

Penalty Charge Notice

THE TRAFFIC MANAGEMENT ACT 2004 SECTIONS 78; THE CIVIL ENFORCEMENT OF PARKING
CONTRAVENTIONS (ENGLAND) GENERAL REGULATIONS 2007 (SI No. 3483)

To:

Penalty Charge Notice Number:

Date of Contravention:

Date Issued & Posted:

Date of Service:

Liability for the Penalty Charge lies with you, the Owner/Hirer

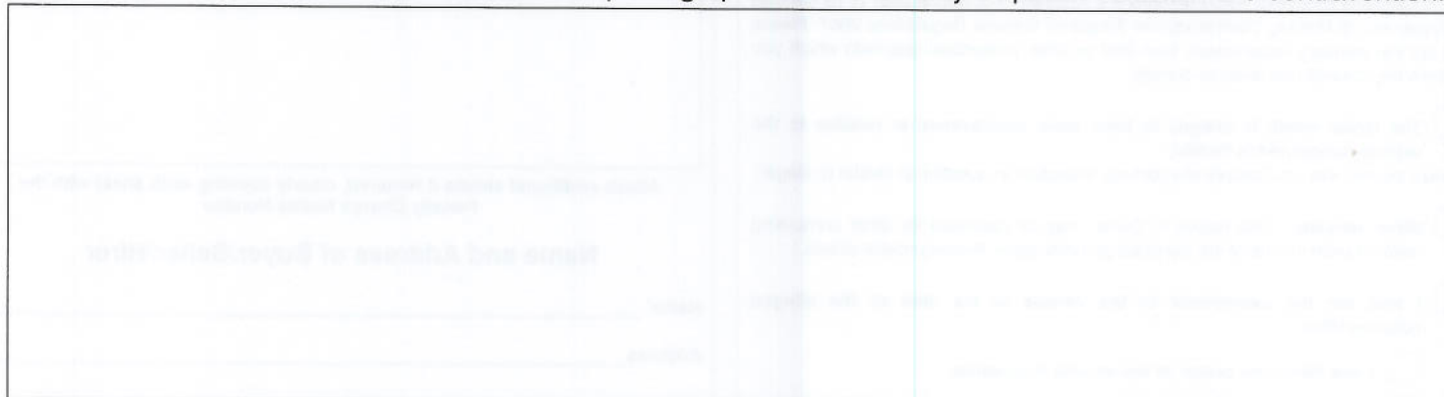
Luton Borough Council believes that a **Penalty Charge of £70** is payable for the following alleged contravention:

Code:

The vehicle was seen by Camera Operator

in Luton, at

This Penalty Charge Notice has been served by post on the basis of a record produced by an approved device and also acts as the Notice to Owner. The attached photographs in the Authority's opinion establish the contravention.



The above photographs have been provided free of charge

YOU MUST NOT IGNORE THIS NOTICE

1. This "Penalty Charge Notice" (PCN) has been sent to you, as the registered owner / hirer of the vehicle because the Council believes you are liable to pay a Penalty Charge for the alleged contravention. **This must be paid by no later than 28 days beginning with the date of service.**
2. As the registered owner of the vehicle (or the person who was hiring the vehicle at the time that the PCN was issued) you are legally liable for the Penalty Charge even if you were not the driver at the time.
3. **To claim a discounted rate of 50% to £35**, the reduced Penalty Charge must be paid **within 21 days**, beginning with the Date of Service. You should not pay the discounted rate and make representation at the same time. Representations if made are against the £70 Penalty Charge. Please note the Date of Service has been calculated for you being 2 working days after the date of posting, as sent by 1st class post unless you can prove otherwise.
4. You can make a representation against paying the Penalty Charge, within 28 days, beginning with the Date of Service. The grounds on which you can make a representation are set out overleaf. The Council may disregard representations made outside this 28 day period. All representations must be in writing.
5. **If you haven't paid the penalty charge or made a representation** by the end of this 28 day period, the Council may serve a Charge Certificate **increasing the Penalty Charge by 50% to £105** and take steps to enforce payment of this sum.
6. You or your representative may, by notice in writing to the Authority, request to view the record of the contravention, free of charge. This will be arranged in a reasonable time, at one of the Authority's offices of your choosing that has the necessary facilities, at a time during normal office hours (Monday to Friday 09.00 to 16.30).

PAYMENT METHODS

By telephone: most major credit/debit cards accepted, 24/7 payment service. Telephone 0300 456 2725. Have card, vehicle details and PCN number ready. **Website payment:** Visit www.luton.gov.uk and click on "Pay it" option **By post:** Cheques and postal orders to be made payable to Luton Borough Council. Return the payment slip with your payment. Do not send cash. If a receipt is required, a stamped addressed envelope should also be enclosed. Please allow up to 5 working days for postal payments. **Failure to supply all details correctly may result in a delay processing your payment. All postal payments and other correspondence must be sent to Luton Borough Council, Parking Services, Town Hall, Luton, LU1 2BQ.**

PAYMENT SLIP

From:

Penalty Charge Notice Number:

Date of Contravention:

Date Issued & Posted:

Date of Service:

Notice to Owner - how to make a representation against the Penalty Charge.

If you do not think that you should have to pay this Penalty Charge you may make representation to the Authority. These must be in writing by post to the address overleaf and you may use this form. The Civil Enforcement of Parking Contraventions (England) Representations & Appeals Regulations 2007 (SI 3482) specifies the grounds on which representations can be made.

The specified grounds on which you can make representations are set out below, together with an indication of the information which should be supplied in support of your representation. Tick the relevant boxes and write your reasons in the box provided. This Notice to Owner will be cancelled if one or more of the specified grounds are established. However, the Council may consider other mitigating circumstances and you should tick the box "Other Reasons" and give full details.

If your representation is received in time, or is received late but is taken into account, the Authority will consider it and 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 received by the Council. If it fails to do so this Notice to Owner will be cancelled and any sums already paid will be refunded. If your representation is 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 representation. The form will explain how and when to appeal to the Adjudicator.

The Specified Grounds

The alleged contravention did not occur.

Please explain why you believe no contravention took place.

The penalty exceeded the relevant amount.

Tick this box if the PCN asked you to pay more than you are legally liable to.

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 supply any supporting information that you may have e.g. any crime reference or insurance claim reference.

We are a vehicle-hire firm, 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 qualifies by containing prescribed particulars. You must supply the name and address of the hirer. Please also supply a copy of the signed agreement.

There has been a procedural impropriety by the enforcement authority

If you believe that Luton 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 & 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 the Council has failed to comply.

The Order which is alleged to have been contravened in relation to the vehicle concerned is invalid.

Please explain why you believe the parking restriction in question is invalid or illegal.

Other reasons - This Notice to Owner may be cancelled for other compelling reasons even if none of the specified grounds apply. Please provide details.

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

I was never the owner of the vehicle in question

I had ceased to be its owner before the date on which the alleged contravention occurred

I became its owner after the date on which the alleged contravention occurred.

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 insurance. You must give the name and address of the person who bought/sold the vehicle and the date of sale/purchase in the box provided.

**For more information on representations and appeals go to;
www.trafficpenaltytribunal.gov.uk**

Please note the references to informal challenge and online appeals are not applicable to this Notice to Owner.

DETAILS TO SUPPORT YOUR REPRESENTATION

Attach additional sheets if required, clearly marking each sheet with the Penalty Charge Notice Number

Name and Address of Buyer/Seller/Hirer

Name _____

Address _____

Postcode _____

Date of Purchase/Sale _____

Data Protection Act 1998

Luton Borough 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 shared with other agencies as required by law. All processing of this data will be in accordance with the Data Protection Act 1998.

DECLARATION

This must be signed in order for your representation to be considered

I confirm the details of my representation 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) _____