



Basildon Council



BRENTWOOD BOROUGH COUNCIL



MALDON DISTRICT COUNCIL



Rochford District Council

DO NOT IGNORE THIS NOTICE; AS THE OWNER/KEEPER OF THE VEHICLE. THIS NOTICE IS YOUR RESPONSIBILITY. DO NOT PASS IT TO ANOTHER PARTY. THIS PCN ALSO SERVES AS THE NOTICE TO OWNER (NtO). PCN Number: «Notice_Number»

«Corresp_Title» «Corresp_ForeName» «Corresp_Surname» PCN Number: «Notice_Number»
«Corresp_Business_Name» Vehicle Registration Number: «Notice_VRM»
«Corresp_Address_Line_1» Web Code: «Notice_Web_Code»
«Corresp_Address_Line_2»
«Corresp_Address_Line_3»
«Corresp_Address_Line_4»
«Corresp_Town»
«Corresp_County»
«Corresp_Post_Code»

**Traffic Management Act 2004 s78
The Civil Enforcement of Parking Contraventions (England) General Regulations 2007
Civil Enforcement of Parking Contraventions (England) Representations & Appeals
Regulations 2007**

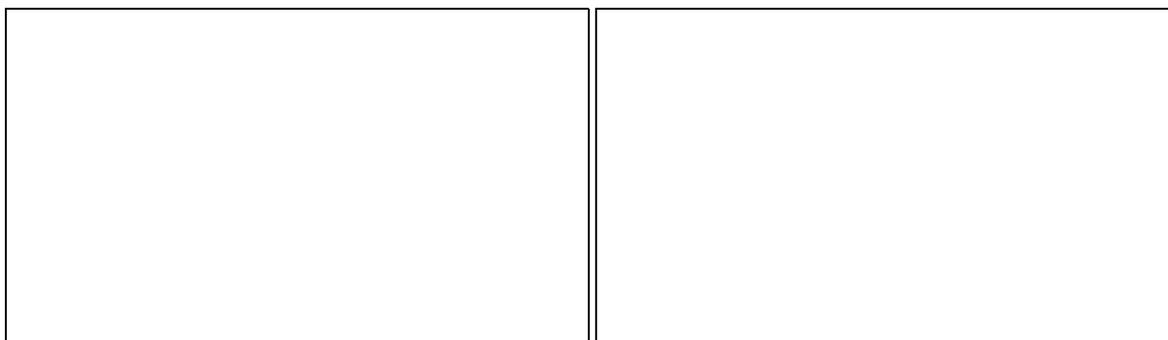
Date of this Notice: «Printed_Date»

The South Essex Parking Partnership acting as the agent of the enforcement authority, Essex County Council (The Authority) believes that a Penalty Charge is payable in respect of the following alleged parking contravention:

**Contravention Code and Description:
Code «Notice_Contravention_Code» – «Notice_Contra_Long_Desc»**

**Penalty Charge Notice Number: «Notice_Number»
Vehicle Registration Number: «Notice_VRM»
Contravention Location: «Notice_Issue_Location»
Contravention Area: «Notice_Area_Name»
Contravention Date: «Notice_Contravention_Date»
Contravention Time: «Notice_Contravention_Time»**

The alleged contravention was seen and recorded by a camera operator who was observing real-time pictures from a mobile camera unit at the time stated. This image has been extracted from the recording and shows the vehicle at the time of the alleged contravention.



Data Protection Declaration: Chelmsford City Council is a Data Controller for the purposes of data protection legislation. All personal information is held and processed in accordance with this. Please refer to our Privacy Notices published on our website at www.chelmsford.gov.uk/privacy for details. Please contact us if you need the privacy notice in an alternative format.

PCN No: «Notice_Number»

The PCN is being served by post on the basis of a record produced by an approved device. You are entitled to view the recording online (when submitting a formal representation) or obtain still images free of charge. To obtain still images, you must contact us in writing by email at parking@chelmsford.gov.uk or by post to: **South Essex Parking Partnership, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE.**

You, or your authorised representative, must make this request within 14 days of service of this PCN. Once received, the case will be put on hold and we will respond within 14 days, either supplying the still images or with an appointment to view. Once the images have been supplied, or the recording viewed, the case will be taken off hold.

A penalty charge of £«Notice_Original_Penalty» is now payable and must be paid not later than the last day of the period of 28 days beginning with the date on which this Penalty Charge Notice was served (service date considered to be Notice Date + 2 working days).

The penalty charge will be reduced by a discount of 50 per cent to £«Notice_Discount_Penalty_1» if it is paid not later than the last day of the period of 21 days beginning with the date on which this PCN was served (service date considered to be Notice Date + 2 working days).

HOW TO PAY:

- **By telephone: 0300 456 0489.** Automated payments line (24 hours a day, seven days a week). Credit/Debit card payments only (we do not accept American Express). Make sure that you have the PCN number and the vehicle registration number ready.
- **Online: www.chelmsford.gov.uk/payments**
- **By post: South Essex Parking Partnership, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE.** Send a cheque or postal order to the above address, made payable to Chelmsford City Council and with the PCN number on the reverse. Allow two working days for 1st class post. Allow five working days for 2nd class post.
- **By cash: All PayPoint or Post Office outlets.** Take this PCN with you so that the barcode on the front of the PCN can be scanned and payment taken.

Detach here ✂-----

PAYMENT SLIP (PCN No.: «Notice_Number»):

Name: **Service Date:** «Service_Date»
Address: **Vehicle Reg. No.:** «Notice_VRM»
..... **Postcode:**

Amounts due: For payments not later than the last day of the period of 21 days beginning with the date on which this PCN was served = £«Notice_Discount_Penalty_1».
For payments made after this period, but not later than the last day of the period of 28 days beginning with the date on which this PCN was served = £«Notice_Original_Penalty»

HOW TO MAKE REPRESENTATIONS AGAINST THE PENALTY CHARGE NOTICE: («Notice_Number»)

If you wish to make representations against this Notice, please read the following notes:

1. The Civil Enforcement of Parking Contraventions (England) Representations & Appeals Regulations 2007 sets out eight grounds under which you may make representations. In addition, the Partnership is required to consider mitigation in all cases (see below).
2. You must make your representations not later than the last day of the period of 28 days beginning with the date on which this Penalty Charge Notice was served (Service date considered to be Notice Date + 2 working days).

THE EIGHT PERMITTED GROUNDS FOR REPRESENTATION ARE (see below regarding other grounds):

- A. The alleged contravention did not occur:** Tick box 'A' below if you believe the alleged contravention did not occur. For example: The vehicle was not there, you were loading/unloading, you were displaying a valid permit or ticket allowing you to park etc. Please enclose any relevant supporting evidence (permit, ticket, delivery note, etc.) with your representation.
- B. That the recipient of this Notice:**
- 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, or**
 - iii. **Became its owner after that date.**

Tick Box "B" below along with the box associated with the appropriate circumstance. In the case of 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.

- C. That 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 box 'C' if the vehicle was being driven without your consent at the time of the alleged contravention. In the case of a stolen vehicle, please provide the Crime Reference number given to you by the Police.

- D. That the recipient of this Notice is a vehicle-hire firm and:**
- i. **The vehicle in question was at the material time hired from that firm under a hiring agreement, and**
 - ii. **The person hiring it had signed a statement of liability acknowledging his 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.**

Tick box 'D' if this is the case. You must supply a copy of the hire agreement with your representation which must show the name and address of the hirer and the statement of liability duly accepted by the hirer.

- E. That the Penalty Charge exceeded the amount applicable in the circumstances of the case:** Tick box 'E' if the amount of the Penalty Charge is more than you are legally required to pay.

- F. That there has been a procedural impropriety on the part of the Enforcement Authority or its agent:** Tick box 'F' if you believe that the enforcement authority 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. This will also apply where a Fixed Penalty Notice has been issued by the Police for the same Contravention. In such circumstances, the Fixed Penalty takes precedence and the Penalty Charge Notice becomes invalid. This will only occur at Pedestrian Crossings and evidence of the Fixed Penalty should be supplied with your representation.

HOW TO MAKE REPRESENTATIONS AGAINST THE PENALTY CHARGE NOTICE: («Notice_Number»)

- G. That the Order which is alleged to have been contravened in relation to the vehicle concerned, except where it is an order to which Part VI of Schedule 9 to the Road Traffic Regulation Act 1984 applies, is invalid:** Tick box 'G' below if you believe that the parking restriction was not covered by a traffic order, or the order was invalid or illegal. Please give full explanation of why you believe this to be the case.
- H. That the Notice to Owner should not have been served because:**
- The Penalty Charge had already been paid in full.**
 - The Penalty Charge had been paid, reduced by the amount of any discount set in accordance with Schedule 9 to the 2004 Act, within the period specified in para 1(h) of the Schedule to the General Regulations.**

Tick box 'H' if you believe that this matter has been settled in full. If possible, please provide evidence of payment to enable us to investigate.

- Z. Mitigation:** The Partnership 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 box 'Z' below and give full reasons why the Council should consider cancelling the Penalty Charge Notice.

WHAT HAPPENS NEXT?

- The South Essex Parking Partnership, acting as agents of Essex County Council, the enforcement authority, will consider your representations and are required to respond within 56 days of receipt. However, the South Essex Parking Partnership will always endeavour to respond within 10 working days of receipt. If no response is received within 15 days of sending the representation, please contact us on 01245 606710.
- If it is considered that the grounds for representation have been met you will receive a written Notice of Acceptance and the Notice to Owner and, where appropriate, the Penalty Charge Notice will be cancelled.
- If your representations are rejected a written Notice of Rejection will be sent to you and you must, within 28 days of receipt, either **pay the amount due, or appeal to the Parking Adjudicator**, who acts independently. The decision of the adjudicator is legally binding on both parties. Full details of how to appeal to the adjudicator will be included with the Notice of Rejection.
- 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 amount due increased by 50 per cent to **£«Notice_Surcharge_Penalty»**.
- Details of the Adjudication Service and an appeals form will be sent with any Notice of Rejection. If this is not the case, please contact us on 01245 606710 immediately.

HOW TO SUBMIT REPRESENTATIONS:

Representations may only be made by the registered keeper of the vehicle or their authorised representative. Unsigned Representations will not be accepted under any circumstances.

- Online:** Go to www.parkingpartnership.org/south and in the South Essex Parking Partnership section, select "Challenge" and then select "Formal Representation". You will need to enter your Penalty Charge Notice number, vehicle registration number and allocated web code (**«Notice_Web_Code»**) to proceed.
- Post:** Please use the following page to make your representation. Please retain pages 1 to 4 of this form for your records and send pages 5 to 6, duly completed, to: South Essex Parking Partnership, Chelmsford City Council, Civic Centre, Duke Street, Chelmsford, Essex, CM1 1JE. Allow two working days for 1st class post. Allow five days for 2nd class post.

FORMAL REPRESENTATION AGAINST A PENALTY CHARGE NOTICE:
(«Notice_Number»)

Grounds: Please tick the appropriate box

A	<input type="checkbox"/>	The alleged contravention did not occur.	Give full details below.
B	<input type="checkbox"/>	I was never the owner of the vehicle.	Please make a formal statement to this effect below.
Or	<input type="checkbox"/>	I ceased to be the owner before the date on which the alleged contravention occurred.	Please provide full details of the previous or new owner below.
Or	<input type="checkbox"/>	I became its owner after that date.	
C	<input type="checkbox"/>	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 owner's consent.	Give full details below including, where appropriate, a police crime reference.
D	<input type="checkbox"/>	The recipient of this Notice is a vehicle-hire firm and: i. The vehicle in question was at the material time hired from that firm under a hiring agreement, and: ii. The person hiring it had signed a statement of liability acknowledging his/her 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.	Please provide a copy of the agreement showing the relative statement.
E	<input type="checkbox"/>	The Penalty Charge exceeded the amount applicable in the circumstances of the case.	Give full details below.
F	<input type="checkbox"/>	There has been a procedural impropriety on the part of the enforcement authority.	Give full details below.
G	<input type="checkbox"/>	The order which is alleged to have been contravened in relation to the vehicle concerned. Except, where it is an order to which Part IV of schedule 9 to the 1984 Act, is invalid.	Please explain why you believe that the order in question is invalid.
H	<input type="checkbox"/>	The Notice to Owner should not have been served because: i. The Penalty Charge has already been paid in full, or ii. The Penalty Charge had been paid, reduced by the amount of any discount set in accordance with schedule 9 to the 2004 Act, within the period specified in para 1(h) of the schedule to the General Regulations.	Give full details below.
Z	<input type="checkbox"/>	Mitigating circumstances.	Give full details below.

Please give full details (continue overleaf if required):

I confirm that I am the registered keeper/authorised representative of the keeper*

*Delete as appropriate – If you are the authorised representative, the South Essex Parking Partnership will need to see the relevant authority.

Signed:

Date:

Name:

FORMAL REPRESENTATION AGAINST A PENALTY CHARGE NOTICE:
(«Notice_Number»)