



South Lakeland District Council

NOTICE TO OWNER (NtO)

The Traffic Management Act 2004, s82; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007 (as amended).

Notice to Owner/Hirer/Keeper
Vehicle Registration Number

Penalty Charge Notice No.

PCN Issue Date

Date of issue of this Notice

YOU MUST NOT IGNORE THIS NOTICE

Date of this Notice to Owner and date of posting

To:

This Notice has been served on you because it appears to South Lakeland District Council that you are the owner of

Vehicle Registration Number:

Make:

Tax Disc:

Model:

Expiry

in respect of which Penalty Charge Notice (PCN) Number:

Colour:

by Civil Enforcement Officer (CEO):

was served on:

who had reason to believe that the following contravention
had occurred and that a penalty charge is payable:

Location:

Date of Contravention:

Time:

The penalty charge is To date has been received. is outstanding.

NOTE: The person appearing to be in charge of the vehicle was served with a penalty charge notice (PCN), which allowed 14 days for payment of a 50% discounted penalty charge; otherwise the full penalty charge became due. Either no payment has been received or any payment received has been insufficient to clear the penalty charge.

A penalty charge of 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.

You may make representations to South Lakeland District Council as to why this penalty charge should not be paid. These representations should be made not later than the last day of the period of 28 days beginning with the date on which this Notice is served and any representations that are made outside that period may be disregarded.

NOTE: If you do not pay the penalty charge or make representations before the end of the 28 day period specified above (i.e. by) the Council may increase the original penalty charge by 50% to and take steps to enforce payment.

Payment Slip

For how to pay see overleaf

You must complete this slip in block capitals and return it with your payment to the address below

Name.....

Penalty Charge Notice:

Vehicle Registration No:

Address.....

Date of PCN:

Payment Amount Due:

Postcode.....

DO NOT SEND CASH THROUGH THE POST. POST DATED CHEQUES WILL NOT BE ACCEPTED. Cheques and postal orders should have the PCN number on reverse and be made payable to **SOUTH LAKELAND DISTRICT COUNCIL (SLDC)**. Please detach this slip and enclose it with your payment.

How to Pay

Payment should only be made if the Notice is not disputed

Cash, Cheque and Postal Order



BY POST

using the payment slip to:
S.L.D.C Cashiers,
South Lakeland House,
Lowther Street,
Kendal,
LA9 4DQ

**DO NOT SEND CASH
THROUGH THE POST**

BY TELEPHONE

credit and debit cards only
24 hour automated telephone
line 01539 263460

ONLINE at

www.southlakeland.gov.uk
Follow links for online
payments

IN PERSON

by cheque, postal order,
credit and debit cards only
are accepted at South
Lakeland House, Kendal
**PLEASE NOTE CASH IS
NOT ACCEPTED BY THE
COUNCIL**

Notice of Completion

1. Driver was allowed 14 days to pay a 50% discounted sum. Any sum already paid, as shown overleaf, was insufficient to clear the charge in full.
2. As the registered owner/keeper of the vehicle (or the person who was hiring the vehicle) at the time the Penalty Charge Notice was issued, you are legally liable for the Penalty Charge even if you were not the driver at the time.
3. It is now too late to pay the 50% discounted rate, you therefore have two options:-

PAY – pay the Penalty Charge in full using one of the options shown above

DISPUTE – make representations to the Council

There are set grounds on which you may make Representations. If you think that one or more of the listed grounds applies to your case, complete the form and return it to the Council. The letter you are sent if your Representations are unsuccessful will explain how you can appeal to an independent Adjudicator.

How to make representations

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



**Parking Services, South Lakeland District Council,
Lowther Street, Kendal LA9 4DH**



01539 740300

Representations which are made after the end of the 28 day period specified on the first page of this 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. For more information on this, please turn to the last page of this Notice. If you submit your representations late, you should explain why.

The statutory grounds on which representations may be made are set out below together with an indication of the information that 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 specified grounds is established. This Notice may be cancelled for other compelling reasons even if none of the specified 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, South Lakeland District Council will 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 served on it. If it fails to do so, this Notice will be cancelled and any sums already paid will be refunded. If your representations are 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 representations. The form will explain how and when to appeal to the adjudicator.

South Lakeland District Council's parking policy can be found on www.southlakeland.gov.uk (follow the parking links). Further information about Civil Parking Enforcement (including PCNs and NtOs) is available online at www.patrol-uk.info

The specified grounds by which you may wish to make an appeal (please tick box)

- ☐ **The alleged contravention did not occur.**
(Please explain why you believe 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 owner's name and address if you have it. Please also provide the date of the transaction and any other details, and include copies of any documents such as an invoice or bill of sale)
- ☐ **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 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 qualifies by containing prescribed particulars. You must supply the name and address of the hirer. Please also supply a copy of the signed agreement)
- ☐ **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 South Lakeland District 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 Regulations. 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.)
- ☐ **This Notice should not have been served because the penalty charge had already been paid:**
(i) in full; or
(ii) at the discounted rate set in accordance with Schedule 9 to the Traffic Management Act 2004 Act and within the time specified in paragraph 1(h) of the Schedule to the Civil Enforcement of Parking Contraventions (England) General Regulations 2007.
(Please indicate the amount of the payment made and when and how the payment was made and include a copy of any supporting documentary information such as a receipt or bank statement. N.B. The discounted rate was 50% of the penalty charge and should have been paid not later than the last day of the period of 14 days beginning with the date on which the PCN was served.)

Other grounds

- ☐ If there are any other reasons why you consider the Council should cancel the penalty charge notice and refund any sum already paid please tick this box and set out those reasons in full in the box on the following page.

Penalty Charge Notice Number:..... (If appealing please complete)

Write your representations here (attach any extra sheets if necessary)

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Details of buyer / seller / hirer of vehicle (where relevant)

Name

Address

Postcode..... Date of sale / hire

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

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 level 5 on the standard scale (currently £5,000).

Signature Date

NAME (in capitals) Position in company (if relevant)

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-

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|--|---|--|
| (a) may be served by first class (but not second class) post; and | (3) In paragraph (2), —working day means any day except— | (a) the vehicle hire 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 specified electronic address; 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. | (a) a Saturday or a Sunday; | (b) the document is transmitted to that address. |
| (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. | (b) New Year’s Day; | (5) Nothing in this regulation applies to the service of any notice or order made by a county court. |
| | (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. | |
| | (4) A document may be transmitted to a vehicle hire firm (as defined in regulation 5(4)) by a means of electronic data transmission where - | |