

PENALTY CHARGE NOTICE (PCN)

The Traffic Management Act 2004 – s78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007;
Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

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|---|---|
| To: «Offender_Title» «Offender_Initials» «Offender_Surname» «Offender_Address_1» «Offender_Address_2» «Offender_Address_3» «Offender_Address_4» «Offender_County» «Offender_Post_Code» | PCN Number: «PCN_Ticket_Number» Vehicle Registration Number: «PCN_Registration_Number» Vehicle Make: «PCN_Vehicle_Make» Vehicle Colour: «PCN_Vehicle_Colour» Date of this Notice: «Date_Letter_Created» (Date of posting) |
|---|---|

This parking contravention has been recorded by an approved device (in this case a camera and recording system) and this is why this Notice has been served to you by post.

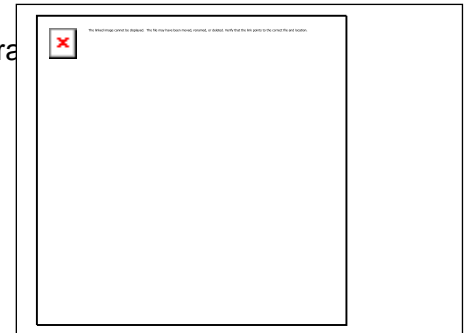
The vehicle identified above was observed by the approved device and the enforcement authority (Northumberland County Council) believes that a penalty charge is payable on the grounds of the following alleged parking contravention:

Location: «PCN_Street_or_Carpark_Name»

Contravention description: «PCN_Offence_Long_Description»

Date of Contravention: «PCN_Contravention_Date» **Time:** «PCN_Contra

To the right is a picture taken from the media recording of your vehicle committing the alleged contravention.



DO NOT IGNORE THIS NOTICE

The penalty charge is £«PCN_Amount_of_Full_Fine»

The penalty charge 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 is served. This notice will be taken to have been served on the second working day after the date of posting (as shown above) unless you can show that it was not.

But a reduced charge of £«PCN_Amount_of_First_Discount» is payable in the following circumstances:

If the penalty charge is paid not later than the last day of the period of 21 days beginning with the date on which this notice was served, the penalty charge will be reduced by 50%.

HOW TO PAY

You may pay this penalty charge online, by telephone, by post or in person. Full details on these methods of payment can be found with the detachable payment slip.

Please make cheques and postal orders payable to Northumberland County Council and write the PCN number and vehicle registration number on the back. Please do not send post-dated cheques, as they will not be accepted.

Please do not make any payment if you want to challenge this PCN.

Entitlement to view a recording or obtain images

This penalty charge has become payable because the parking contravention was recorded on an approved device, still images of the alleged contravention can be viewed by going to <https://parkingpcns.northumberland.gov.uk/> and following the instructions.

You or your representative may alternatively make a written representation to Northumberland County Council to view the record produced by the approved device at our offices during normal working hours.

HOW TO CHALLENGE (MAKE A REPRESENTATION)

If you believe that the penalty should not be paid you can make representations to Northumberland County Council.

Representations can be made by email to parkingservices@northumberland.gov.uk or by completing the attached form and posting it to Parking Services, County Hall, Morpeth, Northumberland, NE61 2EF. Please include any available supporting evidence.

Representations must include the name, postal address and signature of the person making them. If representations are made by email then the name of the person making them must be in the message header or main body text, and will be taken to be the signature of that person.

The authority may disregard any representations received outside the period of 28 days beginning with the date of the service of the PCN. This notice will be taken to have been served on the second working day after the posting unless you can show that it was not.

The statutory grounds for making representations are listed below. Whether or not any of the statutory grounds apply, you may also give other compelling reasons why we should cancel the penalty charge or refund any sum paid on account of the penalty charge.

The statutory grounds for representation are that:

- the alleged contravention did not occur;
- you
 - were never the owner of the vehicle in question,
 - had ceased to be the owner before the date on which the alleged contravention occurred, or
 - became its owner after that date;
- 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;
- you are a vehicle hire firm and the vehicle in question was on hire under a hiring agreement at the time of the contravention, and the person hiring the vehicle had signed a statement of liability in respect of any penalty charge notice served during the period of the hire agreement;
- the penalty charge exceeds the amount applicable in the circumstances of the case;
- there has been a procedural impropriety (described below) on the part of the enforcement authority;
- the traffic order (except where it is an order made under Schedule 9 of the Road Traffic Regulation Act 1984) which is alleged to have been contravened is invalid;

“Procedural impropriety” means a failure by the enforcement authority to observe any requirement imposed on it by the Traffic Management Act 2004, or the relevant Regulations made under that Act in respect of the civil enforcement of parking contraventions, in relation to the imposition or recovery of a penalty charge or other sum.

If you are making representations to the effect that you acquired the vehicle after the date of the alleged contravention, or ceased to be the owner of the vehicle before that date, then your representations must include the name and address of the person from whom you acquired the vehicle, or to whom you disposed of it, if you have that information.

If you are a hire firm and are making representations to the effect that the vehicle was on hire at the time of the alleged contravention then your representations must include the name and address of the person to whom the vehicle was hired at the time, and a copy of the signed agreement which includes the statement acknowledging liability.

A person who knowingly or recklessly makes a false representation regarding a material fact is guilty of an offence and on summary conviction may be liable for a fine of up to £5,000.

We will consider your representations and any supporting evidence, and serve a notice on you of our decision, within the period of 56 days beginning with the date on which we receive your representations, except where we have decided to disregard your representation by reason of it being received after the end of the period of 28 days beginning with the date of service of this PCN. If we accept your representations, we will cancel this PCN and you will not have to pay the penalty charge. If you have made representation within the period of 28 days beginning with the date on which this PCN is served, or if you have made representations outside that period but we have not disregarded them, and we do not accept those representations, you will receive a notice of rejection. This will state, amongst other things, that you may appeal against the notice of rejection to an adjudicator and it will give information about the time limits for appealing to an adjudicator.

If after the last day of the period of 28 days beginning with the date on which this PCN is served no such representations have been made, and the penalty charge has not been paid, we may increase the penalty charge by 50% to £105 and may take steps to enforce payment of the increased charge.

At the end of this notice you will find a form which you may find helpful as a means of making representations. However, you do not need to use it and you may make your representation as previously explained.

HOW TO PAY - Please have the PCN and the vehicle registration number available.

Online:

To make a payment online please go to <https://parkingpcns.northumberland.gov.uk/> and follow the instructions.

Automated Service (phone):

Please call our automated phone service 24 hours 7 days a week on 0345 600 6400.

By Telephone:

If you wish to pay by credit/debit card please call the Contact Centre on 0345 600 6400 to speak to an advisor. The Contact Centre is open Monday to Thursday 08:30 to 17:00 and Friday 08:30 to 16:30.

In Person:

(by cash, cheque, postal order, credit or debit card) at any of the Council Information Centres at:

Alnwick: Greenwell Lane, Alnwick, NE66 1HB
Ashington: Wansbeck Square, Ashington, NE63 9XL
Bedlington: Bedlington Library, Glebe Road, Bedlington, NE22 6JX
Berwick: Walkergate Building, Walkergate, Berwick TD15 1DJ
Blyth: Blyth Library, Bridge Street, Blyth, NE24 1DJ
Cramlington: Concordia, Cramlington, NE23 6YB
Hexham: Hadrian House, Market Street, Hexham, NE46 3NH
Morpeth: Royal Sovereign House, Manchester Street, Morpeth, NE61 1AF
Seaton Delaval: Library, Astley High School, Elsdon Avenue, Seaton Delaval NE25 0BW

You can visit us Monday to Friday from 09:00 to 17:00 (excluding bank holidays). Please note the Alnwick Information Centre closes at 16:30.

By Post:

(cheque and postal order) complete the payment slip below and return it with your payment made payable to 'Northumberland County Council'; and send to: Parking Services, County Hall, Morpeth, Northumberland, NE61 2EF. Please write PCN number, vehicle registration and address details on the reverse of the cheque/postal order. Please allow 2 working days for first class post and 5 working days for second class post.

Please do not make payment if you wish to challenge this PCN

Payment Slip – Please return with all payments sent by post.

The full penalty charge is £70. A reduced charge of £35 will be payable if paid not later than the last day of the period of 21 days beginning with the date on which the PCN was served.

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| Please complete in BLOCK CAPITALS | Penalty Charge Notice No: |
| Name: | Date of Penalty Charge Notice: |
| Address: | Vehicle Registration Number: |
| Postcode: | Amount paid: £ |

THE RULE RELATING TO SERVICE

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007: 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 –
- (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 (a).
- (4) A document may be transmitted to a vehicle hire firm (as defined in regulation 5(4)) by means of electronic data transmission where –
- (a) the vehicle 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 specific 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.

MAKING REPRESENTATIONS - THE SPECIFIED GROUNDS

You may find the following form helpful as a means of making representation. However, you do not need to use it and may make your representations as previously explained.

If you think any of the grounds below apply, please indicate which by ticking the relevant box or boxes.

In all cases, please give as much detail and evidence as possible.

- The alleged contravention did not occur**
(Please explain why you think no contravention took place).
- 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 owners 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 vehicle has 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).
- 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 which includes the statement acknowledging liability).
- 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).
- There has been a procedural impropriety by the enforcement authority.**
(Tick this box if you believe that Northumberland County 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).
- 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).
- 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 (attach any extra sheets if necessary):

Name and address of buyer/seller/hirer of vehicle (where relevant):

I confirm that my representations are true to the best of my knowledge. I realise that knowingly or recklessly making a false statement may result in prosecution and a possible fine of up to £5,000.

PCN Number _____ **VRM** _____

Name (in Capitals) _____ **Date** _____

Signature _____ **Position in Company** _____
(if applicable)