

**Order for recovery of unpaid penalty charge (Parking)**

To the respondent
<p>Replica  TMBC  Gibson Building  Gibson Drive  Kent  ME19 4LZ</p>

Penalty Charge No.	KO00000016
Vehicle Registration No.	TPTREPLI
Applicant	Kent County Council with Tonbridge & Malling Borough Council acting
Location of Contravention	Acorn Grove, Ditton
Date of Contravention	23 October 2016
Amount of charge	£70.00
Court registration fee	£8.00
Charge Certificate Surcharge	£35
Amount received to date	£0.00
<b>Total amount to pay</b>	<b>£113.00</b>

An order to recover a penalty charge has been made against you at the Traffic Enforcement Centre at the County Court Business Centre.

**17 November 2016**

this is the date by which you **must** either; pay the total amount shown above or file a statement if you believe you have grounds for not paying the charge.

**Note:** If you have a query regarding the original penalty charge, you should contact the Local Authority that issued the penalty charge.

**Paying total amount**

All payments and enquiries must be directed to this address:

Tonbridge & Malling Borough Council,  
Technical Services  
Gibson Building  
Gibson Drive  
Kingshill  
Kent  
ME19 4LZ

If you need any help or further information regarding payment you can call this number: 01732 876034

**Filing a statement**

**Note:** there are only four limited grounds on which you can make a statement (see form TE9 for details). Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in any document verified by a statement of truth without an honest belief in its truth.

If you want to file a Witness statement - unpaid penalty charge (parking – form TE9), you can do so by email or by post

- By email - download form TE9 from [www.hmcourts-service.gov.uk/cms/tec.htm](http://www.hmcourts-service.gov.uk/cms/tec.htm) complete form and send it to [tec@hmcts.gsi.gov.uk](mailto:tec@hmcts.gsi.gov.uk)
- By post - by completing the enclosed form TE9 and sending it to the Traffic Enforcement Centre at the address below.

If you need any help or further information on completing the form then visit [www.hmcourts-service.gov.uk/cms/tec.htm](http://www.hmcourts-service.gov.uk/cms/tec.htm)

**If you do nothing your possessions may be removed and sold to pay this charge.**

If you need more time to file a statement, you may apply using form TE7. For details on how to make an application or to discuss further please contact the Traffic Enforcement Centre on 0300 123 1059/01604 619450.

Drawn on the authority of: Traffic Enforcement Centre, St Katherine's House, 21 – 27 St Katherine's Street, Northampton, NN1 2LH or tec@hmcts.gsi.gov.uk

An order to recover a penalty charge has been made against you at the Traffic Enforcement Centre at the County Court Business Centre.

**You must by the date shown (overleaf) either**

- Pay the total amount due to the local authority detailed;

**OR**

- File a Witness Statement on the enclosed form TE9 and send it to the Traffic Enforcement Centre at the address given below.

### **Making a Witness Statement**

You may make a witness statement under the following grounds, which apply to you.

**Note:** If your penalty charge relates to a London Borough Parking Contravention you may make a witness statement under **ONE** of the following grounds

- You paid the penalty charge notice in full. You must provide details of the date payment was made, the method of payment i.e. cash, cheque etc. and who the payment was made to. **Please note you may be asked to provide proof of payment upon request.**
- You did not receive the notice to owner / penalty charge notice.
- You made representations about the penalty charge to the Local Authority within 28 days service of the notice to owner and you did not receive a reply (rejection notice).
- You appealed against the Local Authority's decision to reject your representation within 28 days service of the rejection notice, but you had no response to your appeal.

**Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in an application verified by a statement of truth without an honest belief in its truth.**

If you need more time in which to file your witness statement you may apply using form TE7 - Application to file a statement out of time. This application is only to extend time for filing the witness statement, it is not why you are disputing the original penalty charge.

The application **MUST** be completed by the named 'respondent'.

The application can only be completed and signed by a litigation friend if the respondent is a protected party (a party who lacks capacity within the meaning of the Mental Capacity Act 2005 to conduct legal proceedings).

**What is a litigation friend?** - A person who conducts legal proceedings on behalf of a person who lacks capacity within the meaning of the Mental Capacity Act 2005 (see Part 21 (children and protected parties) of the Civil Procedure Rules).

For details on how to make an application or to discuss further please contact the Traffic Enforcement Centre on 0300 123 1059/01604 619450

If you do nothing your possessions may be removed and sold to pay this charge.

Drawn on the authority of: The Traffic Enforcement Centre, St Katharine's House, 21 – 27 St Katharine's street, Northampton, NN1 2LH

# Witness statement – unpaid penalty charge (Parking)

Please complete this form in black ink using BLOCK CAPITALS

Traffic Enforcement Centre  
 County Court Business Centre  
 St. Katharine's House  
 21 – 27 St. Katharine' Street  
 Northampton, NN1 2LH

Penalty Charge No.	KO00000016
Vehicle Registration No.	TPTREPLI
Applicant	Kent County Council with Tonbridge & Malling Borough Council acting as its agent
Location of Contravention	Acorn Grove, Dilton
Date of Contravention	23 October 2016

You must ensure that all details above are correctly entered from the form TE3 - Order for Recovery of unpaid penalty charge (Parking).

Title  Mr.  Mrs  Miss  Ms.  Other

Full name (Respondent)

Address

<input type="text"/>
Postcode <input type="text"/>

Company name (if vehicle owned and registered by a company) <input type="text"/>
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The above named witness, declares that: Tick all boxes that apply to you.

**Note:** If your penalty charge relates to a London Borough Parking Contravention tick only ONE box

- |   |   |
|---|---|
| <input type="checkbox"/> I did not receive the Notice to Owner / penalty charge notice (Parking contravention).   | <input type="checkbox"/> I appealed against the local authority's decision to reject my representation, within 28 days of service of the rejection notice, but have had no response to my appeal. |
| <input type="checkbox"/> I made representations about the penalty charge to the enforcing authority concerned within 28 days of the service of the Notice to Owner, but did not receive a rejection notice. | <input type="checkbox"/> The penalty charge has been paid in full.<br>Date it was paid<br>How was it paid<br>To whom was it paid  |

**Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in an application verified by a statement of truth without an honest belief in its truth.**

### Statement of truth

I solemnly and sincerely declare that the facts stated in this application are true.

Signed <input type="text"/>	Date <input type="text"/>
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Print full name

If you are signing on behalf of the witness, are you

<input type="checkbox"/> An officer of the company	<input type="checkbox"/> A Partner of the firm	<input type="checkbox"/> A Litigation friend acting on behalf of a protected party within the meaning of the Mental Capacity Act 2005
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## **Making a Witness Statement**

You may make a witness statement under the following grounds, which apply to you:

**Note:** If your penalty charge relates to a London Borough Parking Contravention you may make a witness statement under ONE of the following grounds

- You paid the penalty charge notice in full. You must provide details of the date payment was made, the method of payment i.e. cash, cheque etc and who the payment was made to. **Please note you may be asked to provide proof of payment upon request.**
- You did not receive the notice to owner / penalty charge notice.
- You made representations about the penalty charge notice to the Local Authority within 28 days of service of the notice to owner but did not receive a reply (rejection notice).
- You appealed against the Local Authority's decision to reject your representation within 28 days, but you had no response to your appeal.

**Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in a witness statement verified by a statement of truth without an honest belief in its truth**

You must file the witness statement by the date shown on the Order for recovery.

Once completed send to the Traffic Enforcement Centre at

Traffic Enforcement Centre  
St Katharine's House,  
21 – 27 St Katharine's Street  
Northampton  
NN1 2LH

or [tec@hmcts.gsi.gov.uk](mailto:tec@hmcts.gsi.gov.uk)

### IN TIME WITNESS STATEMENT NOTES

Please use the list below to check you have completed the forms correctly. You must file the Witness Statement by the date shown on the Order for Recovery otherwise you will also need to complete an out of time application form TE7.

- Please quote the Penalty Charge number which can be found on the Order for Recovery or obtained from the Local Authority. We cannot trace the case without this number. Only one number per application form is permitted.
- Please quote the Date of Contravention which can be found on the Order for Recovery or obtained from the Local Authority.
- State your title e.g. Mr or Mrs
- State your full name. The form can only be completed by the named Respondent on the Order for Recovery issued by the Local Authority. If the Respondent has been named as a company/organisation, the person completing the form on it's behalf must ensure they state their own full name, the company name and their position in the company.
- Provide your full address including the postcode.
- Tick all boxes which apply to you. You are not permitted to add to or change the wording of any of the grounds. If none of the grounds apply, you cannot file the Witness Statement and you should contact the Local Authority who issued the Order for Recovery to try to resolve the matter. NOTE. If your penalty charge relates to a London Borough Parking Contravention you are only allowed to tick one box.
- If ticking the box regarding payment please ensure you complete all 3 details stating the date, how it was paid and to whom it was paid. Proof may be requested at a later date.
- The Statement of Truth can only be completed by the named Respondent on the Order for Recovery. Please sign, date and print your name and also tick the appropriate box if signing on behalf of a company/organisation.

The application can only be completed and signed by a Litigation Friend if the Respondent is a protected party (a party who lacks capacity within the meaning of the Mental Capacity Act 2005 to conduct legal proceedings). (See Part 21 (children and protected parties) of the Civil Procedure Rules). If you are a Litigation Friend, please provide proof of this.

The completed Witness Statement should be sent to:  
The Traffic Enforcement Centre  
St Katharine's House  
21/27 St Katharine's Street  
Northampton  
NN1 2LH

Alternatively you may email the document to [tec@hmcts.gsi.gov.uk](mailto:tec@hmcts.gsi.gov.uk)

**COURT STAFF ARE NOT LEGALLY TRAINED. IF YOU NEED LEGAL ADVICE YOU SHOULD CONTACT A SOLICITOR OR A CITIZENS ADVICE BUREAU**

