
STATUTORY INSTRUMENTS

2001 No. 2313

**The Road User Charging (Enforcement and
Adjudication) (London) Regulations 2001**

PART IV

RECOVERY OF PENALTY CHARGES

Representations against penalty charge notice

13.—(1) Where it appears to the recipient that one or other of the grounds mentioned in paragraph (3) are satisfied, he may make representations to that effect to the charging authority who served the penalty charge notice on him.

(2) The charging authority may disregard any such representations which are received by them after the end of the period of 28 days beginning with the date on which the penalty charge notice was served.

(3) The grounds are—

(a) that the recipient—

(i) never was the registered keeper in relation to the vehicle in question;

(ii) had ceased to be the person liable before the date on which the vehicle was used or kept on a road in a charging area; or

(iii) became the person liable after that date;

(b) that the charge payable for the use or keeping of the vehicle on a road on the occasion in question was paid at the time and in the manner required by the charging scheme;

(c) that in the circumstances of the case no penalty charge is payable;

(d) that the vehicle had been used or kept, or permitted to be used or kept, on a road by a person who was in control of the vehicle without the consent of the registered keeper;

(e) that the penalty charge exceeded the amount applicable in the circumstances of the case;

(f) that the recipient is a vehicle-hire firm and—

(i) the vehicle in question was at the material time hired from that firm under a hiring agreement; and

(ii) the person hiring it had signed a statement of liability acknowledging his liability in respect of any penalty charge notice imposed in relation to the vehicle during the currency of the hiring agreement.

(4) Where the ground mentioned in paragraph (3)(a)(ii) is relied on in any representations made under this regulation, those representations must include a statement of the name and address of the person to whom the vehicle was disposed of by the person making the representations (if that information is in his possession).

(5) Where the ground mentioned in paragraph (3)(a)(iii) is relied on in any representations made under this regulation, those representations must include a statement of the name and address of

the person from whom the vehicle was acquired by the person making the representations (if that information is in his possession).

(6) It shall be the duty of a charging authority to whom representations are duly made under this regulation—

- (a) to consider them and any supporting evidence which the person making them provides;
and
- (b) to serve on that person notice of their decision as to whether or not they accept that the ground in question has been established.