

Penalty Charge Notice (PCN)

Section 144 Transport Act 2000 and Bus Lane Contraventions
(Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005



Parking Service, Civic Offices,
Guildhall Sq. Portsmouth, PO1 2NE



How to pay (see below)

How to make representations

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

Web: parkingtickets.portsmouth.gov.uk

Post to: Parking Service, Guildhall Square, Portsmouth, PO1 2NE

If you are unable to use any of the above methods or have any other enquiry, please telephone **023 9268 8310**.

For further information on bus lane enforcement please refer to our website www.portsmouth.gov.uk

Representations which are made after the end of the 28 day period specified on the first page of this Penalty Charge 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. If you submit your representations late, you should explain why.

The statutory grounds on which representations may be made are set out on page 3, 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 page. This Notice **will** be cancelled if one or more of the statutory grounds is established. This Notice **may** be cancelled for other compelling reasons even if none of the statutory 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, Portsmouth City Council will let you know its decision in writing. If your representations are rejected, you have the right to appeal against that decision on any of the statutory grounds to the independent Bus Lane Adjudicator. The letter rejecting your representations will explain how and when to appeal to the adjudicator.

You may view the still images/video footage using the Council's website parkingtickets.portsmouth.gov.uk You may also make a request to review the recording at the Civic Offices, during office hours. This request must be in writing. You may also make a written request for a still image of the contravention to be sent to you. These services are free of charge.

Data Protection Information

Personal data has been collected in order to serve this Penalty Charge Notice and enforce the parking terms and conditions. Also you may write to us and provide personal data. As a contravention has been observed, your personal data may be collected, processed, shared and retained in order to carry out the performance of a public task and fulfil our legal obligations in the following ways:

- To request details of the registered keeper of the vehicle from the DVLA in order to pursue a Penalty Charge Notice.
- Shared with third parties for appeals and enforcement.
- Shared with the police or security organisations to prevent or detect crime.

Your Data Rights

In relation to the personal data which we may hold about you, you have the right to request to: Be informed, have access or rectify incorrect information. You also have the right to object to or restrict our processing of your data.

Under Data Protection law we must verify your identity and explain to you our reasons if we do not agree to carry out your request.

Contact and Further Information

If you would like more information about how we use your data, please read our Privacy Policy: www.portsmouth.gov.uk or telephone **023 9268 8310**.

How to pay

- **Online** at www.portsmouth.gov.uk and clicking on 'pay'.
- **By telephone** – credit/debit card payments only. Automated payment line 0800 8766576 (24 hours/7days a week). Please have your card, vehicle details and PCN number ready.

- **By post** using the payment slip on page 1 to: Parking Service, Civic Offices, Guildhall Square, Portsmouth PO1 2NE. Please allow 2 working days for 1st class post and 5 working days for 2nd class post.
- **In person** at the Civic Offices, Guildhall Square, during opening hours. Payment may also be made at any Portsmouth City Council Area Housing Office.

The statutory grounds

Please tick relevant box

The alleged contravention did not occur.

If you believe the contravention did not happen or you believe an exemption to the regulation applies, for example you were forced to drive into the bus lane for some reason, please use this ground and give full details overleaf.

The circumstances leading to the issue of the PCN are subject to criminal proceedings or a Fixed Penalty Notice has been issued.

You should use these grounds if the matter has been dealt with by the Police or a Fixed Penalty Notice has been issued. Please remember to include any supporting documents with your representation.

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

If you sold the vehicle before the date of the contravention, or bought it after that date, you must tell us the name and address of the person who bought it from you, or sold it to you, together with the date of exchange. You should also supply whatever evidence of the sale you may have (such as a sales receipt, invoice etc).

I was not the hirer of the vehicle at the time of the alleged contravention/I was the hirer of the vehicle but I had not signed a statement of liability.

If you have been elected by a car hire company as the hirer of a vehicle at the time of the contravention, but you dispute this or dispute that you signed a statement of liability, you should use this ground and supply any documentary evidence you have in your possession to support your assertion.

I was the registered keeper of the vehicle on the date of the alleged contravention, however:

We are a hire company and the hirer had signed a statement accepting liability.

Please supply a copy of the signed agreement and supply the name and address of the hirer overleaf.

The vehicle was being kept by a vehicle trader at the time of the contravention.

If you were not the keeper at the time of the contravention as the vehicle was being kept by a vehicle trader, please supply any documentary evidence you may have.

The vehicle was being used without my consent at the time of the alleged contravention.

If the vehicle had been stolen please provide details of the police crime reference or insurance claim.

The Penalty Charge exceeded the amount applicable in the circumstances of the case.

Please use this ground if you think you are being asked to pay more than you should legally pay.

