.

Name and address of the vehicle buyer and seller: .....

Date ownership of vehicle ceased or commenced: .....

Please provide evidence of the disposal/acquisition (e.g. sales receipt, DVLA correspondence, insurance documents).

## Section 2

Name and address of the vehicle hirer: .....

(Please also provide a copy of the hire agreement).

## Mitigating Circumstances

The Council can cancel the Penalty Charge Notice if the Council agrees there are compelling reasons to do so. If you feel the Council should, please provide details (continue on a separate sheet if necessary): .....

## Declaration

This must be signed in order for your declaration to be considered.

I confirm that my details and representations are correct to the best of my knowledge. I understand that 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).

Name: ..... Signature: .....

Date: ..... Position in company, if this is relevant: .....

Contact telephone number: .....

Representations address:

 In writing to: Parking Operations Department, PO Box 1149, King's Lynn, PE30 9AH

 Fax: 01553 819760

 Online: <https://parking.west-norfolk.gov.uk>

For more information about the representations and appeals process you can visit [www.patrol-uk.info](http://www.patrol-uk.info)