



**DISPUTE RESOLUTION DEPARTMENT  
NEWSLETTER  
MARCH 2009**

**PENALTY CHARGE NOTICES**

Certain Councils in Kent are beginning to use CCTV cameras to capture vehicles that contravene traffic rules. They rely on the evidence captured on the CCTV cameras to issue Penalty Charge Notices (PCN) to the owner of the vehicles.

Councils have the power to do so following the Civil Parking Enforcement Regulations which came into force on 31 March 2008. The Regulations work in conjunction with Part 6 of the Traffic Management Act 2004 which gives the Council the power to regulate traffic in their own areas and issue penalty charge notices when a traffic contravention occurs. The Regulations decriminalize parking enforcement.

The Enforcement Authority which issues the PCN must follow the correct procedure in accordance with the Regulations to ensure that each PCN is correctly issued. You are entitled to challenge the PCN if any of the procedures is not adhered to.

You are given up to 28 days to pay the penalty charge from the date when the PCN is issued or deemed to be received in the post. As an incentive, if you pay the penalty charge within 14 days, you will be given a 50% reduction.

If the PCN remains unchallenged or remains unpaid, the Enforcement Authority is entitled to pursue the outstanding penalty charge by way of civil enforcement.

It is always advisable to keep your pay & display ticket for a few weeks in case you receive a PCN for a parking contravention that you may wish to challenge.

There is an appeal procedure for challenging a PCN issued. This is through written representation and then an Appeal to an Adjudicator if the written representation is rejected.

**If you require any advice or assistance about any type of Civil Dispute please contact our Dispute Resolution Department. Tel: 01233 665544**

**Disclaimer**

**The content of this article is intended for general information purposes only and is not a substitute for specific advice. It is based upon our understanding of the legal position as at May 2009 and it may be affected by subsequent changes in the law. We cannot accept responsibility for any loss as a result of acts or omissions taken in respect of this article.**