

# Penalty Charge Notice

## Receiving a Penalty Charge Notice



# WHAT TO DO IF YOU RECEIVE A PENALTY CHARGE NOTICE

A PENALTY CHARGE NOTICE (PCN) is issued by the Council's Civil Enforcement Officers (CEO's) when a vehicle is parked in contravention of a parking or waiting restriction either on the road or in a car park.

The PENALTY CHARGE is £50 (£70 for more serious contraventions) but this is reduced by 50% if paid within 14 days of issue. If you receive a PCN but believe it was issued incorrectly contact the Council's Parking Services team, in writing, straight away setting out your reasons. The statutory grounds of appeal are set out in this leaflet. When your written appeal is received the PCN will be put on hold while the reasons are considered. If these are not accepted the reduced charge should be paid within 14 days of the receipt of the decision. After this the full charge applies.

If the charge remains unpaid the Council will make enquiries to the DVLA to trace the registered keeper of the vehicle. A NOTICE TO OWNER (NtO) will be sent to the registered keeper.

On receipt of the NtO the owner/registered keeper can either pay the outstanding amount or make formal representation to the Council on one of the grounds as outlined. If the representation is accepted by the Council the

PCN will be cancelled otherwise a NOTICE OF REJECTION will be issued together with details of how to appeal to the TRAFFIC PENALTY TRIBUNAL. For further information please visit: [www.patrol-uk.info](http://www.patrol-uk.info)

If after 28 days the PCN remains unpaid and no appeal is lodged the charge increases by 50% and a CHARGE CERTIFICATE will be issued.

Once a Charge Certificate is issued the charge should be paid within 14 days. If it is not paid the debt will be registered in the County Court.

If A NOTICE OF DEBT REGISTRATION is issued the charge increases to include court fees and must be paid within 21 days. If not the Council will obtain a County Court Warrant and instruct Enforcement Agents to recover the debt.

Example of Penalty Charge Notice (below)



# STATUTORY GROUNDS OF APPEAL

Any challenge to a PCN will be considered on the following grounds and must be accompanied by supporting evidence.

**You believe the PCN was incorrectly issued because:**

**The contravention did not occur.** (e.g. Parking on a yellow line whilst legally loading/unloading or overstaying in a pay and display location).

Provide a delivery note/sales invoice if you were parked on double yellow lines while loading/unloading, or a valid parking ticket which confirms you had not overstayed your visit to the Pay and Display car park.

**Penalty exceeds the correct amount**

This may be claimed if the Penalty Charge Notice asked you to pay more than you were legally liable to.



## **Invalid Traffic Order**

If you believe the parking restrictions were invalid. (e.g. If the Council had not followed the correct procedure for implementing the traffic order).

**You believe you are not liable to pay the PCN because:**

**You were not the owner/keeper of the vehicle at the time of the contravention.**

You should provide a receipt of sale/purchase or a copy of the DVLA registration form. Give the name and address who bought/sold the car and the date of sale/purchase

**The vehicle was taken without your consent**

You should enclose evidence such as a police crime report number or statement of claim from your insurance company

## **Vehicle Hire Firm**

If the hirer has signed a formal agreement with hirers to accept liability for PCN's. You must enclose their name and address and copy of their signed statement.

**There has been a procedural impropriety on the part of the Council**

Please describe the alleged impropriety.

**The NtO should not have been served because the PCN had been paid.**

Please provide details of the payment method, date and amount.

**The Council will also consider other reasons.**

The driver/owner may consider there are exceptional circumstances why the PCN should be cancelled. If you wish to appeal contact Parking Services on: 023 8064 8579 for an appeal form.

**The Parking Services Team is unable to accept personal callers and representations together with the relevant documents should be sent to :**

Eastleigh Borough Council  
Parking Services  
Civic Offices, Leigh Road  
Eastleigh SO50 9YN

Enquiries can be made by telephone on:  
023 8064 8579

