

Derbyshire County Council
CIVIL PARKING ENFORCEMENT
FORMAL APPEALS FORM

Use this form if you have received a **Notice to Owner** letter in the post.
If you have received a Penalty Charge Notice use the *informal challenge form*.

Return form to Park Smarter, Central Processing Unit, PO Box 9452, Nottingham, NG15 5BR.

Forename(s):

Surname:.....

Address:.....

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Postcode:.....

Telephone number:

Mobile phone number:

E-mail address:.....

Penalty Charge Notice
Number including prefix:

Date of contravention:.....

Car registration:.....

Legal ground for challenging the Penalty Charge Notice:

- I was never the owner of the vehicle in question
- The alleged contravention did not occur
Please explain why you believe no contravention took place
- I had ceased to be the vehicles owner before the date on which the alleged contravention occurred

- I became the vehicles owner after the date on which the alleged contravention occurred

- 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 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 no later than last day of the period of 14 days beginning with the date on which the Penalty Charge Notice was served.

- 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 with your consent. Please provide information you may have e.g. any crime reference or insurance number.

- 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 Penalty Charge Notice 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 hirer. Please also supply a copy of a 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.

- 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.

- There has been a procedural impropriety by the enforcement authority.
Tick this box if you believe 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. Please outline the statutory requirement, time limit or other procedural step with which you believe the Council has failed to comply.

- 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 the reasons in full.

Statement in support of your appeal:.....

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