



## **Traffic Penalty Tribunal Adjudicator**

**September 2016**

**Assessment Centre – Situational Judgement Exercise**

**Applicant Booklet**

## **Instructions to Applicant**

You will have **30 minutes** to prepare for this Case Study so that you can provide verbal responses to the questions at the beginning of the interview.

All questions are provided in this booklet however the Selection Committee may ask for additional information to clarify your answers.

Question Area 1 at the interview will be based on this situational judgement exercise and is expected to demonstrate the following –

### **Intellectual Capacity, Knowledge and Expertise**

#### **Personal Qualities**

#### **Communication Skills**

You may write notes during your preparation and bring them into the interview to aid you in responding to the questions. A copy of the following documents is also provided –

#### **The Traffic Management (Northern Ireland) Order 2005**

#### **The Traffic Management (Proceedings before Adjudicators) Regulations (Northern Ireland) 2006**

The case study is provided overleaf.

## **SCENARIO BASED INTERVIEW QUESTIONS**

**Mrs Julie McGrath will ask questions regarding the Situational Judgement Exercise at the beginning of the interview and those questions will be as follows:**

Questions -

- 1a. What are the appellant's grounds of appeal?
- 1b. What is the respondent's case?
- 1c. With whom does the burden of proof lie in the appeal?
- 1d. The appellant's wife arrives at the appeal hearing. The respondent also sends a representative. You recognise the appellant's wife as a solicitor whom you have met socially on one or two occasions about ten years ago. What issues arise and how would you deal with them?
- 1e. You proceed to introduce the proceedings, explaining the order of proceedings. The appellant's Wife is openly rude and tells you she does not need to hear this as she is legally qualified. She has not appeared previously in the Tribunal before you. How would you handle this situation?
- 1f. With reference to the Situational Judgement Exercise:-
  - a) How is the assertion that the other vehicle was parked outside of its bay causing the appellant to leave space for access to it relevant or otherwise to your consideration of the appeal?
  - b) How is the appellant's assertion that he was ill and consequently in a hurry relevant or otherwise to your consideration of the appeal?
  - c) The evidence and submissions before you at the hearing are the same as those contained in the papers you have. On the facts, has the respondent established that the contravention occurred? What are your reasons for reaching that conclusion?
  - d) Would you communicate your decision to the appellant orally and / or in writing? Why?





Northern Ireland

## Courts and Tribunals Service

[www.courtsni.gov.uk](http://www.courtsni.gov.uk)

NI Traffic Penalty Tribunal  
Tribunal Hearing Centre  
2<sup>nd</sup> Floor,  
Royal Courts of Justice,  
Chichester Street,  
Belfast,  
BT1 3JF

Telephone: 028 90724888

Fax: 028 90313510

Email: [tribunalsunit@courtsni.gov.uk](mailto:tribunalsunit@courtsni.gov.uk)

Date: 15/04/2016

Dear [REDACTED]

**RE: Your Appeal -v- TransportNI**

PCN No : [REDACTED]  
Date Issued : 22/12/2015 14:57  
Location of Contravention : Castle Lane (CP)

I acknowledge receipt of your appeal to the Adjudicator under Article 13 of the Traffic Management (Northern Ireland) Order 2005.

The Traffic Penalty Tribunal will now contact TransportNI to ascertain whether your appeal is to be contested and to obtain all the necessary paperwork in the matter.

You will be notified in due course if your appeal requires a hearing.

If you have any mobility issues or other specific needs that may affect your attendance, please contact us as soon as possible and we will be happy to discuss with you. You may wish to know that there is limited disabled car parking at the RCJ, which can be booked in advance subject to availability. If it is agreed that this venue is not suitable for your particular needs, we may, in exceptional circumstances, be able to arrange an appropriate alternative hearing facility.

We appreciate that some people may find the Tribunal process daunting. Therefore if you would like a pre-hearing visit please do not hesitate to contact this Office to arrange a suitable time.

Yours sincerely

NI Traffic Penalty Tribunal

# NOTICE OF APPEAL

(Under Article 13(1) of the Traffic Management (NI) Order 2005)

To appeal a Notice of Rejection issued by the DRD

(Under Article 9(4)(b) of the above Order)

NAME IN FULL

ADDRESS IN FULL

ALTERNATIVE  
ADDRESS FOR  
CORRESPONDENCE  
(If necessary)

PENALTY CHARGE REF No

DATE OF ISSUE

22/12/2015

DATE OF NOTICE OF  
REJECTION

06/04/2016

IF YOUR APPEAL IS RECEIVED BY THE ADJUDICATOR AFTER 04/05/2016, YOU MUST STATE THE REASONS FOR THE DELAY BELOW. YOU SHOULD ENSURE THAT THE REASON/S FOR YOUR APPEAL FALL WITHIN THE GROUNDS SET OUT IN THE GUIDANCE NOTES ATTACHED.

PLEASE TURN OVER

PLEASE STATE YOUR REASON/S FOR APPEAL IN THE SPACE PROVIDED BELOW.

I HAVE ENCLOSED PHOTOS TAKEN ON THE DAY OF THE INCIDENT SHOWING THE CAR PARKED BESIDE ME OVER THE WHITE LINE, CAUSING ME SUBSEQUENTLY TO HAVE TO PARK FAR ENOUGH AWAY FROM NEIGHBOURING CAR TO ALLOW THEM ACCESS TO THEIR DRIVER'S DOOR. I EXPLAINED ALL THIS TO THE TRAFFIC WARDEN AT THE TIME I TOOK THE PHOTOS IN HER PRESENCE.

Please tick this box if you wish to attend at your hearing.

OR

Please tick this box if you wish to have a teleconference hearing and enter a telephone number below.

Please note that if you do not tick either of the above boxes your appeal will be treated as a postal appeal.

Please tick this box if you wish your case dealt with as soon as possible. Giving your consent allows the Tribunal to list your case at the next available hearing.

This form should be sent to:

NI Traffic Penalty Tribunal  
Tribunal Hearing Centre  
2<sup>nd</sup> Floor,  
Royal Courts of Justice,  
Chichester Street,  
Belfast,  
BT1 3JF

SIGNATURE

[Redacted Signature]

DATE 10<sup>th</sup> April 16

Phone

[Redacted Phone Number]

Email

IMPORTANT INFORMATION: Please note, if this form is not completed correctly, it may affect your right to appeal within the time limit.

REG- [REDACTED]

SHOWING CAR PARKED BESIDE ME,  
RESULTING IN MY PARKING  
FURTHER OVER,

\* PHOTO TAKEN IN PRESENCE OF  
TRAFFIC WARDEN.





The Department for Regional Development  
(Northern Ireland) TransportNI  
Case Summary

The Traffic Management (Proceedings before Adjudicators) Regulations (Northern Ireland) 2006

**1. Appellant Details**

TPT appeal reference	
Appellant's full name	
Appellant's address	

**2. Incident Details**

Penalty Charge Notice number		
Issue date		
Issue day		
Issue time (24 hour clock)		
Vehicle registration	14:57	
Location		
Traffic Attendant number		
Contravention code	86	
Contravention description	Not parked wholly within the markings of the bay / space	
Vehicle clamped?	No	Time:
Vehicle removed?	No	Time:

**3. Penalty and other charges**

Full penalty charge	£90
Reduced penalty charge	£45
Release charge	
Storage charge	
Amount paid	£0
Date payment received	
Amount outstanding	£90

**4. Traffic Regulation Order (TRO)**

Order title	Off Street Parking Order (Northern Ireland) 2000 - Article 5
Amendment(s)	
Article(s) relied upon	
Schedule(s) relied upon	
Summary	Not parked wholly within the markings of the bay/space
Tick to confirm that TRO is enclosed <input type="checkbox"/>	

**5. Ownership Information**

DVLA registered keeper: If details different from appellant details above.	Name	
	Address	
If appellant not DVLA keeper, explain why Notice to Owner sent to appellant.		
If keeper relies on ground that vehicle on hire, include copy hire agreement if available		

### 6. Documentary Evidence

Description	Date(s) (if applicable)	Page number(s)
Case summary	10/05/2016	
Copy Penalty Charge Notice	22/12/2015	
Copy Traffic Attendant's notebook	10/05/2016	
PCN computer notes	10/05/2016	
Copy Pre NTO letters and call notes, in date order	See Case Status Report	
Copy Notice to Owner or Vehicle Release Receipt	15/02/2016	
Copy representations	08/03/2016	
Copy other pre-Notice of Rejection correspondence	See Case Status Report	
Copy Notice of Rejection	06/04/2016	
Case progression summary	10/05/2016	
Copy machine maintenance records		
DVLNI VQ5 response/current keeper details	25/01/2016	
Map or plan		
Photographs	22/12/2015	
Copy TRO (if presenting new TRO - see Section 4)		

### 7. Submissions

#### Summary of Appellant's Submissions

Representations were received from [REDACTED] on 08/03/2016 based on the following grounds:-

- On the day that the PCN was issued [REDACTED] was extremely ill and had left the house in order to acquire nurofen tablets. [REDACTED] drove to [REDACTED] but unfortunately could not get a parking space outside the chemist and was too ill to have to walk, so [REDACTED] then drove to [REDACTED] knowing that there was an Iceland with a car park directly outside.
- Iceland didn't have any headache tablets so [REDACTED] then had to walk to the top of [REDACTED] to the chemist and buy nurofen tablets and when [REDACTED] returned to the car [REDACTED] noticed the PCN.
- [REDACTED] noticed the Traffic Attendant issuing the ticket and immediately said to [REDACTED] that [REDACTED] had paid for the pay and display ticket and displayed it on [REDACTED] car. The Traffic Attendant then advised that it was because of the vehicle not being parked in marked bay.
- [REDACTED] admits that [REDACTED] didn't realise that the vehicle was over the white line due to the vehicle next to [REDACTED] not being parked within the bay, and [REDACTED] then got angry and took the PCN of the windscreen to try and get the Traffic Attendant to explain why [REDACTED] was getting a ticket especially when the car park was nearly empty and [REDACTED] was not preventing anyone else from using a car parking space.
- [REDACTED] asked the Traffic Attendant if [REDACTED] had taken a photo of the car beside [REDACTED] as it was slightly over the line forcing [REDACTED] car to be slightly over the line as well.

#### TransportNI Submission

The Penalty Charge Notice (PCN) was issued on [REDACTED] at [REDACTED] to vehicle registration [REDACTED] as it was not parked wholly within the markings of the bay/space in [REDACTED]. The Traffic Attendant noted the details in their handheld computer before taking 10 photographs and attaching a PCN to the windscreen of the vehicle.

A DVLA NI enquiry was made on 25/01/2016 which provided the details of the registered keeper of the vehicle. A Notice to Owner was issued to [REDACTED] on 15/02/2016.

Representations were received from [REDACTED] on 08/03/2016 as summarised above. The representations were considered but no grounds were established to warrant cancellation of the PCN. A Notice of Rejection of Representations was issued on 06/04/2016.

Transport NI Contents:-

- The Off Street Parking Order (Northern Ireland) 2000 - Article 5 states "The driver of a vehicle shall not permit it to wait in a parking place other than in a position wholly within a parking bay where such has been marked out."
- Photographs taken by the Traffic Attendant at the time that the PCN was issued shows vehicle registration [REDACTED] not parked wholly within the markings of the bay/space.
- The photographs also show that the lines are clear showing the individual markings of the bay/space.
- The last photograph taken by the Traffic Attendant shows that a copy of the Off Street Parking Order is on display in [REDACTED] Car Park.
- The additional photograph (Tab 13) also shows the red house sign which instructs motorists to "Park wholly within a parking bay" and that a "Penalty charge notice may be issued for failure to comply with these instructions".
- No observation period is applied by the Traffic Attendant for this contravention. It results in the issue of an instant PCN.
- The appellant states that they have bought a pay and display ticket and displayed it on the windscreen of the vehicle. The purchase of a pay and display ticket does not absolve a driver of the requirement to park wholly within the markings of the bay/space.
- [REDACTED] also states that they were unable to park their vehicle wholly within a marked bay/space due to the vehicle that was parked beside them being over the white line. The Department would advise that if there were no proper places with adequate room to park within the markings of the bay/space, the onus is on the driver to find another space with adequate room to park legally within a marked bay.
- No payment has been received and the outstanding balance is £90.00

Authorising Signature

[REDACTED]

Date 11/05/2016

Print name

[REDACTED]

## Correspondence History

Date Logged: 15/02/2016 10:41:46 (Outgoing document)  
 Type: PCN - Notice To Owner  
 Summary: Manual Progression

Date Logged: 08/03/2016 12:48:23 (Incoming document)  
 Type: Incoming - Representation  
 Summary: Incoming - Representation

Date Logged: 06/04/2016 14:43:16 (Outgoing document)  
 Type: Let08 - Notice of Rejection of Representation  
 Summary: N

Date Logged: 15/04/2016 12:34:17 (Incoming document)  
 Type: Incoming - PCN Appeal Form  
 Summary: Incoming - PCN Appeal Form

Date Logged: 15/04/2016 13:33:04 (Outgoing document)  
 Type: TPT1 - Receipt of Appeal (within time limit)  
 Summary: Manual progression

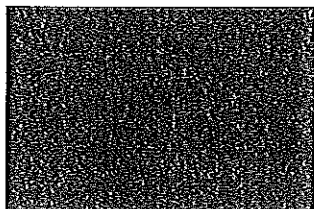
Date Logged: 18/04/2016 15:42:38 (Incoming document)  
 Type: Incoming - Additional  
 Summary: Incoming - Additional

Date Logged: 20/04/2016 10:10:11 (Incoming document)  
 Type: Incoming - Additional  
 Summary: Incoming - Additional

Date Logged: 09/05/2016 14:06:56 (Outgoing document)  
 Type: TPT18 - Case Summary  
 Summary: appeal

Date Logged: 11/05/2016 15:08:14 (Outgoing document)  
 Type: Let17 - TPT Evidence Pack Covering Letter  
 Summary: APPEAL

working in partnership with your local council



**Parking Enforcement Processing Unit**  
College House  
3 Kevlin Avenue  
OMAGH  
BT78 1ER

Telephone: 0845 3000 613  
Fax: 028 8225 4834  
[www.nidirect.gov.uk/parkingticket](http://www.nidirect.gov.uk/parkingticket)

(LET37V6)

11 May 2016

Dear 

**Traffic Management (Northern Ireland) Order 2005**

PCN No :  
VRM :  
Date Issued :  
Location of Contravention :

I enclose a copy of all documentation which the Parking Enforcement Processing Unit has made available to the Independent Adjudicator who will deal with your appeal.

The Parking Enforcement Processing Unit is required to do this under Article 5 of the Traffic Management (Proceedings before Adjudicators) Regulations (Northern Ireland) 2006.

1. TPT Correspondence
2. Case Summary Report
3. Case Status Report
4. On-Street Log
5. Correspondence History
6. Transaction Report
7. Payment History Report
8. DVLA Report

9. Photographs

10. Traffic Attendant (TA) Pocketbook

11. Relevant Legislation

12. Additional Cases

13. Additional Photograph

If any other documentation is submitted by The Parking Enforcement Processing Unit, this will also be forwarded to you.

Yours sincerely

For the Parking Enforcement Processing Manager

working in partnership with your local council

TransportNI  
Parking Enforcement Processing Unit  
College House  
3 Kevlin Avenue  
OMAGH  
BT78 1ER

Telephone: 0845 3000 613  
Fax: 028 8225 4834  
[www.nidirect.gov.uk/parkingticket](http://www.nidirect.gov.uk/parkingticket)

(LET08V15)

07 April 2016

Dear [REDACTED]

**NOTICE OF REJECTION  
OF REPRESENTATIONS AGAINST NOTICE TO OWNER**

Traffic Management (Northern Ireland) Order 2005

Penalty Charge Notice Number : [REDACTED]  
Vehicle Registration : [REDACTED]  
Date Issued : 22/12/2015 14:57  
Location of Contravention : Castle Lane (CP)

I refer to your representations in connection with the issue of the above Penalty Charge Notice.

The PCN was correctly issued. Your vehicle was not parked completely within a marked bay. Article 5 of the Off-Street Parking Order (Northern Ireland) 2000 states "The driver of a vehicle shall not permit it to wait in a parking space other than in a position wholly within a parking bay where such has been marked".

On the basis of this information, I have to advise you that grounds for representation have not been established and this letter is issued as a formal Notice of Rejection under Article 9 (4)(b) of the Traffic Management (Northern Ireland) Order 2005.

Under Article 12 of the Traffic Management (Northern Ireland) Order 2005 I must inform you that a charge certificate may be served under Article 14(2) unless before the end of the period of 28 days from the date of this notice, the penalty charge is paid, or you appeal to an adjudicator in the Traffic Penalty Tribunal under Article 13 of the Order.

You now have 28 days to either pay the Penalty Charge or appeal to the Traffic Penalty Tribunal (see below).

### **PAYMENT OF PENALTY CHARGE**

You must pay the Penalty Charge of £90 within 28 days of the date of this letter. Failure to pay will result in the issue of a Charge Certificate, which increases the Charge by 50% to £135.

You can pay this amount:

#### **By Telephone**

Credit/Debit card (visa/mastercard/switch) payments may be made by calling 0845 260 6100

#### **By Internet**

Credit/Debit card (visa/mastercard/switch) payments may be made at [www.nidirect.gov.uk/parkingticket](http://www.nidirect.gov.uk/parkingticket)

#### **By Post**

To the address shown below by crossed cheque or postal order made payable to TransportNI. Please write the PCN number on the back of the cheque or postal order.

**PARKING ENFORCEMENT PROCESSING UNIT  
TRANSPORTNI  
P.O. Box 134  
COLERAINE  
BT52 9AF**

### **FORM & MANNER OF APPEAL TO THE TRAFFIC PENALTY TRIBUNAL**

You may appeal to the Traffic Penalty Tribunal against this decision within 28 days of the date of issue of this Notice of Rejection. The Adjudicator will consider your appeal and make an independent decision that is binding on both you and TransportNI.

Under Article 3 of the Traffic Management (Proceedings before Adjudicators) Regulations (Northern Ireland) 2006 a notice of appeal –

- shall include the name and address of the appellant (you);
- may specify some other address as being the address to which you wish documents to be sent in connection with the appeal;
- shall state the date and any reference number of the disputed decision;
- may include any representations which you desire to make in addition to the original representations.



- 13
- should include a statement justifying any delay if the notice of appeal is delivered later than the time limit mentioned above. An adjudicator shall treat any such statement as a request for extending that time limit.
  - should be signed by you or someone you wish to act as an authorised representative

If you wish to submit a notice of appeal please read the attached guidance notes issued by the Traffic Penalty Tribunal detailing what will happen next. You should then complete the attached notice of appeal form and return it to the address shown.

#### Costs

Under Article 12(1) of the Traffic Management (Proceedings before Adjudicators) Regulations (Northern Ireland) 2006 the adjudicator shall not normally make an order awarding costs and expenses, but may make such an order—

- against a party (including an appellant who has withdrawn his appeal or the Department that has consented to the appeal being allowed) if he is of the opinion that the party has acted frivolously or vexatiously or that his conduct in making, pursuing or resisting an appeal was wholly unreasonable; or
- against the Department, where he considers that the disputed decision was wholly unreasonable.

An order shall not be made against a party unless that party has been given an opportunity of making representations against the making of the order.

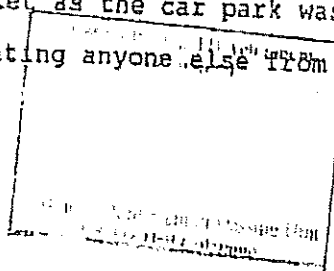
Yours faithfully

For the Parking Enforcement Processing Manager

NITU

Monday, 29th February 2016

1 Dear Sir/Madam,  
2 on Tuesday, 22nd December I was extremely ill and I left  
3 the house in order to acquire Nurofen tablets. I drove  
4 to Main Street, Moira, but unfortunately could not get a  
5 parking space outside the chemist and I was too ill to  
6 have to walk so I then drove to Lurgan knowing that there  
7 is an Iceland beside the car park where I could park  
8 directly outside. I drove into the car park, parked my  
9 car directly outside the front of Iceland, went to the  
10 parking meter, put enough money to cover my parking and  
11 displayed my ticket on the front of the car. I went into  
12 Iceland but they had no headache tablets so I then had to  
13 walk to the top of the main street in Lurgan to the  
14 chemist, which I think is called Savers, and I purchased  
15 two boxes of Nurofen. I returned immediately to the car,  
16 whereupon I noticed a traffic warden issuing a ticket to  
17 my vehicle. I immediately said to her that I had paid  
18 for my ticket and displayed it on the front of the car,  
19 and pointed this out to her. She said 'I know, I have  
20 seen it'. I said then why am I getting a parking ticket.  
21 She continued to ignore me and when I kept questioning  
22 her and she eventually said that my car was over the line  
23 of the parking bay. I said to her that I had no idea  
24 that it was over when I parked, due to the car beside me  
25 being over their white line. She continued to ignore me  
26 and write the ticket. I became very angry, partly  
27 because I was extremely ill, and took the ticket from the  
28 windscreen of the car to try to get her to explain to me  
29 why I was getting the ticket as the car park was mostly  
30 empty and I was not preventing anyone else from using a

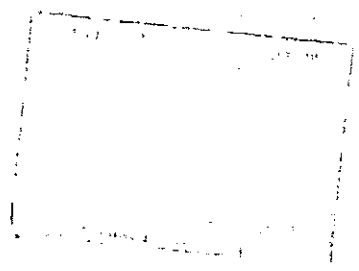


Monday, 29th February 2016

1 car parking space. She went behind the car to take a  
2 photo of my car and I asked her had she taken a  
3 photograph of the car beside me as it was over the line  
4 and consequently I was then forced to be slightly over my  
5 line as well (without my knowledge) to ensure  
6 accessibility for the other driver to their driver's  
7 door.  
8 She said she did not take a photo of the other car and  
9 that she had completed issuing her ticket. I said to her  
10 to remain in the spot while I took a photo of the other  
11 car so that I had proof that I was taking a correct  
12 photo. She said she had finished issuing her ticket and  
13 had no interest in anything further I had to say and  
14 walked off.  
15 Firstly, I would like to say that I have never  
16 intentionally flouted the law and have never had any  
17 disagreement with any law enforcement agency before and  
18 would consider myself to be an excellent driver. I would  
19 never intentionally park over the white line but in this  
20 instance I was forced to, unknowingly, as the other  
21 driver beside me was over their line. I was only away  
22 from the vehicle for a very short time to purchase  
23 headache tablets and, as I said, the car park was half  
24 empty so I was not preventing anyone else from having a  
25 car parking space. If you view the photograph you will  
26 see how far my tyre was actually over the line and  
27 certainly would not impede anyone from using the space  
28 beside me.  
29 I have been driving for 26 years and I have never as much  
30 as had a speeding ticket in ~~all that time and I would not~~

Monday, 29th February 2016

1 knowingly ever break the law so you will understand why I  
2 am so annoyed as to be blamed for doing something over  
3 which I had no control.  
4  
5 I hope you will look into this matter and conclude that I  
6 am not to blame in this instance.  
7  
8 I look forward to your favourable reply.  
9 [REDACTED]  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30



17

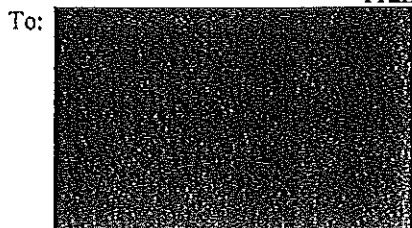
**SECTION 1**

TransportNI working in partnership with your local council

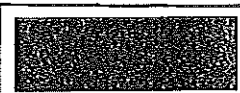
**NOTICE TO OWNER (NTO)**



Traffic Management (Northern Ireland) Order 2005



PENALTY CHARGE  
NOTICE (PCN)



PCN ISSUE DATE



NTO ISSUE DATE

15/02/2016

**LIABILITY FOR THE PENALTY CHARGE LIES WITH YOU THE OWNER/KEEPER/HIRER**

On 22/12/2015 you were the registered owner/keeper/hirer of the vehicle when PCN Number was issued because the vehicle was allegedly involved in the following parking contravention:

**86 Not parked wholly within the markings of the bay / space**

In:	VRM:	Penalty Charge is	£90
At: 14:57:41	Vehicle Make:	Amount paid	£0
On:		Payment now due	£90

**YOU MUST NOT IGNORE THIS NOTICE. THE PCN HAS NOT BEEN PAID IN FULL**

Within 28 days from the date of this notice you **MUST** either make payment of the Penalty Charge in full OR make representations. There is a right to make representations under Article 9 of the Traffic Management (Northern Ireland) Order 2005. Representations can be made either on-line at [www.nidirect.gov.uk/pcn-representation](http://www.nidirect.gov.uk/pcn-representation) or by completing and returning section 2 of this notice.

Within 28 days means before the end of the period of 28 days from the date of the Notice to Owner.

Where a Notice of Rejection of Representations is issued there is a right of appeal under Article 13 of the Traffic Management (Northern Ireland) Order 2005.

If by 14/03/2016 you have failed to respond to this Notice a Charge Certificate will be served on you increasing the penalty charge by 50% to £135. Failure to pay the increased amount may result in the charge being recovered by the Enforcement of Judgements Office as a civil debt or by your vehicle being clamped / removed.

See SECTION 3 for Information and Notes on completing Sections 1 and 2.

**HOW TO PAY**

**By Telephone:**

Credit/Debit Card (Visa, Mastercard, Switch/Maestro and Solo/Electron) payments may be made by telephone on 0845 260 6100.

**Internet:**

Payment may be made by credit / debit card (Visa, Mastercard, Switch/Maestro and Solo/Electron) at [www.nidirect.gov.uk-parkingticket](http://www.nidirect.gov.uk-parkingticket) Follow the on-line instructions.

**By Post:**

Make your crossed cheque/postal order payable to DRD Account and write the PCN number & Vehicle Registration Mark on the reverse. Include the payment slip below with your payment. All postal payments must be sent to: TransportNI, Parking Enforcement Processing Unit, PO Box 134, Coleraine, BT51 3HS.

**DO NOT SEND CASH – A receipt will not be issued unless a SAE is supplied.**

Return this section with your payment

Vehicle Registration Number	Name: _____
PCN Number	Address: _____
PCN Date	Post Code: _____
I enclose a cheque/postal order to the value of: £.....	



SECTION 2

**HOW TO MAKE REPRESENTATIONS AGAINST THIS NOTICE TO OWNER**

If you feel that you should not pay the penalty charge, either make representations on-line at [www.nidirect.gov.uk/pcn-representation](http://www.nidirect.gov.uk/pcn-representation) or indicate your reasons below by ticking one or more appropriate boxes. Give all relevant details in the space provided. If possible please supply evidence to support your claim. You must sign the form and return it within 28 days of the NTO issue date to: TransportNI, Parking Enforcement Processing Unit, College House, 3 Kevlin Avenue, Omagh, BT78 1ER

NB: The Traffic Management (Northern Ireland) Order 2005 (Articles 9 & 10) sets out the grounds below on which you may make representations. TransportNI may also consider other circumstances.

**The Penalty Charge was incorrectly issued because:**

☐ **The Contravention did not occur.**  
Tick this box if the contravention described on the penalty charge notice did not happen – for instance if the Penalty Charge Notice is for overstaying on a meter and the time had not expired, or if the Penalty Charge Notice is for parking on a yellow line when you were in fact legally loading. When returning this form you should enclose any relevant details (e.g. delivery note).

☐ **The penalty exceeded the relevant amount.**  
Tick this box if the Penalty Charge Notice asked you to pay more than you are legally liable to. Penalty charges applicable will be on public display.

☐ **Contrary to the Supplementary Notice the Traffic Attendant was not prevented from issuing the Penalty Charge Notice.**  
Tick this box only if you received the Penalty Charge Notice and a supplementary notice through the post and you believe that the Traffic Attendant was not prevented from issuing the Penalty Charge Notice at the time of the contravention. You must provide information to support your claim.

**I am not liable to pay the Penalty Charge because:**

☐ **I was not the owner/keeper of the vehicle at the time of the contravention.**  
Tick this box if you did not own the vehicle when the Penalty Charge Notice was issued and provide ownership details below.

☐ **The Vehicle had been taken without my consent.**  
Tick this box if the vehicle had been taken without your consent when the Penalty Charge Notice was issued. When returning this form you should enclose relevant evidence such as a police crime report number or relevant insurance claim details.

☐ **We are a hire firm and have supplied the name of the hirer.**  
Tick this box if you are a hire company and the hirer has signed a formal agreement accepting liability for Penalty Charge Notices (PCNs). You must provide the name and address of the hirer along with a signed copy of the hire agreement.

☐ **The contravention is the subject of criminal proceedings.**  
Tick this box if you believe that the penalty charge should not have been issued because this alleged contravention is the subject of criminal proceedings or of a Fixed Penalty Notice.

**OWNERSHIP DETAILS**

I was not the owner/keeper of the vehicle when the Penalty Charge Notice was issued because: (Tick the relevant box)

☐ I never owned the vehicle. OR

☐ I had sold the vehicle on \_\_\_\_/\_\_\_\_/\_\_\_\_ OR

☐ I bought the vehicle on \_\_\_\_/\_\_\_\_/\_\_\_\_ OR

☐ We are a vehicle hire firm and the vehicle was on hire.

Please supply proof of purchase / sale / hire of the vehicle (enclose copies of the hire agreement / hires liability)

Name & address of buyer/ seller/hirer \_\_\_\_\_

Address \_\_\_\_\_ Post Code \_\_\_\_\_



**SECTION 3**

**INFORMATION AND NOTES FOR COMPLETION OF SECTIONS 1 AND 2**

1. This 'Notice to Owner' has been sent to you, as the registered owner/keeper/hirer of the vehicle when the Penalty Charge Notice was issued in relation to the vehicle as shown in Section 1 and, to date, payment has not been received.
2. The driver was allowed 14 days to pay a discounted sum. Any sum already paid, shown in Section 1, was received outside of the discounted period and the balance remains due.
3. As the registered owner/keeper/hirer of the vehicle at the time that the Penalty Charge Notice was issued, you are legally liable for the penalty charge even if you were not in charge of the vehicle at the time the PCN was issued.
4. If you wish to view the PCN details on-line, including any photographs that may have been taken at the time, you can do so at [www.nidirect.gov.uk/pcn-representation](http://www.nidirect.gov.uk/pcn-representation) (you do not have to make a payment to view the photos).

If this PCN was issued because your vehicle was in a bus lane/buses only street, video evidence can be viewed online at [www.nidirect.gov.uk/enforcement-of-bus-lanes](http://www.nidirect.gov.uk/enforcement-of-bus-lanes)

The video is not available for the general public to view, as the PCN number and vehicle registration number must be entered to see the video.

5. You now have two options:

a) **Pay the Penalty Charge in full.**

**By Telephone:**

Using a touch-tone telephone, follow the voice prompts and enter your Penalty Charge Notice number and card details. Payments are processed automatically, you will be told that your payment has been authorised and you will be given an authorisation code as confirmation.

Credit/Debit Card (Visa, Mastercard, Switch/Maestro and Solo/Electron) payments may be made by telephone on 0845 260 6100.

**Internet:**

Payment may be made by credit / debit card (Visa, Mastercard, Switch/Maestro and Solo/Electron) at [www.nidirect.gov.uk/parkingticket](http://www.nidirect.gov.uk/parkingticket) and follow the on-line instructions

**By Post:**

Make your crossed cheque/postal order payable to DRD Account and write the PCN number & Vehicle Registration Mark on the reverse. Complete and include the payment slip at the bottom of Section 1 with your payment. All postal payments must be sent to:

TransportNI,  
Parking Enforcement Processing Unit,  
PO Box 134,  
Coleraine. BT52 9AF

**DO NOT SEND CASH** – A receipt will not be issued unless a SAE is supplied.

b) **Make Representation to Transport NI.**

There are seven grounds on which you may make a representation. These are set out in Section 2. If you think that one or more of the listed grounds applies in your case, you can make representations on-line at [www.nidirect.gov.uk/pcn-representation](http://www.nidirect.gov.uk/pcn-representation) or complete Section 2 and return it to the address below with all supporting evidence: TransportNI, Parking Enforcement Processing Unit, College House, 3 Kevlin Avenue, Omagh. BT78 1ER

TransportNI will consider your representation and, if accepted, will cancel this NTO. If your representation is rejected the letter of rejection will explain how you can appeal against the decision to the Adjudicator, who acts independently.

The Traffic Management (Northern Ireland) Order 2005 (Articles 9 & 10) sets out seven grounds only on which you may make representations. TransportNI may also consider other circumstances.

If neither payment nor representations have been received within 28 days of the date of this 'Notice to Owner' a Charge Certificate will be served on you that will increase the amount of the Penalty Charge by a further 50%. If the Charge Certificate is not paid within 14 days, the increased penalty charge may be recovered by TransportNI as either a civil debt through the Enforcement of Judgements Office or by clamping and / or removal of your vehicle.



# transportni

Working in partnership with your local council

## PENALTY CHARGE NOTICE

The Traffic Management (Northern Ireland) Order 2005 Articles 4 to 17 (as amended)

Notice Number: [REDACTED]

Date of Notice: 22/12/15

Time of Notice Issue: 14:57

Vehicle Registration Number: [REDACTED]

Make: Suzuki

Was seen in: Castle Lane (CP)

On (Date): 22/12/15

From (Time): 14:58 To (Time): 14:57

By Traffic Attendant: 2180

Who had reasonable cause to believe that the following parking contravention had occurred:  
(86) Not parked wholly within the markings of the bay / space

A Penalty Charge of £90 must be paid within 28 days from the date of this notice. If the Penalty Charge is paid within 14 days from the date of this notice the amount of the penalty charge will be reduced by 50% to £45

The information on this notice may be used by other Departments / Agencies to prevent/detect crime.

For instructions on what to do next see overleaf

A photo may have been taken of your parking contravention  
DO NOT SEND CASH THROUGH THE POST

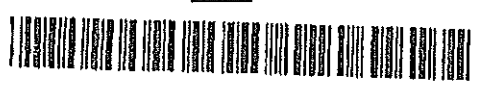
transportni cannot be held responsible for any delays or delivery failures.

A receipt will not be issued unless a SRE is supplied

Notice Number: [REDACTED]

Date of notice: 22/12/15

Vehicle Registration Number: [REDACTED]



"Within 14 days" and "Within 28 days" mean before the end of the period of 14 days, or, as the case may be, 28 days from the date of the penalty charge notice.



# On Street Log

ON STREET LOG (Attendant)

Log Date	Log Time	Action Description	Location	Duration Case Number	VRM
22/12/2015	08:20:18	Started Shift			
	08:21:17	Arrived at Location	AT-BASE (Southern Division)	00:09:31	
	08:30:48	Left Location		00:10:30	
	08:30:48	Finished Shift			
	08:31:20	Started Shift			
	08:31:25	Arrived at Location	AT-BASE (Southern Division)		
	08:31:33	Break Start			
	08:38:14	Break End			
	08:39:32	Left Location		00:06:41	
	08:39:32	Arrived at Location		00:08:07	
	08:51:12	Left Location	ON-FOOT-TRAVELLING-TIME (Southern Division)		
	08:51:12	Arrived at Location		00:11:40	
	09:18:37	Left Location	MOBILE-TRAVELLING-TIME (Southern Division)		
	09:18:37	Arrived at Location		00:27:25	
	09:27:13	Left Location	MOORE'S LANE (Lurgan)		
	09:27:13	Arrived at Location		00:08:36	
	09:30:46	Left Location	UNION STREET (Lurgan)		
	09:30:46	Arrived at Location		00:03:33	
	09:31:25	Left Location	HIGH STREET (Lurgan)		
	09:31:25	Arrived at Location		00:00:39	
	09:32:06	VRM Entered	WINDSOR AVENUE (Lurgan)		
	09:32:23				H*****7
	09:32:30	VRM Entered			V*****8
	09:32:43				J*****3
	09:32:50	VRM Entered			I*****0
	09:33:01				Y*****2
	09:33:08	VRM Entered			P*****6
	09:33:18				B*****6
	09:33:30	VRM Entered			F*****8
	09:33:47				
	09:35:26	Left Location			
	09:35:26	Arrived at Location	MARKET STREET (Lurgan)	00:04:01	
	09:36:26	VRM Entered			
	09:36:43				
	09:36:51	VRM Entered			
	09:37:10				
	09:37:17	VRM Entered			
	09:37:28				
	09:38:04	Left Location	CASTLE LANE (Lurgan)	00:02:38	
	09:38:04	Arrived at Location			
	09:39:21	Left Location	MACHINE-CHECKS-TIME (Southern Division)	00:01:17	
	09:39:21	Arrived at Location			
	09:41:38	Left Location	CASTLE LANE (Lurgan)	00:02:17	
	09:41:38	Arrived at Location			
	09:44:38	Left Location			
	09:44:38	Arrived at Location	MARKET STREET (Lurgan)	00:03:00	
	09:45:31	Left Location			
	09:45:31	Arrived at Location	CHURCH PLACE (Lurgan)	00:00:53	

Time	Event	Location	Vehicle
14:19:43	Text Note		
14:23:57	VDA Prior to Issue		
14:25:53	Left Location		
14:25:53	Arrived at Location	NORTH STREET (Lurgan)	
14:27:09	Left Location		
14:27:09	Arrived at Location	WELLINGTON STREET (Lurgan)	
14:28:34	Left Location		
14:28:34	Arrived at Location	CHURCH WALK (Lurgan)	
14:28:40	Left Location		
14:28:40	Arrived at Location	WELLINGTON STREET (Lurgan)	
14:30:47	Left Location		
14:30:47	Arrived at Location	CASTLE LANE (Lurgan)	
14:31:21	Left Location		
14:31:21	Arrived at Location	Castle Lane (CP)	
14:31:54	VRM Entered		
14:32:04	Ongoing Observation		
14:33:27	Text Note		
14:33:42	Issued Notice (Printed)		
14:36:39	Text Note		
14:36:49	Notice Stored (to file)		
14:41:48	VRM Entered		
14:42:09	Ongoing Observation		
14:42:48	Text Note		
14:46:15	Text Note		
14:46:48	Issued Notice (Printed)		
14:54:46	Text Note		
14:54:58	Text Note		
14:55:13	Notice Stored (to file)		
14:56:32	VRM Entered		
14:56:53	Ongoing Observation		
14:57:31	Text Note		
14:57:41	Issued Notice (Printed)		
15:02:58	Text Note		
15:03:14	Notice Stored (to file)		
15:05:56	Left Location		
15:05:56	Arrived at Location	CASTLE LANE (Lurgan)	
15:08:22	Left Location		
15:08:22	Arrived at Location	MARKET STREET (Lurgan)	
15:08:38	VRM Entered		
15:08:58	VRM Entered		
15:09:06	VRM Entered		
15:09:25	Left Location		
15:09:55	Arrived at Location	WINDSOR AVENUE (Lurgan)	
15:12:07	VRM Entered		
15:12:12	VRM Entered		
15:12:18	VRM Entered		
15:12:23	VRM Entered		
15:12:39	VRM Entered		
15:12:43	VRM Entered		
15:12:52	VRM Entered		
15:12:59	VRM Entered		
15:13:08	VRM Entered		
15:13:13	VRM Entered		
15:13:21	VRM Entered		

## On Street Text Notes

ON STREET TEXT NOTES (Civil Enforcement Officer TA2180; 21/12/2015 - 23/12/2015)

Log Date Log Time C.E.O. Location  
22/12/2015 14:57:31 TA2180 Castle Lane (CP)  
Note Text  
SILVER SUZUKI PARKED OUT OF HARMED BAY OPP ICELAND AWC NEBS DNS NLO

Case Number

15:02:58

Note Text

DRS VERY RUDE RIPPED THE TICKET UP AND CHUCKED IT ON THE FLOOR. PHOTOS X8 POW

24

## DVLA Report

DVLA VQ5 RESPONSES (as of 16/05/2016)

Batch: 2364 (25/01/2016)  
Reply Status: Normal Reply  
DVLA Keeper Details:  
VRM:  
Make:  
Model:  
Colour:

## Additional Cases

Case Ref.:

REGISTERED OWNER/HIRER:

[REDACTED]

VEHICLE DETAILS:

VRM: [REDACTED]

Make: [REDACTED]

Colour: [REDACTED]

CONTRAVENTION DETAILS:

Date: 03/09/2013 15:52:35

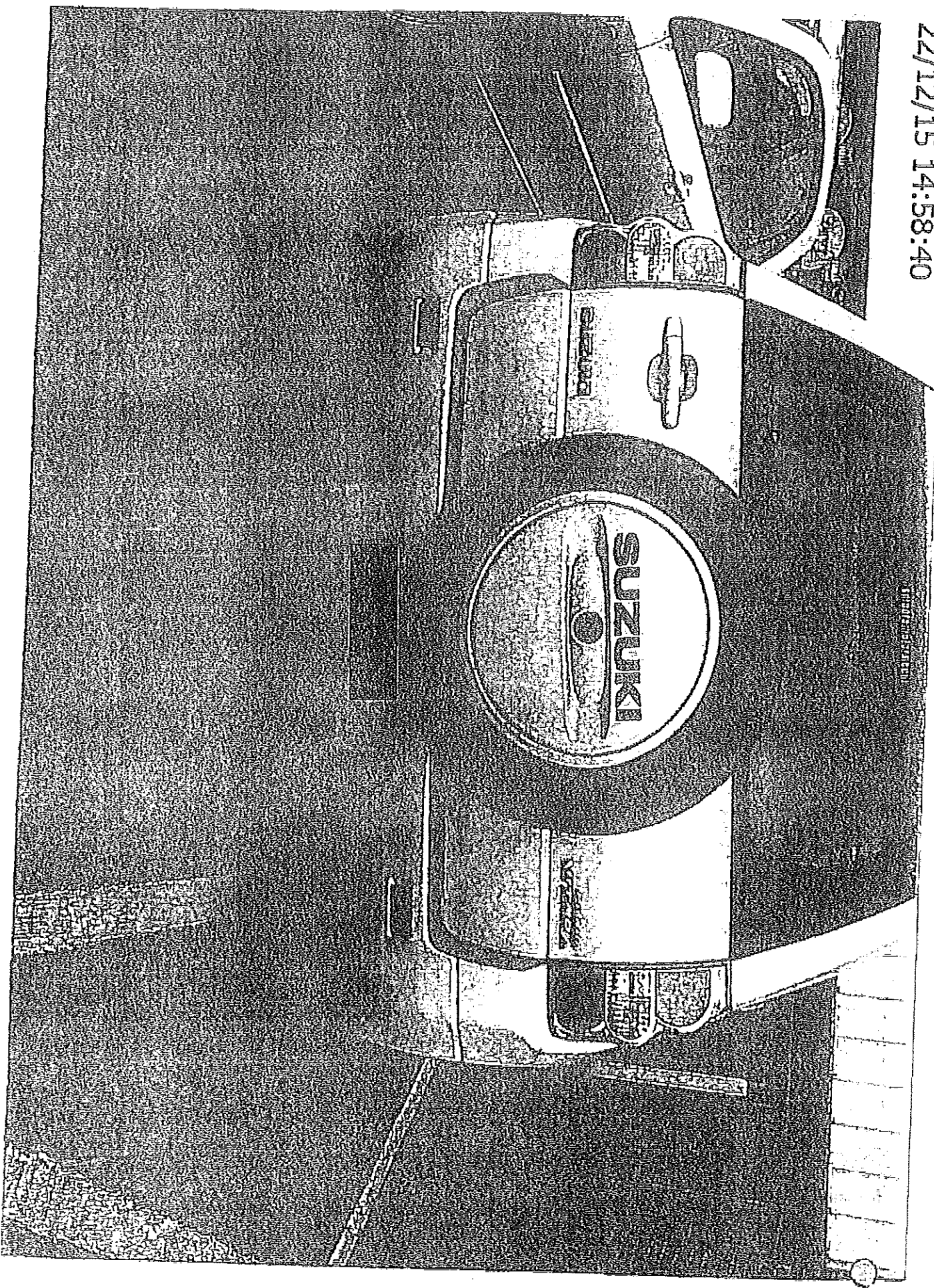
Contravention: 30 (Parked for longer than permitted)

Location: [REDACTED]

BALANCE OUTSTANDING:

Current State: CL01 (Closed - Full Payment Received)

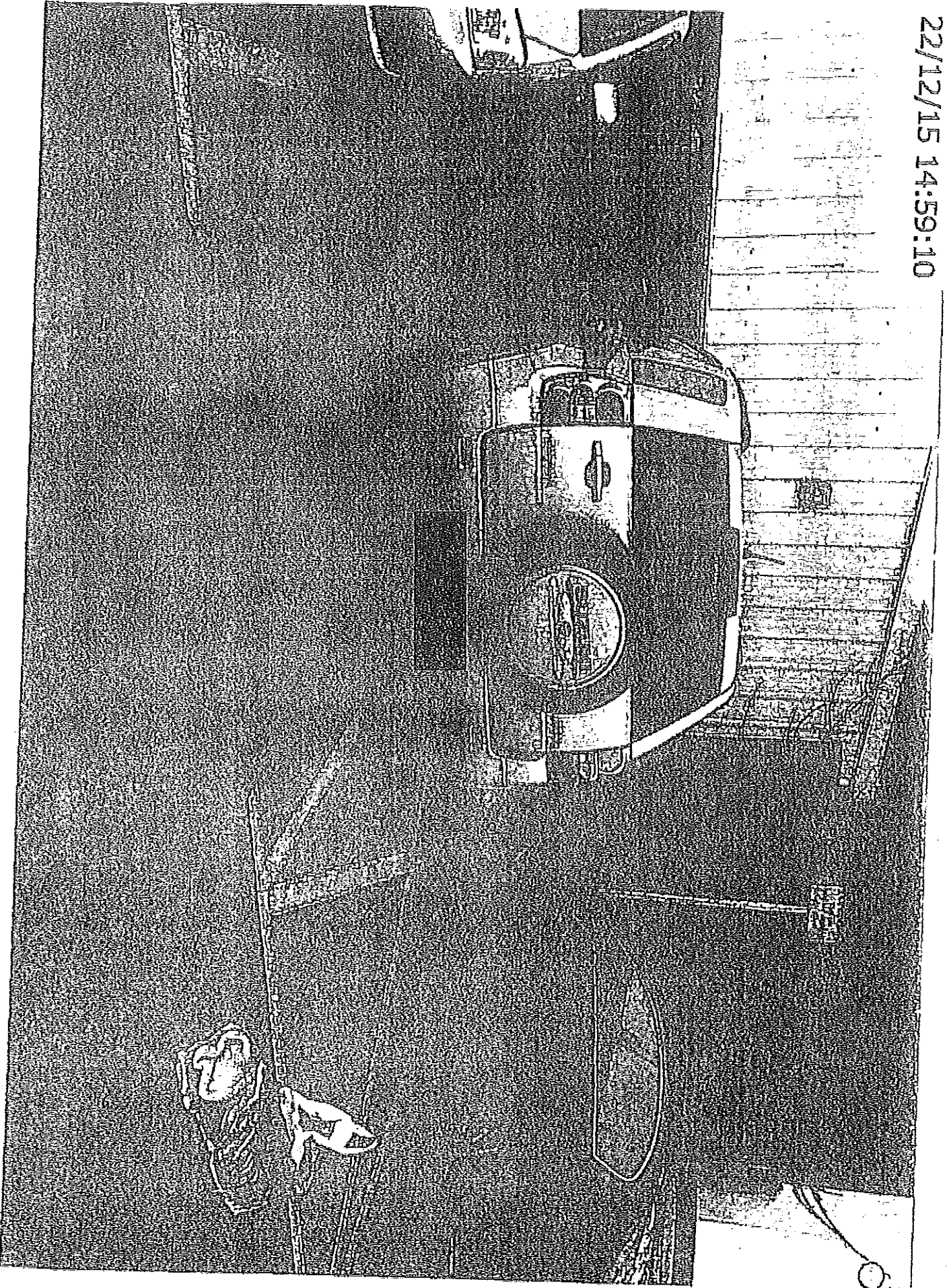
22/12/15 14:58:40





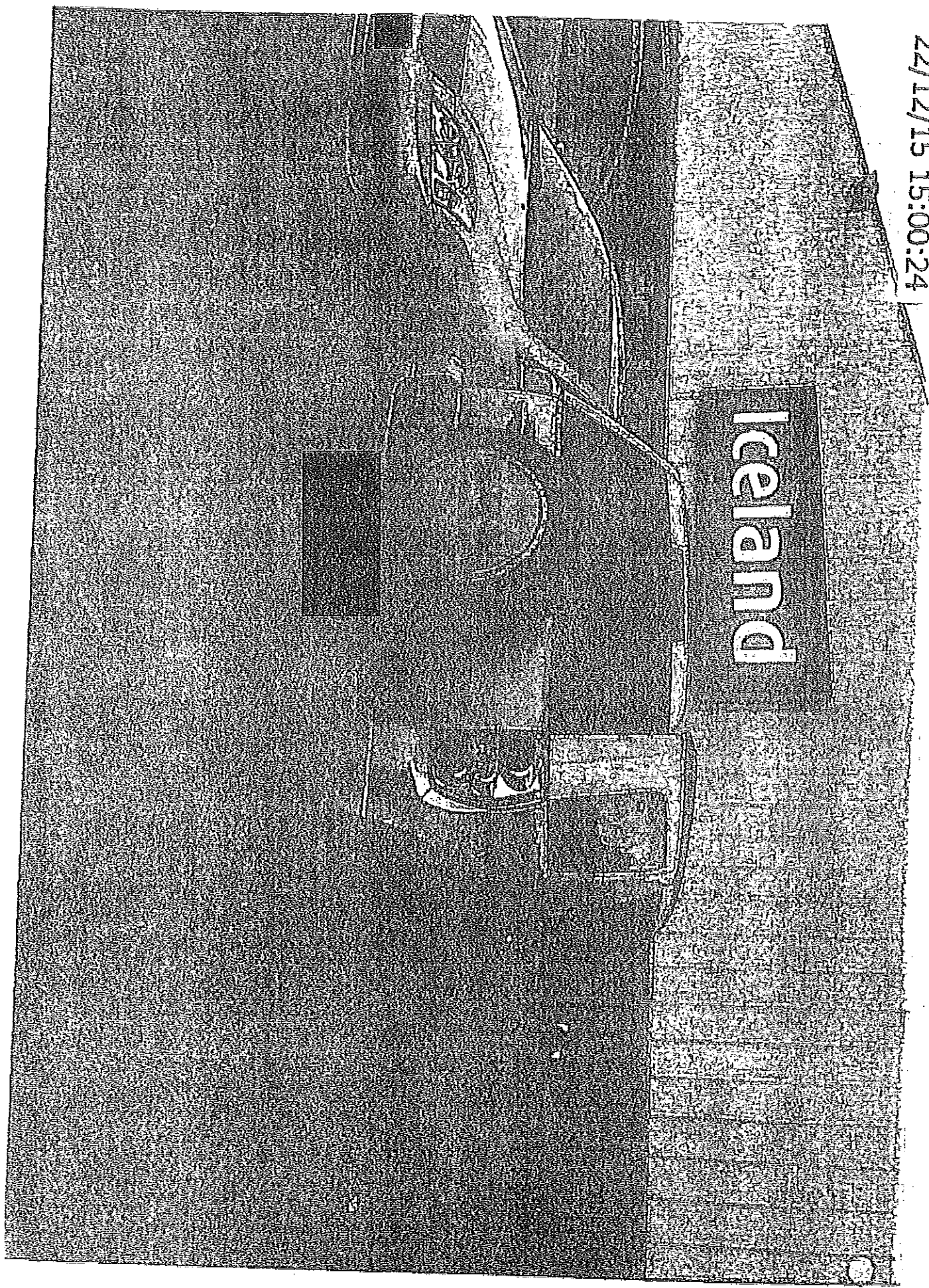
22/12/15 14:59:10

27



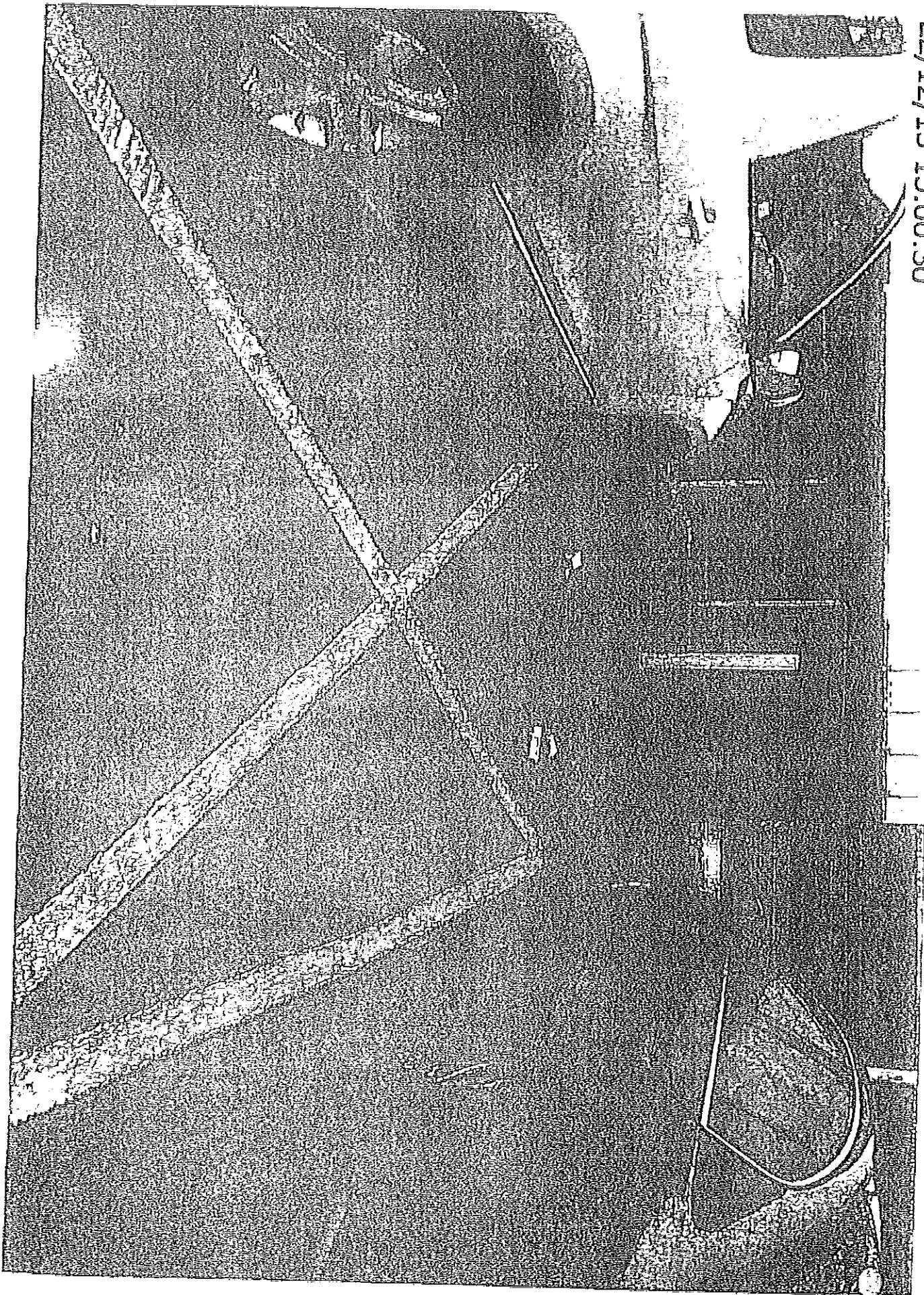
22/12/15 15:00:24

# Iceland





22/12/15 15:00:30





○ NORTHERN IRELAND CONTRAVENTION CODES – OFF STREET

Code: 86  
Description: Not parked wholly within the markings of the bay / space  
Observation Period: Instant  
Disabled Concessions: No  
Relevant Legislation: Off - Street Parking Order (Northern Ireland) 2000 – Article 5

Off - Street Parking Order (Northern Ireland) 2000 – Article 5

*Position in which a vehicle may wait*

5. *The driver of a vehicle shall not permit it to wait in a parking place other than in a position wholly within a parking bay where such has been marked out.*