

## **PCN Processing – An Overview**

After a PCN is issued the keeper will do one of three things:

- 1 Pay the Charge
- 2 Write in or
- 3 Do nothing

1. Payment of the charge stops all further proceedings and the matter is then closed.
2. Writing in – This follows the Representation and Appeals process.
3. If no payment or representation is received the following procedure starts.

### **PCN PROCESSING PROCEDURE**

A keeper enquiry is made to the DVLA via electronic link. The DVLA will return the name and address of the current registered keeper of that vehicle.

The Authority is then obliged to send the following Notices in order to comply with the procedures laid down in the civil debt recovery process, they are a statutory requirement.

Unlike the old procedure through the magistrates court, failure to respond to these Notices is not an offence. The consequence of ignoring these Notices is that the debt will be registered against the keeper and bailiffs will be instructed.

#### **Notice to Owner**

If after 28 days the PCN has not been settled a Notice to Owner (NtO) is issued to the registered keeper.

The NtO gives details about the PCN – when issued, under what contravention code etc. The NtO requests payment at the original amount of the PCN and warns that if payment is not received within 28 days a Charge Certificate will be issued, increasing the Penalty Charge by 50%. The NtO explains how to make representations against the PCN and under which grounds representations can be made. Any representation must be made within 28 days.

#### **Charge Certificate**

If the PCN remains unsettled a Charge Certificate is issued 28 days after the NtO.

The Charge Certificate notifies the keeper that the amount outstanding has increased by 50% and warns that the amount will be registered as a debt with the County Court, if not paid within 14 days.

There is no formal Right of Appeal once the Charge Certificate has been issued.

If the Charge is not paid within the 14 days the Authority will apply to register the outstanding amount as a debt, incurring a fee of £5.00 – this is added to the amount due.

After debt registration the keeper is sent an:

### **Order for Recovery of Unpaid Penalty Charge \***

The Order for Recovery notifies the keeper that the issuing Authority has now registered a Penalty Charge in their name at the Parking Enforcement Centre at Northampton County Court.

The Order for Recovery states YOU MUST WITHIN 21 DAYS either pay the amount due or file a statutory declaration.

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

### **Statutory Declaration – Unpaid Penalty Charge\***

The Statutory declaration (Stat Dec) gives the registered keeper a final opportunity to deal with the Charge, before bailiffs are instructed.

The only grounds on which a Statutory Declaration can be made are:

1. You did not receive the Notice to Owner (notification of the penalty charge).
2. You made representations about the Penalty Charge to the issuing Authority and you did not receive a Rejection Notice.
3. You appealed to the Parking Adjudicator against the issuing Authorities decision to reject your representation, but have had no response to your appeal.

If a statutory Declaration is filed under ground 1 and accepted by the County Court, the PCN process is reset to the Notice to Owner stage and the Notice to Owner is issued again. This gives the keeper a further chance to make representation against the PCN or to settle the Charge at the original amount.

If filed under grounds 2 or 3, the PCN process is reset to pre Charge Certificate and the case may be referred to the Appeals Service for investigation.

\*Sent together

## **Warrant of Execution Unpaid Penalty Charge**

The Warrant of Execution is given to the bailiff as this gives authority to the bailiff to recover the debt. The bailiff is entitled to include reasonable costs for executing the warrant, and will accept payment or may remove goods to the required value.