



CHARGE CERTIFICATE

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

TO:

DO NOT IGNORE THIS NOTICE
from Torbay Council, PO Box 422,
Torquay, TQ2 5WU

Date of this Charge Certificate and date of posting

PLEASE NOTE: This Certificate has been issued to you because payment of the Penalty Charge in respect of the parking contravention identified below has not been received. You are now required to pay an increased penalty charge as explained below.

ON a Notice to Owner was served on you as the person appearing to be the owner/hirer of:

Vehicle Registration Number:	Make:	Colour:
Tax Disc:	Expiry:	
In respect of the following contravention which had occurred and that a penalty charge is payable:-		
Location:		
Date of contravention:		Time:
Penalty Charge Notice Number:		

THE PENALTY CHARGE HAS NOT BEEN PAID IN FULL

The Penalty Charge in respect of this contravention was
To date amount received
As the penalty charge has not been paid within the relevant period, the original penalty charge in question is now increased by 50% to
Amount Now Due

Please Note: If this increased Penalty Charge is not paid before the end of the period of 14 days beginning with the date of which this Certificate is served, Torbay Council may, if a County Court so orders, recover this increased charge as if it were payable under a County Court order. A Warrant may then be issued to bailiffs to recover payment. You will also become liable for the additional fees of the County Court and the bailiff.
PLEASE SEE REVERSE FOR HOW TO PAY.

This certificate will be taken to have been served on the second working day after the day of posting unless you can show how that it was not. For more information on this, please turn to the reverse of this Certificate.

PAYMENT SLIP (for payment options see reverse)
If a receipt is required please enclose a stamped addressed envelope.

TO:

Penalty Charge Notice No.	
Vehicle Registration No.	
Date of this Notice	
Payment Amount Due	

HOW TO PAY

- **By automated 24 hour telephone line:** 0845 372 1276 - for debit/credit card payments.
- **By Internet:** The Torbay Council website www.torbay.gov.uk/cpe and pay by debit/credit card.
Debit/credit cards accepted: VISA, MASTERCARD, SWITCH, SOLO, MAESTRO.
- **By post:** make your cheque or postal order payable to Torbay Council and to avoid error write the **PCN** number shown overleaf on the reverse of the cheque. Complete the payment slip and attach it to your cheque or postal order and send to: **Exchequer Services, Torbay Council, Town Hall, Torquay, TQ1 3DR.** Please send an SAE if you require a receipt.

Allow 2 working days for 1st class post and 5 for 2nd class.

If you have a general enquiry about this notice contact us either by:

Phone 01803 207695

Email parking@torbay.gov.uk

In writing PO Box 422, Torquay, TQ2 5WU. **Please ensure you quote your penalty charge notice number.**

Further information about Civil Parking Enforcement is available online at www.patrol-uk.info on Torbay Council's website at www.torbay.gov.uk/cpe and the Council's leaflet available online or at the three Connection Offices as above.

Torbay Council will use any data collected through the issuing of the Charge Certificate for the enforcement of parking contraventions and other associated purposes. This data may also be disclosed to other enforcement agencies for the purposes of this enforcement. It may also be disclosed to other departments within the Council or external parties for related purposes or as required by law. All processing of the data will be in accordance with the UK Data Protection Act 1998. If you wish to access your personal information please contact the Information Governance Team on 01803 201201.

The Relevant Period

- (1) The relevant period within which the penalty charge should have been paid is the period of 28 days beginning:-
 - (a) where no representations have been made under regulation 4 of the Representations and Appeals Regulations, with the date on which the notice to owner is served;
 - (b) where
 - (i) such representations have been made;
 - (ii) a notice of rejection was served by the authority concerned; and
 - (iii) no appeal against the notice of rejection was made, with the date on which the notice of rejection is served;
 - (c) where an adjudicator has, under regulation 7(4) of the Representations and Appeals Regulations, recommended the enforcement authority to cancel the notice to owner, with the date on which the enforcement authority notified the appellant under regulation 7(5) of those Regulations that it does not accept the recommendation; or
 - (d) in a case not falling within subparagraph (c) above where there has been an unsuccessful appeal to an adjudicator under the Representations and Appeals Regulations against a notice of rejection, with the date on which notice of the adjudicator's decision was served on the appellant.
- (2) Where an appeal against a notice of rejection was made but was withdrawn before the adjudicator served notice of his decision, the relevant period in relation to a notice to owner is the period of 14 days beginning with the date on which the appeal was withdrawn.

The Civil Enforcement of Parking Contraventions (England) General Regulations 2007: Regulation 3 states:- '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 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.
- (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 -
- (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) 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.