

# DO NOT IGNORE THIS 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: The Civil Enforcement of Parking Contraventions (England) General Regulations 2007 Regulation 19

### NOTICE TO OWNER

**Date of this Notice to Owner and of posting: «Printed\_Date»**

This Notice to Owner has been served on you because it appears to the enforcement authority or its agent (specified below) that you were the owner of the vehicle specified below, in respect of which a Penalty Charge Notice was served, when the alleged parking contravention took place. To date, full payment has not been received. Details of the Penalty Charge Notice are as follows:

**Vehicle Registration Number:** «Notice\_VRM»  
**Vehicle Make:** «Notice\_Make»  
**Vehicle Colour:** «Notice\_Colour»

Penalty Charge Notice «Notice\_Number» was served on «Notice\_Contravention\_Date» by Civil Enforcement Officer «Notice\_PA\_IC» who had reason to believe that on «Notice\_Contravention\_Date» at «Notice\_Issue\_Time» the above vehicle, was «Notice\_Contra\_Long\_Desc» in «Notice\_Issue\_Location», «Notice\_Area\_Name». To date, full payment has not been received. Details of the Penalty Charge are as follows:

### THE PENALTY CHARGE HAS NOT BEEN PAID:

**Penalty Charge amount:** £«Notice\_Original\_Penalty»  
**To date you have paid:** £«Notice\_Net\_Paid»  
**Payment now due:** £«Notice\_Outstanding\_Account»

**For on-street parking contraventions:** The Penalty Charge Notice (PCN) was issued by the South Essex Parking Partnership as agent for the enforcement authority, Essex County Council. The South Essex Parking Partnership is responsible (under agency arrangements with Essex County Council) for the enforcement of on-street parking restrictions within the Borough/City/District of Basildon, Brentwood, Castle Point, Chelmsford, Maldon and Rochford.

**For off-street car park contraventions:** Where this PCN was issued in a public car park within the Borough of Basildon, the enforcement authority is Basildon, with Chelmsford City Council acting as its agent. Where this PCN was issued in a public car park within the Borough of Castle Point, the enforcement authority is Castle Point, with Chelmsford City Council acting as its agent. Where this PCN was issued in a public car park within the City of Chelmsford, the enforcement authority is Chelmsford City Council.

**Please note:** All communications relating to this PCN should be directed to Chelmsford City Council (the lead authority for the partnership). Full details of the partnership arrangements are available on request.

**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](http://www.chelmsford.gov.uk/privacy) for details. Please contact us if you need the privacy notice in an alternative format.

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The owner of the vehicle was allowed 14 days to pay a discounted sum. Any sum already paid, as shown above, was either less than the discounted amount or received outside the discount period. As the owner of the vehicle, you are legally liable for the Penalty Charge. **This applies even if you were not the driver at the time of the alleged contravention.**

**It is now too late to pay the discounted rate, therefore you have two options:**

1. **Pay – Pay the Penalty Charge in full.**
2. **Make a Formal Representation to the enforcement authority – See next page.**

**A Penalty Charge of £«Notice\_Outstanding\_Account» is now payable by you as the owner 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 day of posting (as shown above) unless you can show that it was not. If you do not pay the Penalty Charge or make representations to the enforcement authority or the agent acting on its behalf, before the end of the 28-day period specified above the enforcement authority or the agent acting on its behalf may increase the original Penalty Charge by 50 per cent to £«Notice\_Surcharge\_Penalty». Failure to pay the increased amount may result in a County Court Order against you and a warrant being issued to Bailiffs.**

**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](http://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 1<sup>st</sup> class post. Allow five working days for 2<sup>nd</sup> 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»):**

Please complete your details before returning this slip with your payment. Make cheques or postal orders payable to Chelmsford City Council and write your PCN number on the reverse. **Do not send cash or credit/debit card details through the post.** If you would like a receipt, please enclose a stamped, addressed envelope.

**Name:** ..... **NtO Date: «Printed\_Date»**  
**Address:** ..... **Vehicle Reg. No.: «Notice\_VRM»**  
..... **Postcode:** .....

**Amount Due: £«Notice\_Outstanding\_Account»**

## **HOW TO MAKE REPRESENTATIONS AGAINST THE PENALTY CHARGE NOTICE: («Notice\_Number»)**

If you believe that the Penalty Charge should not be paid, you may make representations to the enforcement authority. Please read the following notes:

- 1. The Civil Enforcement of Parking Contraventions (England) Representations & Appeals Regulations 2007** set out **eight grounds** under which you may make representations. **In addition, the Partnership is required to consider other grounds in all cases (see below for details).**
- Representations which are made after the end of the 28-day period specified on the first page of this Notice may be disregarded.

### **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. Other grounds:** If there are any other reasons why you consider the enforcement authority should cancel the Penalty Charge Notice and refund any sum already paid, please tick box Z below and set out those reasons in full. (The Council is required to use its discretion when enforcing Penalty Charge Notices, and to cancel the Notice to Owner and refund any sum already paid if it considers that there are compelling reasons for doing so).

## WHAT HAPPENS NEXT?

- The enforcement authority will consider your representations.
- 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](http://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 1<sup>st</sup> class post. Allow five days for 2<sup>nd</sup> class post.

**FORMAL REPRESENTATION AGAINST A PENALTY CHARGE NOTICE:**  
**(«Notice\_Number»)**

**Grounds: Please tick the appropriate box**

<b>A</b>	<input type="checkbox"/>	The alleged contravention did not occur.	Give full details below.
<b>B</b>	<input type="checkbox"/>	I was never the owner of the vehicle.	Please make a formal statement to this effect below.
<b>Or</b>	<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.
<b>Or</b>	<input type="checkbox"/>	I became its owner after that date.	
<b>C</b>	<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.
<b>D</b>	<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.
<b>E</b>	<input type="checkbox"/>	The Penalty Charge exceeded the amount applicable in the circumstances of the case.	Give full details below.
<b>F</b>	<input type="checkbox"/>	There has been a procedural impropriety on the part of the enforcement authority.	Give full details below.
<b>G</b>	<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 Road Traffic Regulation Act 1984 applies, is invalid.	Please explain why you believe that the order in question is invalid.
<b>H</b>	<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 Civil Enforcement of Parking Contraventions (England) General Regulations 2007.	Give full details below.
<b>Z</b>	<input type="checkbox"/>	Other grounds.	Give full details below.

**Please give full details (continue overleaf if required):**

**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 fine upon conviction of up to £5,000.**

**Signed:** .....

**Date:**

**Name:** .....

**FORMAL REPRESENTATION AGAINST A PENALTY CHARGE NOTICE:**  
**(«Notice\_Number»)**