

## Text

Due to the Memorandum of Understanding between Transport for London and your company (the representation has been accepted and the above penalty charge has been cancelled). Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued under similar circumstances.

Upon receipt of evidence that shows that your vehicle was involved in official ambulance duties, the (representation has been accepted and or the penalty charge has been cancelled.)

The PCN(s) was/were issued because your vehicle was observed on the date and time of contravention at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary within a red route (parking/loading/disabled) bay outside the permitted times of stopping constitutes a contravention. We note that you have provided a copy of a valid blue badge, we have decided on this occasion, to accept the representation and cancel the penalty charge. This decision is based upon the exercise of discretion. TfL would like to confirm that discretion may not be exercised in the future because it remains the responsibility of every road user to be aware of and comply with the signs and road markings applicable to them. For information about how to avoid incurring further PCNs, please refer to our website at [www.tfl.gov.uk/redroutes](http://www.tfl.gov.uk/redroutes).

Due to the circumstances explained within your letter, together with the proof of breakdown you have supplied, the (representation has been accepted and or the penalty charge has been cancelled.) Each penalty charge is considered separately, and this decision does not affect the outcome of any other penalty charge notice issued.

Due to an operator administrative error relating to the above penalty charge, (the representation has been accepted and the penalty charge has been cancelled.) Please accept our apologies for the inconvenience this matter may have caused you. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Due to an administrative error (the representation has been accepted and the above penalty charge has now been cancelled. Please accept our apologies for any inconvenience this matter may have caused you. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued under similar circumstances.

You have explained that at the time of the contravention you (enter reasons for mitigation). Please be advised that we have decided to (accept the representation and or cancel the penalty charge) on this occasion because we believe the mitigating circumstances you have described are acceptable, and we have decided to exercise discretion. Each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Upon reviewing this case, we have decided to exercise discretion and cancel this penalty charge. It must be understood however that this does not constitute as an acceptance of your representation. Each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

The above (representation has been accepted and or above penalty charge has now been cancelled). This is in light of further investigation, which has revealed that this penalty charge notice was issued in addition to (Duplicate PCN Number). As (Duplicate PCN Number) has now been (paid in full / cancelled), the matter is now considered closed. Please accept our apologies for any inconvenience that this matter may have caused.

The (representation has been accepted and or above penalty charge has now been cancelled.) This is in light of further investigation, which has revealed that this penalty charge was issued in addition to (enter Duplicate PCN Number). Please accept our apologies for any inconvenience that this may have caused. (Duplicate PCN Number) is still outstanding and needs to either be paid or challenged separately. Full information regarding this is detailed on the penalty charge notice.

Following receipt of a copy of your Hackney Carriage licence, and confirmation that the above vehicle was (picking up / dropping off) at the time of the contravention, (the representation has been accepted and or the above penalty charge has now been cancelled.)

Due to an administration error, (the representation has been accepted and or the penalty charge has been cancelled.) Please accept our apologies for any inconvenience this matter may have caused you. It must be understood however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Due to this administrative error relating to the above penalty charge (the representation has been accepted and or the penalty charge has been cancelled.) Please accept our apologies for the inconvenience this matter may have caused you. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

As you have supplied sufficient proof of loading / unloading, (the representation has been accepted and or penalty charge has now been cancelled.) Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Following receipt of a (copy of your valid licence and/or job sheet) showing that the above vehicle was (picking up / dropping off) at the time of the contravention, (the representation has been accepted and or the above penalty charge has now been cancelled.

Upon investigation into this case, TfL is satisfied that your vehicle was permitted to be stopped at the cash point at this time. The exemption in place allows stopping for a maximum of 5 minutes between 22:00 and 06:00. As your vehicle was observed during this period, (the representation has been accepted and or above penalty charge has now been cancelled.)

Upon further investigation into your case, and following verification that the above vehicle is classed as a bus, the (the representation has been accepted and or the notice has now been cancelled.)

Due to the circumstances explained within your letter, together with the required proof you have supplied, the (representation has been accepted and or the penalty charge has been cancelled.)

Upon further investigation, it appears that you have supplied proof that your vehicle registration details may have been cloned. We have therefore decided to accept your representation and or/ cancel the penalty charge. If you have not already done so, you should report the matter to the police or DVLA, to allow them to record the details and investigate further. Please also be advised that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Upon further investigation and on receipt of the documentation submitted, (the representation has been accepted and or the above penalty charge has been cancelled.) Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

After reviewing this case, we have decided to exercise discretion and cancel the above penalty charge. It must be understood however that each penalty charge is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Upon investigation into your case, the above penalty charge has now been cancelled. The reason for the issuing of the above penalty charge may have been because a Dispensation document was not clearly visible to the enforcement authorities at the time of the contravention. This has now been resolved. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Upon investigation into your case, (the representation has been accepted and or the above penalty charge has been cancelled) due to a Traffic management Order exemption. Please accept our apologies for any inconvenience that this matter may have caused you. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued under similar circumstances.

Following receipt of a copy of both sides of a valid blue badge, (the representation has been accepted and or the above penalty charge has now been cancelled.) The reason the charge was issued may have been because the blue badge was not visible to the CCTV operator or CEO at the time of the set down and or pick up. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Following receipt of the copy of both sides of a valid blue badge, (the representation has been accepted and or the above penalty charge has now been cancelled.) The reason the charge was issued may have been because the blue badge was not visible to the CCTV operator or CEO at the time of the contravention. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

Upon further investigation and on receipt of verification of the evidence and crime reference number you have supplied, (the representation has been accepted and or the penalty charge has been cancelled.) Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.

We have noted your comments that you have been issued multiple PCNs for the same contravention at the above location and, as a gesture of goodwill, we have decided to cancel the above penalty charge. It must be understood however that this does not form an acceptance of your representation. We must clarify that discretion may not be applied in the future as it is the driver's responsibility to ensure that they comply with the lines and signs present on street.

In our previous letter you were asked to supply a copy of both sides of the valid blue badge which was on display in your vehicle at the time of contravention. As you have not been able to provide proof we are unable to cancel this penalty charge notice and the representation is rejected.

You have stated that on the date and time of the contravention, your vehicle had broken down. In our previous letter you were asked to supply documentary proof of the breakdown. This letter also advised of the types of proof, which we would be willing to accept. As you have not been able to provide proof as requested, we are unable to cancel this penalty charge notice, and the representation is rejected.

We would like to state that the onus is upon the registered keeper of the vehicle to provide proof that would satisfactorily demonstrate that loading of the vehicle was being undertaken on the date and time of the contravention. In our previous correspondence you were asked to supply documentary proof of loading. As you have not been able to provide proof as requested, we are unable to cancel this penalty charge notice and the representation is rejected.

You have stated that you are a London Taxi and Private Hire (LTPH) licence holder and were on a job at the time of the contravention. In our previous correspondence you were asked to supply a copy of your LTPH licence together with the relevant job sheet showing that you were engaged in a pre booked fare job at the time of the contravention. As you have not been able to provide proof as requested, we are unable to cancel this penalty charge notice and the representation is rejected.

In our previous letter you were asked to supply proof that you sold your vehicle before the date of contravention. This letter also described the types of proof, you could supply. As you have not been able to provide proof, we are unable to cancel this penalty charge notice, and the representation is rejected.

You have stated that you were displaying a blue badge at the time of contravention. For this matter to be given further consideration, please provide a copy of both sides of your valid blue badge within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the penalty charge.

We are unable to comply with your request to view the video evidence at (enter location. Eg: xxxxxxxxx station) because our viewing centre is based AT (TO BE CONFIRMED) You can make arrangements to see it free of charge by telephoning us on (XXXXXXXXX TO BE CONFIRMED). Alternatively, you may request a copy. There is a fee of £10. Payment for a copy of this is an additional cost to the penalty charge, as set out in Regulation 3 of the Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000.

You have stated that you believe your vehicle may have been cloned. (That the vehicle in the contravention image is not yours). To allow us to investigate the matter further, please provide proof that the vehicle was at another location, on the date and time of contravention, or supply photographs of your vehicle showing how it differs from the one in the image. Proof that another enforcement agency has already confirmed that the vehicle is cloned, details that the matter has been reported to the police, including the crime reference number and police station details, or alternatively an affidavit from a witness confirming that the vehicle in the image could not have been yours are all acceptable forms of proof. Please forward this information within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the penalty charge.

You have stated you were unloading your vehicle to take goods to a charity shop at the time of the contravention. Please supply documentary evidence within xx days of the date of this letter, to confirm that this was the case. Acceptable forms of proof would include an email / letter from the Charity shop, or a donor / gift card. Failure to do so will result in us continuing with the enforcement of the penalty charge.

You have stated that you have never owned the vehicle subject to this contravention. We have received confirmation that you are the current registered keeper of this vehicle. This is the reason why the penalty charge was sent to you. Please provide confirmation from the DVLA or any other official source, that you were not the registered keeper of the vehicle on the date of contravention. Please forward this information within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the penalty charge.

You have stated in your correspondence that you have sold the vehicle before the contravention date, however, the information provided confirms that you are recorded as the registered keeper of the vehicle on that date. Could you please supply evidence to show that you were no longer the keeper of the vehicle on the date of contravention. The documentation could include a sales invoice / bill of sale, which must show the full name and address including the postcode of the new keeper. If you cannot provide this information, the alternative option is to provide a letter from the DVLA accompanied by a letter from your insurance company confirming the cancellation of your insurance policy on or before the date of contravention. Please forward the requested information within 21 days from the date of this letter, as failure to do so will result in the continued enforcement of the PCN.

You have stated that at the time of contravention, your vehicle had broken down. You have failed to provide any proof to support this. We require further information. Please provide evidence showing that your vehicle had broken down including details of the location, date and time. A recovery job sheet may be acceptable. Alternatively, you can send in a garage receipt outlining repairs carried out, or details of the recovery company and any receipts. Please provide documentary evidence within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the PCN.

You have stated that at the time of contravention, you were loading your vehicle. Please provide documentary evidence to prove that this was the case. This must be sent within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the PCN. Acceptable forms of proof would include an invoice, receipt or job card, clearly showing the relevant time, date, location and nature of the goods being loaded. Failure to do so will result in us continuing enforcement of the penalty charge.

You have stated that at the time of the contravention, you faced a medical emergency, which is the reason for your vehicle being stopped at the above location. In order for Transport for London (TfL) to further consider your representation, please provide documented proof confirming that this contravention occurred because there was a medical emergency. This may include details such as a hospital admission or emergency note dated and signed by the hospital. Please forward this information within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the penalty charge.

You have stated that you have paid the above penalty charge. We can find no trace of this payment. Please provide evidence to show that you have paid (this may include a copy of the receipt, your bank/credit card statement showing that payment has been made. Please forward this information within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the penalty charge.

You have stated that at the time of the contravention, your vehicle was involved in a Road Traffic Accident. In order for this matter to be given further consideration, please supply documentary evidence of this. Sufficient proof would include a copy of a claim form from your insurance company or a police report, clearly showing the date, time and location of the incident. Please forward this information within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the penalty charge.

In order for us to investigate the matter further, please forward a copy of your V5 vehicle registration documents. Please forward this information within xx days of the date of this letter. Failure to do so will result in us continuing enforcement of the penalty charge.

We note that you have stated your vehicle had been taken without your consent/stolen at the time the contravention occurred. We require a letter from the police on headed paper confirming the crime reference number or incident number and the exact date and time you reported the theft of your vehicle. Please also confirm the full address of the police station to which this matter was reported and/or confirmation from your vehicle insurance company of the incident being reported to them under your responsibility to report issues that may affect your insurance. This information should be sent to us within 21 days of the date of this letter.

We recognise that this is a distressing period but regrettably, in order for us to consider accepting the representation and or cancelling the PCN, we must ask you to supply a copy of the death certificate. Please forward this information within xx days of the date of this letter.

When considering representations and appeals, TfL fully consider all the circumstances including any mitigating factors presented and whether it would be appropriate to apply our discretion over the enforcement of the PCN. In this instance TfL have made the decision not to exercise that discretion. TfL do not consider that the mitigating factors present give reason to cancel the PCN because [INSERT REASONS]. It is clear that the PCN has been correctly issued and its enforcement was legally valid.

The penalty charge notice was sent to you on detailing what actions to take if you wanted to pay or make representations. Following representations a formal Notice of Rejection was sent to you which advised that failure to make full payment or appeal to London Tribunals within 28 days of the service of the Notice of Rejection would result in the issue of the Charge Certificate. As payment was not received and we have not received notification of an appeal the Charge Certificate was issued setting out the amount now due.

You have made a complaint within your representation, which has been passed to our Customer Services Manager for thorough investigation. Please be advised this will be considered as a separate matter to that of the penalty charge, and a full response will be sent to you in due course.

Please note that because your representation was not received within the statutory 28 day representation period, the Charge Certificate was correctly issued, increasing the outstanding amount due. On this occasion, we have decided to revoke the Charge Certificate and consider your representation, as in time. We must however state that this decision has been made in the circumstances relating to this penalty charge only and that such concessions may not be offered in future as it is the registered keeper's responsibility to ensure that representations are made within the time frame specified on the penalty charge notice.

We have noted your comments regarding the Northampton County Court revoking the above detailed Penalty Charge. However, the order does not cancel the original PCN. The order clearly states that the local authority may take further action regarding the enforcement of the PCN in question.

It is a statutory requirement for enforcement to be self financing from the income produced by that activity, and not draw on additional public funds in order to sustain it. Where there is a surplus in enforcement income, this is incorporated into the overall TfL Business Plan, available on our website via the following link:  
<http://www.tfl.gov.uk/corporate/about-tfl/investorrelations/1462.aspx>

You have requested Transport for London (TfL) pay you compensation for the costs incurred in challenging the penalty charge notice(s). We should explain the rationale for TfL's approach to requests made by customers for compensation, costs, telephone calls, postage or inconvenience encountered whilst resolving PCNs. The statutory representations and appeals process has been designed to be free and aims "Not to discourage customers from making representations and or appeals due to the costs and or charges involved".

Such costs or expenses may only be awarded by an Adjudicator if it is determined that the Enforcing Authority has acted frivolously, vexatiously or wholly unreasonably. Administration costs are kept to a minimum and it is only an adjudicator who may award costs incurred in the process of making an appeal once it has been referred to London Tribunals.

Your representation has been accepted by us not because of your Diplomatic status or that of the vehicle but on the wider points you raised in your representation.

Please be advised we can offer an extension of up to xxx days to make payment in full. If you wish to take up an extension plan to pay this penalty charge, please request to do so in writing. Please note this option may only be applied once. Failure to make payment within the extended time will result in the charge continuing on its course of enforcement and no further extensions will be offered or accepted.

Please be advised that this office does not accept correspondence relating to penalty charge notices, including representations, via fax. The correct procedure for making representations and details of how to contact this office are set out within the PCN. Details of how to contact Transport for London for any other reason are available on our website at [www.tfl.gov.uk](http://www.tfl.gov.uk).

The Regulations for issuing PCNs by post for parking contraventions identified by the use of CCTV were changed on 1st April 2015 by 'the Civil Enforcement of Parking Contraventions (England) General (Amendment no.2) Regulations 2015. However the amendment provided an exception for the enforcement of TfL's red routes. This reflects their strategic importance as they exist to ensure traffic is kept moving for safety reasons. Therefore TfL's use of CCTV to identify and enforce red route contraventions remains lawful. Any PCNs that are issued set out the relevant contravention that forms the reason for the issue of the notice and is supported by the use of a contravention code. These codes are maintained and provided to local Enforcement authorities in London by London Councils through a document entitled 'Standard PCN Codes'. This specifies all the contraventions that may apply and the associated contravention code. Additionally it also identifies the contraventions which TfL can continue to enforce by CCTV, including on the red route. These are identified in the 'Standard PCN Codes' document by the addition of an 'n' suffix. It is not a requirement to print the 'n' suffix on the PCN.

Please be advised that the signs in place at the above location are the standard signs as shown in the Highway Code. The onus is on you as the driver to be aware of and comply with road signs as laid out in the Highway Code.

Please be advised that the photographs provided on the PCN are primarily used to demonstrate your vehicle was at the location on the date of the contravention. All CCTV contraventions are recorded on digital storage media and are obtainable from Transport for London upon request.

We have noted your comments regarding a reference to the above location from Google Street view. It is possible that the images recorded at a specific location do not correctly reflect the actual surroundings and road markings in place at the time of the contravention. The system that Transport for London (TfL) uses to detail the road traffic restrictions has been specifically designed for use in regards to Traffic Enforcement. TfL relies highly upon the evidence provided by this system and have checked and remain satisfied that the road markings at this location are compliant with statutory requirements.

We have noted your reference to (another PCN/other PCNs). Please be advised that we are unable to comment on this matter because each case is considered on its own merits.

You have asked that all further correspondence is sent to the email address provided. Please be advised that legislation requires Transport for London to serve a formal decision regarding a penalty charge via first class post. We are therefore unable to send correspondence such as a Notice of Rejection or Notice of Acceptance via email because this fails to meet the statutory requirements.

Legislation sets out that a Witness Statement / Statutory Declaration must be filed within a statutory prescribed period. We are unable to extend this time limit because it is defined by the Traffic Enforcement Centre (TEC).

The appellant has stated that they believe the duties they were carrying out falls within the exemption for the Universal Postal Services provider under the provisions of the Postal Services Act 2001. The intention of the exemption is to recognise that, in order to fulfil the minimum requirements of the provision a universal postal service (as defined in the Postal Services Act 2011 – relevant extract below), Royal Mail vehicles are under a statutory obligation to stop to collect both letters and parcels from every post box on the Transport for London Road Network (1) At least one collection of letters every Monday to Saturday from every access point in the United Kingdom used for the purpose of receiving postal packets, or any class of them, for onwards transmission in connection with the provision of a universal postal service. (2) At least one collection of other postal packets every Monday to Friday from every access point in the United Kingdom used for that purpose.

Transport for London is not satisfied that they were carrying out collections of this nature so as to fall within the exemption of being “stopped at the edge of the carriageway of a red route for as long as may be necessary for the purposes of the provision of a universal postal service.”

Under powers granted by the Traffic Management Act 2004, Transport for London (TfL) is the Highway Authority responsible, and acting on behalf of the Mayor of London, for operating and improving conditions for all road users on the 550km of London’s most important roads which have been designated as red routes. TfL was established as part of the Mayor’s priority to deal with London’s transport problems. All London Highway Authorities have legislative power to enforce traffic contraventions using cameras, in the same way as many Authorities have powers to enforce parking regulations using their own Civil Enforcement Officers (CEOs).

The amount of the penalty charge is set by the joint Transport, Environment and Planning Committee of London Councils and Transport for London, and is approved by the Mayor of London with the authority of the Secretary of State. Transport for London accept the reduced penalty charge amount if paid within the discount period, as set out in the Penalty Charge Notice. Once this period has expired if the charge remains unpaid for any reason, then the full penalty charge amount becomes due.

Thank you for your recent representation regarding the issue of the above mentioned Penalty Charge Notice(s) (PCN(s)). This representation was made on your behalf by [insert free text].

We have noted that you were not the driver of the vehicle at the time that the contravention was observed. However under the London Local Authorities Act 1996 (as amended), it is the registered keeper of the vehicle that is liable for any charges incurred by the vehicle. The DVLA have confirmed that you were the registered keeper of the vehicle on the date and time of the contravention and as such you are liable for the penalty. You have stated that you are a hire company, and the contravening vehicle was on hire at the time of the contravention. Please be advised that The London Local Authorities Act 1996 does not make provision for the transfer of liability to the hirer for bus lane contraventions, unless the hire agreement has a start and end date and time which covers the date of contravention and must be for a period of 6 months or longer. Therefore, we are unable to transfer liability for this charge.

The citing of a camera is determined by the requirement for traffic monitoring and enforcement and does not replace CEO enforcement. The statutory guidance sets out the policy framework for civil parking enforcement and includes recommendations from the Secretary of State. Where it refers to a requirement it does so with reference to the relevant legislation. For your information, the law for these types of contraventions is set out in the Traffic Management Act 2004 and a number of statutory instruments such as the Civil Enforcement of Parking Contraventions (England) General Regulations 2007 and the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007. Transport for London is satisfied that it has given due regard to the statutory guidance and that it complies with all relevant legislation.

CCTV cameras are not individually subject to Type Approval. However, under the terms of the Traffic Management Act 2004 (as amended), our CCTV camera enforcement system is fully certificated on behalf of the Secretary of State.

You have stated that (enter customer's circumstances and reasons for stopping). However, the CCTV footage of the contravention does not correspond with the circumstances described within your representation. Please be advised that your vehicle was observed from (time footage starts) until (time footage ends). There was no evidence during the CCTV operator's viewing of the contravention that could be construed as (enter customer's circumstances).

You have stated that you were dropping off and/or picking up passengers at the time of the contravention, however our review of the CCTV evidence of the contravention does not support this. The CCTV footage shows (ADD WHAT IS SEEN IN CCTV). For more information about dedicated facilities available for coaches please visit our website at <http://www.tfl.gov.uk/businessandpartners/coachoperators/1242.aspx>.

You have stated that you were (dropping off and/or picking up passengers – or other reason for rep) at the time of the contravention. There are no such exemptions in place at this location permitting the activity you have described. It is the driver's responsibility to find an alternative safe and legal location to park. For more information about dedicated facilities available for coaches please visit our website at <http://www.tfl.gov.uk/businessandpartners/coachoperators/1242.aspx>.



We issued the PCN because your vehicle was observed (Deal with the rep as normal and respond to customer's points i.e. loading unloading etc. Ensure we include a paragraph stating that signs/lines are in place.) TfL is therefore satisfied that your vehicle was in contravention of the restrictions in place at this location. TfL does not agree with your comments that it bears the burden of proof in this matter. The motorist bears the burden of proof for establishing whether they satisfy the exemption to the restrictions in place on the TfL Road Network (TLRN). You have stated that the information requests you make are not made under the Freedom of Information Act. However, TfL is duty bound to consider them as such because you have asked for information from a public body. Please be advised that these requests are dealt with as a separate matter to that of the PCN. With reference to your comment regarding Article 6 of the Human Rights Act 1998, please be advised that this relates only to criminal proceedings. As TfL's enforcement of PCNs in relation to red route contraventions is a civil process, Article 6 does not apply. You have disputed the validity of the Traffic Management Order, however you have not explained why you believe the traffic order is not valid. TfL is satisfied that the signs and road markings in place at the above location comply with the Road Traffic Regulation Act 1984 (sections 64 and 65). In addition, TfL is not aware of any successful challenge made to the traffic order within six weeks of its enactment. We are therefore satisfied that the traffic order is valid. The Traffic Management Act 2004 makes no reference to a minimum observation period before a PCN can be issued. As above, it is for the appellant motorist to establish any exemption from the restrictions in place. Your request for (a copy of the Civil Enforcement Officer's notebook/Camera Operator's notes) constitutes a Subject Access Request (SAR), as set out under section 7 of the Data Protection Act 1998. To make such a request, please follow the link below and complete the form. Please note that a £10 fee is payable for such requests, as set out in Regulation 3 of the Data Protection (Subject Access) (Fees and Miscellaneous Provisions) Regulations 2000. <http://www.tfl.gov.uk/termsandconditions/11465.aspx>. The amount of the penalty charge is set by the joint Transport, Environment and Planning Committee of London Councils and Transport for London, and is approved by the Mayor of London with the authority of the Secretary of State. Transport for London must accept the reduced penalty charge amount if paid within the discount period, as set out in the Penalty Charge Notice. TfL is therefore satisfied that the penalty charge does not exceed the amount applicable in this case. Transport for London's systems are synchronised with Coordinated Universal Time (UTC), equivalent to what used to be known as the Rugby Atomic Clock, therefore displaying the accurate time on all images. UTC is professionally used by many organisations where accurate time is required, therefore an exceptionally high degree of reliance can be put on the times stated on a PCN. As above, Transport for London is considering all of your requests for information as requests made under the Freedom of Information Act 2000. Please also note that we are unable to comment on PCNs issued by the We have noted that you are a member of the Freight Operator Recognition Scheme (FORS). The scheme is aimed at helping reduce the number of penalty charge notices issued to all FORS members, however it does not give an exemption to the red route restrictions. Please refer to FORS benchmarking system or visit [www.tfl.gov.uk/microsites/fors](http://www.tfl.gov.uk/microsites/fors) for further information.

Thank you for your representation and the authorisation letter from Sainsbury's permitting you to make representations on their behalf regarding the above penalty charge. You have stated that the HAUC ID badge is a dispensation. Please be advised that this is not a valid dispensation form in respect of the red route. For further information regarding dispensations, please refer to our website at: [tfl.gov.uk](http://tfl.gov.uk).

We are aware that your organisation and TfL currently have a memorandum of understanding (MOU), and that the vehicle was engaged in loading activity at the time of the contravention. Please be advised that the (location/time) at which the vehicle was carrying out this activity does not fall within the permitted (locations list/times) as defined in the MOU and as such we are not willing to cancel this penalty charge notice.

You have stated that at the time of the contravention you were collecting/delivering on behalf of Royal Mail. We do not accept that this activity falls within the universal service provider exemption as set out in the Traffic Management Order.

You have stated that, at the time of contravention, your vehicle was involved in a scaffolding job. Please be advised that there are no exemptions to the red route restrictions in place at this location permitting the activity you have described. It is the driver's responsibility to locate a designated loading or parking bay and comply with the restrictions at these bays, or to locate an alternative safe and legal place to park their vehicle whilst carrying out these works. In future you may wish to apply for a dispensation. For further information regarding dispensations, please refer to our website at [www.tfl.gov.uk](http://www.tfl.gov.uk).

We have noted your reference to Section 15 of the Greater London Act 1974 (General Powers). This however has no influence on this case because red route restrictions are enforced under the Traffic Management Act 2004.

You have stated that at the time of the contravention, your vehicle was involved in delivering urgent medical supplies and controlled drugs. Please be advised that there are no exemptions to the restrictions in place at this location permitting the activity you have described. Whilst we recognise the legitimate concern of the drivers delivering these substances, our expectation is that all road users will plan and operate their businesses within the constraints of the red route parking controls. We have an obligation to consider and balance the interests of all road users, including those who benefit from compliance with the Traffic Management Orders and achievement of the objectives stated in the Orders. It is the driver's responsibility to locate a designated loading or parking bay and comply with the restrictions at these bays, or to locate an alternative safe and legal place to park their vehicle.

We are aware that your organisation and TfL currently have a memorandum of understanding (MOU), and the vehicle was engaged in loading activity at the time of the contravention. As your vehicle was causing an obstruction whilst carrying out this activity, the exemption set out within the MOU does not apply. The MOU strictly prohibits vehicles stopping on pedestrian crossings, the pavement, bus lanes and any other area that is considered to be dangerous or causing an obstruction. As such, we are not willing to cancel this penalty charge notice.

We issued the PCN because your vehicle was observed on the date of contravention from (Observational time 1) until (Observational time 2) at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary within a loading bay for more than 20 minutes constitutes a contravention. It is the driver's responsibility to ensure that loading activity is completed and the vehicle is removed from the bay before the 20 minute loading allowance has expired.

Legislation does not set out a universal definition of loading and unloading because it is recognised that each case should be considered on its own merits. The general interpretation of the restriction is that the loading/unloading should be in the nature of a collection/delivery. This does not include parking in the bay whilst shopping. Essentially loading (in a non-commercial context) is the operation of transferring, to or from a vehicle, goods which require the use of a vehicle to transport them. TfL would expect that motorists only use the loading bays on the red route for their intended purpose and that the use of a vehicle is necessary, rather than convenient.

You have stated that your drivers have no choice other than to park in restricted areas when making deliveries. Restrictions are in place to prevent congestion and to keep London moving and Transport for London is responsible for making sure these restrictions are complied with. It is expected that any driver making deliveries should note the presence of road signs and take whatever actions are required to park lawfully, such as using designated loading or parking bays, adhering to the permitted times, or parking vehicles in streets at times and places where restrictions do not apply.

We issued the PCN because your vehicle was observed stationary on the date of contravention at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Your vehicle entered the red route loading bay at (Time) and was continuously observed until its point of exit at (Time). During this period, no activity that could be construed as loading was observed. Occupying a loading bay without loading or unloading constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date and time of contravention at the above location. The signage in place indicates (RESTRICTIONS GO HERE). The issuing officer observed the vehicle from (Observation Time 1) until (Observation Time 2), incorporating a guideline that the observation should be no less than 5 minutes. Transport for London believes that this is a reasonable amount of time for activity to be seen if loading or unloading had taken place. In this instance no activity was seen that could be construed as loading or unloading.

Since 1 July 2008, Transport for London has permitted all London Taxi and Private Hire (LTPH) vehicles to stop on the red route for a maximum of 5 minutes between 22:00 and 06:00 to allow their passengers to safely use cash machines. Your vehicle was observed stopped at (Time), which was therefore outside the times permitted by this concession.

Under The Traffic Signs Regulations and General Directions 2002 and as amended 2011 (TSRGD), taxis are interpreted as being vehicles licensed under section 37 of the Town Police Clauses Act 1847, section 6 of the Metropolitan Public Carriage Act 1869, or any other similar acts. A vehicle registered as a Private Hire Vehicle under the Private Hire Vehicles (London) Act 1998 does not fall within this interpretation. Your vehicle was stopped outside the permitted exemption in place at this location and this constitutes a contravention.

You have stated that as a London Taxi and Private Hire (LTPH) licence holder, you were (purchasing goods / shopping on behalf of customer / or other reasons stated by driver). As a LTPH licence holder, you are permitted to stop on the red route only to pick up and set down passengers and not for the reasons you have stated. We are therefore not willing to cancel this penalty charge notice.

You have stated that you are a London Taxi and Private Hire (LTPH) licence holder and were working at the time of the contravention. The Highway Code item 191 states that a vehicle "MUST NOT stop or park on a pedestrian crossing, including the area marked by the zig-zag lines". Parking on a pedestrian crossing or zig-zag line can obstruct and seriously inconvenience pedestrians, people in wheelchairs, the visually impaired and people with prams or pushchairs. Being stationary on a zig-zag line under any circumstance constitutes a contravention. The LTPH licence that you hold does not provide any exemptions for stopping on a pedestrian crossing and as such, we are not willing to cancel this penalty charge notice.

You have stated that you are a London Taxi and Private Hire (LTPH) licence holder and were picking up / setting down a passenger at the time of the contravention. The exemption on the TfL Road Network upon which LTPH licence holders rely requires drivers to display their LTPH licence disc and to be stopped for the sole purpose of picking up / dropping off a pre-booked passenger. Although you have supplied documentation to confirm you were on a pre-booked job at the time of contravention, our review of the CCTV footage does not confirm that you were dropping off or picking up a customer. The CCTV footage shows (ADD WHAT IS SEEN IN CCTV).

You have stated that you are a London Taxi and Private Hire (LTPH) licence holder and were picking up / setting down a passenger at the time of the contravention. The exemption on the TfL Road Network upon which LTPH licence holders rely requires drivers to display their LTPH licence disc and to be stopped for the sole purpose of picking up / dropping off a pre-booked passenger. Although you have supplied documentation to confirm you were on a pre-booked job at the time of contravention, your vehicle was observed by a (CCTV Enforcement Camera/Civil Enforcement Officer (CEO)) between (Start time) and (End time). During this period, no activity relating to the picking up / dropping off of passengers was observed, which is deemed by Transport for London as waiting. In the absence of such activity taking place, TfL is satisfied that a contravention occurred.

London Taxi and Private Hire Vehicles are allowed to stop on the red route in certain circumstances. The definition of a taxi is provided in section 4 of the Traffic Signs Regulations and General Directions and includes vehicles licensed under section 37 of the Town Police Clauses Act 1847 and also under section 6 of the Metropolitan Public Carriage Act 1869 – this covers TfL-licensed taxis and also taxis licensed outside of London. Red route traffic orders refer to London taxis and the Metropolitan Public Carriage Act 1869 only.

London Taxi and Private Hire Vehicles are allowed to use the majority of bus lanes in London and the signage at the start of the bus lanes will show if taxis are allowed to travel in the lane. Section 23 of the Traffic Signs Regulations and General Directions 2002 and as amended 2011 (TSRGD) refers to bus lanes and the vehicles that can use a bus lane. The definition of a taxi is provided in section 4 and includes vehicles licensed under section 37 of the Town Police Clauses Act 1847 and also under section 6 of the Metropolitan Public Carriage Act 1869 – this covers TfL-licensed taxis and also taxis licensed outside of London. LTPH - licensed taxis can stop on the red route (unless it is a wide red line) but taxis from outside of London cannot as red route traffic orders refer to London taxis and the Metropolitan Public Carriage Act 1869 only.

This Penalty Charge Notice was issued because your vehicle was observed stationary on the date and time of contravention at the above location. The road markings at this location indicate that stopping is prohibited at all times as stated in the Highway Code. (Insert relevant points made by the taxi driver in relation to the contravention) The exemption on the TfL Road Network upon which Hackney Carriage licence holders rely requires drivers to be stopped for the sole purpose of picking up or dropping off a passenger. Your vehicle was observed by a CCTV Enforcement Camera between (start) and (finish). During this period, no activity relating to the dropping off of passengers was observed and it is apparent, from the footage, that your vehicle was waiting to join a Taxi rank which is deemed by Transport for London as over ranking. It is the responsibility of the driver to return to the space as opposed to stopping and waiting. In the absence of passenger activity taking place, TfL is satisfied that a contravention occurred. Transport for London's systems are synchronised with Co-ordinated Universal Time (UTC), equivalent to what used to be known as the Rugby Atomic Clock, therefore displaying the accurate time on all images. UTC is professionally used by many organisations where accurate time is required; therefore an exceptionally high degree of reliance can be put on the times stated on a PCN.

Transport for London's enforcement system, which includes our network of CCTV cameras, has been fully certified on behalf of the Secretary of State for Transport, in line with the legislation governing our enforcement of this type of contravention. Each camera is monitored by a fully trained operator. Camera operators record digital video footage of a contravention on to a secure server.

We have received a signed copy of a Hire Agreement between you and (enter hire company name) which indicates that you were the hirer of the vehicle with registration «VRM» on the date and time of the contravention. The agreement contains a clause under which you accepted liability for penalty charges. In accordance with the London Local Authorities Act 1990 to 2003, TfL is satisfied that you are the person liable for the payment of this penalty charge.

We have noted that you were not the driver of the vehicle on the date and at the time the contravention was observed. However under the London Local Authorities Act 1990 to 2003, it is the registered keeper of the vehicle who is liable for any charges incurred by the vehicle. As the DVLA has confirmed that you were the registered keeper of the vehicle at the time of the contravention, we are satisfied that you are the person liable for payment of this penalty charge notice.

We issued the PCN because your vehicle was observed parked more than 50cm from the kerb and not within a designated parking place on the date and time of contravention at the above location. Stopping in such a manner is not permitted at any time, as it may cause obstruction and be a potential danger to the driver and other road users. The onus is on the driver to locate a designated parking bay or an alternative safe and legal place to stop your vehicle.

A vehicle is permitted to stop on (single/double red lines/bay) outside times for the purpose of picking up or setting down the blue badge holder only. Therefore the exemption does not apply if the vehicle stops for any other reason.

We issued the PCN because a Civil Enforcement Officer observed your vehicle stationary on a red route clearway on the date and time of contravention at the above location. The red route clearway is a part of the red route network, where stopping is only allowed in marked lay-bys. The signage in place, which marks the beginning and end of the clearway, indicates that stopping is prohibited at all times. On these roads, there are no red lines except at some roundabouts and junctions. Being stationary on a clearway and not within a marked lay-by under any circumstance constitutes a contravention.

To avoid incurring further PCNs under similar circumstances, you may wish to apply for a dispensation. For further information regarding dispensations, please refer to our website at [www.tfl.gov.uk](http://www.tfl.gov.uk).

You have stated that the works being carried out at the time of contravention were an emergency. Transport for London is not satisfied that the evidence you have provided constitutes an emergency. It is the driver's responsibility to locate a designated loading or parking bay and comply with the restrictions at these bays, or to locate an alternative safe and legal place to park their vehicle whilst carrying out these works.

We issued the PCN because your vehicle was observed parked with one or more wheels on or over a footpath or any part of a road other than a carriageway on the date and time of contravention at the above location. The Highway Code item 244 states that a vehicle "MUST NOT park partially or wholly on the pavement in London, and should not do so elsewhere unless signs permit it. Parking on the pavement can obstruct and seriously inconvenience pedestrians, people in wheelchairs or with visual impairments and people with prams or pushchairs". Parking on the pavement or verge is therefore potentially dangerous to pedestrians, and could potentially cause damage to pipes and cables housed under the paving stones. In the few locations where parking on the pavement is allowed, it is clearly indicated by signs and road markings. There is no signage or road marking in place at the above location indicating that parking in this manner is permitted.

Transport for London has noted your reference to the Health and Safety Work Act 1974; however this does not permit you to park in this manner. It is the driver's responsibility to find a safe and legal place to stop the vehicle in all situations as well as complying with the Health and Safety work Act 1974.

We would like to clarify that a vehicle can be stopped in such a manner solely for the purpose of waiting to open or close a gate or other barrier at the entrance to premises to which the vehicle is being driven or from which it has emerged, if it is not reasonably practicable to cause the vehicle to stop elsewhere for that purpose. The CCTV footage shows that your vehicle was not stopped at this location for such a purpose.

You have stated that your vehicle had overheated/run out of petrol at the time of contravention. We consider that this was an avoidable circumstance and therefore is not an acceptable reason for this penalty charge notice to be cancelled. It is the responsibility of the driver to ensure that all functions of the vehicle are maintained correctly in order to complete the journey.

We issued the PCN because your vehicle was observed parked on a crossover on the date and time of contravention at the above location. A crossover is defined as a footpath or any part of a road other than a carriageway. Stopping on the pavement/crossover in this manner is considered potentially dangerous to pedestrians, and can obstruct the owner of a property from exiting or entering their premises. In the few locations where parking on the pavement is allowed, it is clearly indicated by signs and road markings. There is no signage or road marking in place at the above location indicating that parking in this manner is permitted.

We issued the PCN because your vehicle was observed parked in a suspended bay on the date and time of contravention at the above location. Suspended bays are clearly marked by yellow signage to inform the motorist of the restrictions. TfL is satisfied that the signage was in place indicating (RESTRICTIONS GO HERE). It is imperative that suspended bays are kept clear from all vehicles. Bays on the red route are suspended by Transport for London because of maintenance and road works taking place to improve the TfL Road Network. The red routes in London are designated strategic roads carrying in excess of 35% of the capitals traffic. Ensuring these roads are free of congestion is essential to keeping London moving.

You have stated that you were waiting for a parking space to become vacant. Stopping on the red route for this reason is not permitted. It is the responsibility of the driver to return to the space as opposed to stopping and waiting.

We issued the PCN because your vehicle was observed stationary on a zig-zag line on the date and time of contravention at the above location. The Highway Code item 191 states that a vehicle "MUST NOT stop or park on a pedestrian crossing, including the area marked by the zig-zag lines". Parking on a pedestrian crossing or zig-zag line can obstruct and seriously inconvenience pedestrians, people in wheelchairs, the visually impaired and people with prams or pushchairs. Being stationary on a zig-zag line under any circumstance constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date of contravention at the above location. The road markings at this location indicate that stopping is prohibited at all times except buses, as stated in the Highway Code. Being stationary within a bus cage under any circumstance constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date of contravention at the above location. TfL is satisfied that the signage in place indicates (RESTRICTIONS GO HERE). This is applicable to buses only. As your vehicle is not classified as a bus it is not permitted to stop at this location.

We issued the PCN because your vehicle was observed stationary on the date and time of contravention at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary within a red route disabled bay outside the permitted times of stopping constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date of contravention at the above location. The road markings at this location indicate that stopping is prohibited at all times as stated in the Highway Code. Being stationary on a double red line under any circumstance constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date and time of contravention at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary within a red route loading bay outside the permitted times of stopping constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date of contravention at the above location. The road markings in place at this location indicate that stopping is prohibited at all times as stated in the Highway Code. You have stated that the vehicle was engaged in loading. Being stationary on a double red line under any circumstance constitutes a contravention. The restrictions are in place to prevent congestion and to keep London moving. It is the driver's responsibility to find a safe and legal place to stop your vehicle in all situations.

We issued the PCN because your vehicle was observed stationary on the date and time of contravention at the above location. The signage in place indicates that stopping is prohibited at all times except for licensed taxis. Being stationary in a taxi bay under any circumstance constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date of contravention from (Observational time 1) until (Observational time 2) at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary within a red route parking bay for longer than the exemption permits constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date and time of contravention at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary within a red route parking bay outside the permitted times of stopping constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date of contravention at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary on a single red line within the prohibited times of stopping constitutes a contravention.

We issued the PCN because your vehicle was observed stationary on the date of contravention from (Observational time 1) until (Observational time 2) at the above location. The signage in place indicates (RESTRICTIONS GO HERE). Being stationary within a red route taxi bay for longer than the exemption permits constitutes a contravention.

We have noted that you were not the driver of the vehicle at the time that the contravention was observed. However under the London Local Authorities Act 1990 to 2003, it is the registered keeper of the vehicle that is liable for any charges incurred by the vehicle. As you were the registered keeper of the vehicle at the time of the contravention, you are liable for the penalty charge.

We issued the PCN because your vehicle was observed travelling within a bus route on King William Street on the date of contravention. General traffic is not permitted to travel within a bus route during its operational hours. The bus route at this location is a bus gate which permits access to authorised buses and pedal cycles only. The bus route is clearly signed and the legend 'BUSES ONLY' is marked on the road surface. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. TfL is satisfied that the signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the statutory signage, the bus route is separated from general traffic by a carriageway island with raised kerbs. Photographic evidence of your vehicle travelling within the bus route on King William Street is enclosed. In light of the above, we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a no right turn at New Cross Road / St James' on the date of contravention. Your vehicle was observed completing a full right turn from New Cross Road into St James' which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. Photographic evidence of your vehicle completing the prohibited right turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge.

As a result of the issue of this Penalty Charge Notice (PCN) TfL have checked the CCTV contravention footage. On the date of contravention your vehicle was observed completing a full U-turn from [Describe the turn, e.g. from the westbound carriageway into the eastbound carriageway of Road Name at its junction with (State name of Road 2) or (Provide details of the road in which they turned and or explain the specific change of lane details)]. This action is not permitted at this location. The signage in place at this location [State where the location is] – indicates that drivers cannot make a U turn. Signs with a red circle and white background indicate a prohibition. This directs drivers of an action that they cannot undertake.

The onus is on the driver of the vehicle to be aware of and comply with the signage as laid out in the Highway Code. TfL believe that the signage in place at this location gives clear and sufficient information and meets the statutory requirements. In light of this, we are satisfied that a contravention occurred and that the PCN was correctly issued.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a No U-turn at Eastern Avenue/ Mawney Road on the date of contravention. At this location drivers using the lane in which your vehicle was travelling are required to turn left into Mawney Road. Your vehicle was observed completing a full U-turn from the westbound carriageway into the eastbound carriageway on Eastern Avenue, at its junction with Mawney Road. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. Photographic evidence of your vehicle completing the prohibited U-turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a no entry sign at ARTHUR STREET on the date of contravention. Your vehicle was observed turning (left/right) from Arthur Street into King William Street which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The sign in place at this junction clearly states "No Entry except Local Buses". Additional signage is in place on the approach to the junction informing drivers of the restriction ahead. Photographic evidence of your vehicle entering King William Street from Arthur Street is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera, failing to comply with a no entry sign at BRIXTON HILL on the date of contravention. Vehicles are not permitted to enter BAYTREE ROAD at its junction with BRIXTON HILL. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The "No Entry" signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the signage in place at the junction itself, there is an advance warning sign in place. Photographic evidence of your vehicle turning (left/right) from Brixton Hill into Baytree Road, in contravention of the no entry restriction, is enclosed. In light of the above, we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a prohibition on certain types of vehicles on Hudson Place SW1 on the date of contravention. The signs at this location indicate that all vehicles are prohibited except taxis. Your vehicle is not permitted to enter Wilton Road at its junction with Hudson's Place, while work is undertaken at Victoria station. Transport for London has made significant efforts to inform motorists of the closure of Wilton Road. There is clear signage both on the approaches to, and at the junction of, Wilton Road advising motorists of the restriction. Transport for London is issuing Penalty Charge Notices to motorists who ignore the signage and road markings and continue to drive down or into Wilton Road. The signage in place at the junction of Hudson's Place / Wilton Road indicates "No vehicles except taxis". In addition, at the point where drivers enter Hudson's Place from Bridge Place, there is a No Through Road sign to indicate that there is no through access and also, since Hudson's Place is a private road, the owners, Network Rail, have provided further warning visible to drivers from the public highway with carriageway markings which state "Private Road, Authorised Vehicles Only". The signage gives clear and sufficient information and meets statutory requirements. Those drivers authorised by Network Rail to enter Hudson's Place can exit Hudson's Place at the junction with Bridge Place and then proceed onto Eccleston Bridge.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a no right turn at Talgarth Road / Gliddon Road on the date of contravention. Your vehicle was observed completing a full right turn from Gliddon Road into Talgarth Road which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. Photographic evidence of your vehicle completing the prohibited right turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera at A100 Tower Bridge on the date of contravention, failing to comply with a sign indicating a prohibition on certain types of vehicle. Vehicles exceeding the max gross weight 18 tonnes are not permitted to travel on A100 Tower Bridge. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The "No Goods vehicles exceeding max gross weight indicated" signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the signage in place at the bridge itself, there are extensive advance warning signs on the approach to A100 Tower Bridge informing motorists of the "Weight Limit at Tower Bridge", and advising of an alternative route. Photographic evidence of your vehicle travelling on A100 Tower Bridge, in contravention of the weight restriction, is enclosed. In light of the above, we are unwilling to cancel this penalty charge and or reject the representation.



The British Security Industry Association (BSIA) is the umbrella body representing Cash in transit Operators and in early 2009 Transport for London (TfL) met with the BSIA in order to consider and address their concerns with respect to their operational environment, how and where they can undertake deliveries on the red route infrastructure. On 19 June 2009, a Memorandum of Understanding (MOU) between TfL and BSIA was drawn up and signed by representatives of both parties. The MOU set out agreed standards to be observed by TfL and BSIA in undertaking activities in relation to the stopping and parking of vehicles used by CVIT crews on the Transport for London Road Network (TLRN). A significant part of the MOU was the agreement for a dispensation to the regulation to be provided. This allowed the BSIA member to stop and unload at a large number of locations and at specific times of the day. It is to be noted that these were areas that the BSIA specifically identified as trouble or crime hotspots, or where no viable alternative for stopping or parking was available. Implicit to the MOU was the understanding that at all other locations the BSIA members would ensure that their vehicle was parked within the regulations at all times. Whilst TfL recognises the legitimate concerns of cash in transit operators in respect of the safety and security of their staff and the public, our expectation is that all road users will plan and operate their businesses within the constraints of the parking controls and the agreed terms of the Memorandum of Understanding between BSIA and TfL. We have an obligation to consider and balance the interests of all road users, including those who benefit from compliance with the Traffic Orders and achievement of the objectives stated in the Orders. We must advise that location that you were en route to attend is not included within the MOU agreed between TfL and BSIA. Furthermore, the MOU does not make any concessions for moving traffic contraventions. Therefore, we are satisfied that the above vehicle was in contravention of the prohibitions in place.

Wilton Road is currently closed to general traffic whilst Birse Metro Ltd conduct utility works that will enable extension of the Southern Ticket Hall at Victoria Underground station. Transport for London has made significant efforts to inform motorists of the closure of Wilton Road. There is extensive and repeated signage both on the approaches to, and at the junction of, Wilton Road advising motorists of the restriction. Red road markings have also been painted on the road surface stating that only buses and taxis are permitted on Wilton Road. Transport for London is issuing Penalty Charge Notices to motorists who ignore the signage and road markings and continue to drive down Wilton Road.

You state that the diversion in place at the above location compels vehicles to move into the congestion charging zone. We can confirm that the diversion into Buckingham Palace Road flows northbound from Eccleston Bridge but does not intersect with the congestion charge zone.

We have noted your comments whereby it is stated that you are a London Taxi and Private Hire (LTPH) licence holder. Transport for London would like to advise that we recognise the valuable contribution that LTPH licensed vehicles make to public transport in London. However must advise you that due to safety and lane operating capacity reasons, LTPH licensed vehicles are not exempt from the Wilton Road restrictions. The Traffic Order in place is for Bus and Taxi exemptions only. Under the Traffic Signs Regulations and General Directions 2002 and as amended 2011 (TSRGD), taxis are interpreted as being a vehicle licensed under section 37 of the Town Police Clauses Act 1847, section 6 of the Metropolitan Public Carriage Act 1869 or any other similar acts. In light of this, Private Hire Vehicles are not permitted to use Wilton Road.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to drive in the direction shown by the arrow on a blue sign at GOODWOOD RD / NEW CROSS ROAD SE14 on the date of contravention. At this location drivers are required to turn left into New Cross Road. Your vehicle was observed completing a full right turn from Goodwood Road into New Cross Road. Signs with a white arrow on a blue background show the direction that drivers must take. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the signage, a directional arrow and carriageway markings are in place informing drivers to "Turn Left". Photographic evidence of your vehicle completing the prohibited right turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to drive in the direction shown by the arrow on a blue sign at EASTBND EASTERN AV / BARLEY LN on the date of contravention. At this location, drivers using the lane in which your vehicle was travelling are required to turn right into Barley Lane only. Your vehicle was observed completing a full U-turn from the eastbound carriageway into the westbound carriageway on Eastern Avenue, at its junction with Barley Lane. Signs with a white arrow on a blue background show the direction that drivers must take. Any manoeuvre other than that indicated by the sign is considered a contravention. In addition to the sign showing the direction that drivers must take, TfL has installed a No U-turn sign on the approach to the junction. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. You have stated that, because your vehicle turned right as required and then completed a second right turn on to the westbound carriageway, this constitutes two separate manoeuvres and therefore the contravention did not occur. TfL considers that, in order to comply with the right turn only sign, motorists must leave Eastern Avenue entirely at this junction. The compulsory movement at this location has been in place since 1980 when the respective Traffic Order (SI/1980/No 910) came into force. TfL enforces this restriction for safety reasons, in an effort to minimise the risk of collisions between vehicular traffic and pedestrians crossing the A12 at this location. Photographic evidence of your vehicle completing the prohibited U-turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge.

We issued the PCN because your vehicle was observed failing to drive in the direction shown by the arrow on a blue sign at (Location) on the date of contravention. At this location drivers are required to drive straight ahead. Your vehicle was observed (turning right/turning left) from (Road name 1) into (Road name 2). Signs with a white arrow on a blue background show the direction that drivers must take. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information to drivers and meets statutory requirements. In addition to the signage, carriageway markings are in place informing drivers they may travel "Ahead Only". Photographic evidence of your vehicle completing the prohibited movement is enclosed. In light of the above, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge, and or reject the representation.

As a result of the contravention TfL have checked the CCTV contravention footage. On the date of contravention your vehicle was observed failing to comply with the signage at the junction of Mile End Road and Burdett Road. By failing to proceed straight ahead, and completing a full right turn, which is not permitted at this location, a contravention occurred. The signage at this location is a prescribed route sign and it is a blue circle which gives a mandatory instruction that traffic must proceed in the direction indicated by the arrow. In this case that is straight ahead. The onus is on the driver of the vehicle to be aware of and comply with the signage as laid out in the Highway Code. TfL believe that the signage in place at this location gives clear and sufficient information and meets the statutory requirements. In light of this, we are satisfied that a contravention occurred and that the PCN was correctly issued.

We issued the PCN because your vehicle was observed failing to drive in the direction shown by the arrow on a blue sign at (Location) on the date of contravention. At this location drivers are required to turn left only from (Road name 1) into (Road name 2). Your vehicle was observed (travelling straight ahead/turning right) from (Road name 1) into (Road name 2). Signs with a white arrow on a blue background show the direction that drivers must take. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information to drivers and meets statutory requirements. In addition to the turn left sign, carriageway markings are in place informing drivers they may "Turn Left Only". Photographic evidence of your vehicle completing the prohibited movement is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed failing to drive in the direction shown by the arrow on a blue sign at (Location) on the contravention date. At this location drivers are required to turn right only from (Road name 1) into (Road name 2). Your vehicle was observed (travelling straight ahead/turning left) from (Road name 1) into (Road name 2). Signs with a white arrow on a blue background show the direction that drivers must take. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information to drivers and meets statutory requirements. In addition to the turn right sign, carriageway markings are in place informing drivers they may "Turn Right Only". Photographic evidence of your vehicle completing the prohibited movement from is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge, and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to drive in the direction shown by the arrow on a blue sign at WBND EASTERN AV / HAINAULT RD on (Date) at (Time). At this location drivers using the lane in which your vehicle was travelling are required to turn right into Hainault Road only. Your vehicle was observed completing a full U-turn from the westbound carriageway into the eastbound carriageway on Eastern Avenue, at its junction with Hainault Road. Signs with a white arrow on a blue background show the direction that drivers must take. Any manoeuvre other than that indicated by the sign is considered a contravention. In addition to the sign showing the direction that drivers must take, TfL has installed a No U-turn sign on the approach to the junction. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. You have stated that, because your vehicle turned right as required and then completed a second right turn on to the eastbound carriageway, this constitutes two separate manoeuvres and therefore the contravention did not occur. TfL considers that, in order to comply with the right turn only sign, motorists must leave Eastern Avenue entirely at this junction. The compulsory movement at this location has been in place since 1980 when the respective Traffic Order (SI/1980/No 910) came into force. TfL enforces this restriction for safety reasons, in an effort to minimise the risk of collisions between vehicular traffic and the significant number of pedestrians crossing the A12 at this location.

Photographic evidence of your vehicle completing the prohibited U-turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a No U-turn at Eastern Avenue/Mawney Road on the date of contravention. At this location drivers using the lane in which your vehicle was travelling are required to turn right into Mawney Road. Your vehicle was observed completing a full U-turn from the eastbound carriageway into the westbound carriageway on Eastern Avenue, at its junction with Mawney Road. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. Photographic evidence of your vehicle completing the prohibited U-turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a no right turn at Grosvenor Place / Halkin Street on the date of contravention. Your vehicle was observed completing a full right turn from Grosvenor Place into Halkin Street which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the no right turn sign, directional arrows and carriageway markings are in place informing drivers that they may travel "Ahead Only". Photographic evidence of your vehicle completing the prohibited right turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a no right turn at Baytree Road/Brixton Hill on the date of contravention. At this location drivers are required to turn left into Brixton Hill. Your vehicle was observed completing a full right turn from Baytree Road into Brixton Hill. Signs with a red circle indicate a prohibition, showing drivers what they must not do. Signs with a white arrow on a blue background show the direction that drivers must take. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. Photographic evidence of your vehicle completing the prohibited right turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating no left turn at (Location) on (Date) at (Time). Your vehicle was observed completing a full left turn from (Road Name 1) into (Road Name 2) which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the no left turn sign, carriageway markings are in place informing drivers that they may only travel (straight ahead/turn right/straight ahead or turn right). Photographic evidence of your vehicle completing the prohibited left turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating no right turn at (Location) on the date of contravention. Your vehicle was observed completing a full right turn from (Road Name 1) into (Road Name 2) which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the no right turn sign, carriageway markings are in place informing drivers that they may only travel (straight ahead/turn left/straight ahead or turn left). Photographic evidence of your vehicle completing the prohibited right turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating no U-turn at (Location) on the date of contravention. Your vehicle was observed completing a full U-turn from (describe the turn, eg from the westbound carriageway into the eastbound carriageway of Road Name at its junction with.....see Eastern Ave/Mawney Rd for examples) which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the no U-turn sign, carriageway markings are in place informing drivers that they may only travel (straight ahead/turn left/turn right). Photographic evidence of your vehicle completing the prohibited U-turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera failing to comply with a sign indicating a no right turn at Lisson Grove / Marylebone Road NW1 on the date of contravention. Your vehicle was observed completing a full right turn from Lisson Grove into Marylebone Road which is not permitted at this location. Signs with a red circle indicate a prohibition, showing drivers what they must not do. The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. The signage in place at this location gives clear and sufficient information and meets statutory requirements. In addition to the no right turn sign, directional arrows and carriageway markings are in place on the approach to the junction informing drivers that they may only travel straight ahead or turn left. Photographic evidence of your vehicle completing the prohibited right turn is enclosed. In light of this, we are satisfied that a contravention occurred and we are unwilling to cancel this penalty charge and or reject the representation.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera, failing to comply with a no entry sign on Wilton Road SW1 on the date of contravention. Wilton Road is currently closed to general traffic while work is undertaken at Victoria station. Transport for London has made significant efforts to inform motorists of the closure of Wilton Road. There is extensive and repeated signage both on the approaches to, and at the junction of, Wilton Road advising motorists of the restriction. Transport for London is issuing Penalty Charge Notices to motorists who ignore the signage and road markings and continue to drive down Wilton Road. The signage in place indicates "No entry, except buses and taxis". There is also a red sign in place which states "ROAD CLOSED Except buses and Taxis", as well as a yellow diversion sign in place indicating to motorists which direction to travel. The signage gives clear and sufficient information and meets statutory requirements. We enclose photographic evidence showing the above vehicle travelling where prohibited on Wilton Road SW1. We have also enclosed a photographic montage to demonstrate the signage in place to give road users prior notice of the no entry restriction. In light of the above, we are not willing to cancel this penalty charge notice, and or reject the representation.

We issued the PCN because your vehicle was observed travelling within a bus lane in (Location) on (Date) at (Time). Travelling within a bus lane during its operational hours constitutes a contravention. The bus lane is clearly sign posted and marked out on the road surface. The legend 'BUS LANE' is marked on the road, and there is a solid white line running along the right-hand edge of the bus lane for its full length. The onus is on the driver to be aware of the bus lane and its restrictions. Drivers are not permitted to drive in a bus lane during its period of operation. We have checked and the signage and markings meet all the statutory requirements as set down in the Traffic Signs Regulations & General Direction 2002. Please note the onus is on the driver to be aware of road signs as laid out in the Highway Code, section 120: "Bus and Tram Lanes... are shown by road markings and signs. You must not drive or stop in a bus lane during its period of operation unless the signs indicate you may do so." (Law RTRA scts 5 & 8).

We issued the PCN because your vehicle was observed travelling within the bus lane in Kidbrooke Park Road on the date of contravention. Travelling within a bus lane during its operational hours constitutes a contravention. Please be advised that the bus lane in question runs adjacent to a normal traffic lane, which has a width restriction in place. Vehicles that are not permitted to use the bus lane during operational hours must use the width restricted lane. The signage clearly states, local buses at any time and the restriction is in place 24 hours a day, 7 days a week. The onus is on the driver to be aware of road signs as laid out in the Highway Code, section 120: "Bus and Tram Lanes... are shown by road markings and signs. You MUST NOT drive or stop in a... bus lane during its period of operation unless the signs indicate you may do so." (Law RTR sects 5 & 8).

We issued the PCN because your vehicle was observed travelling within a bus lane in Shoreditch High Street on the date of contravention. Travelling within a bus lane during its operational hours constitutes a contravention. The bus lane is clearly sign posted and marked out on the road surface. The legend 'BUS LANE' is marked on the road, and there is a solid white line running along the right-hand edge of the bus lane for its full length. The onus is on driver to be aware of the bus lane and its restrictions. The bus lane at this location is a bus gate which permits access of buses, taxis and cycles only. Signs indicating the restriction are in place and I can confirm that these meet all the statutory requirements as set down in the Traffic Signs Regulations & General Direction Act. In effect, this is a "no entry" to any non permitted vehicles as there is no normal traffic lane next to the bus lane. Under these circumstances, we are unable to cancel the penalty charge and or reject the representation

The bus lane, in which the contravention occurred, operates 24 hours a day. Where the precise time restrictions are not on the sign, the bus lane operates and is enforced 24 hours a day, 7 days a week. Signs indicating the presence of the bus lane are in place and we can confirm that these meet statutory requirements.

Bus lanes, like other traffic controls, operate on Bank Holidays except where the restriction and signage clearly state that bank holidays are excluded. If a bus lane is not in operation at all times, then the hours of operation will be clearly stated, in this case (add restriction). Traffic Orders define each bus lane requirement and do not make provision for the exemption of Bank Holidays.

Regulation 23 (1) (a) of the Traffic Signs and General Directions permits motor vehicles constructed or adapted to carry more than 8 passengers (exclusive of the driver). This means that the vehicle must be a 10 seater.

Under the Traffic Signs Regulations and General Directions 2002 (TSRGD) and as amended 2011, taxis are interpreted as being a vehicle licensed under section 37 of the Town Police Clauses Act 1847, section 6 of the Metropolitan Public Carriage Act 1869 or any other similar acts. In light of this, we would advise that vehicles registered as a Private Hire Vehicle under the Private Hire Vehicles (London) Act 1998 do not fall within this interpretation. We are therefore satisfied that your vehicle does not conform to bus lane regulations and was therefore in contravention.

Local bus services that are not part of the comprehensive network of London bus services provided by TfL can only be provided in accordance with a London Service Permit. You must have a permit to operate a London local service that is not part of the London bus network. A 'Local Service' has the meaning given to it by Section 2 of the Transport Act 1985 and a 'London Local Service' means a local service with one or more stopping places within London. More information can be found at [www.tfl.gov.uk/lsp](http://www.tfl.gov.uk/lsp)

Whilst we understand that you are the holder of a valid blue disabled badge, please be advised that disabled badge holders are not permitted to drive in a bus lane during the hours of operation.

While you are permitted to cross the bus lane in order to gain access to, or exit buildings and entrances on the bus lane, you are not permitted to drive along the bus lane prior to entering or after your exit from such places. Areas where entering a bus lane is permitted are normally indicated by a broken white line. The CCTV footage of the contravention indicates that your vehicle drove along the bus lane prior gaining access or exit, and as such, we are not willing to cancel this penalty charge notice and or reject the representation.

Whilst you are permitted to cross the bus lane in order to gain access to, or exit from, car parks and designated parking bays, you are not permitted to drive along the bus lane prior to entering or after leaving such places. The CCTV footage of the contravention indicates that your vehicle drove along the bus lane prior gaining access or exit, and as such, we are not willing to cancel this penalty charge notice and or reject the representation.

You have stated that you entered the bus lane to make a left turn. Please be advised that you are not permitted to drive in the bus lane in order to facilitate a left turn unless indicated by a broken white line to do so. We can confirm from the evidence that your vehicle prematurely entered the bus lane and therefore unnecessarily drove a significant distance within the bus lane before completing a left hand turn. This constitutes a contravention. In light of the above, we are unwilling to cancel this penalty charge and or reject the representation.

You have stated that you are a London Taxi and Private Hire (LTPH) licence holder and you were working at the time of contravention. We recognise the valuable contribution that LTPH licence vehicles make to public transport in London. However, we must advise you that due to safety and lane operating capacity reasons, LTPH licensed vehicles are not all automatically exempt from the bus lane restrictions. Only London Hackney Carriage licence holders (not private hire drivers) are permitted to drive within the bus lane when working. As a LTPH licence holder you must comply with the bus lane restrictions.

You can only drive in a bus lane outside the stated operational hours, so it is important to carefully check the signs on each bus lane before driving or parking in it. Where the time restrictions are not on the sign, the bus lane is enforced 24 hours a day, 7 days a week.

You are not permitted to drive in the bus lane for the purpose of overtaking. The Highway Code rule 141, clearly states that you must not overtake if you would have to enter a lane reserved for buses during its hours of operation.

You have stated that vehicle «VRM» was legally travelling within the bus lane as it is classified as a bus. For this matter to be given further consideration, please supply a copy of your V5 or the MOT certificate which states the exact numbers of seats and the classification of your vehicle as either a short or long wheel base, under which the vehicle has been permitted seating capacity. Please forward this information within xx days of the date of this letter so that we can update our records. Unless you provide this information, we may reject your representation and the charge will continue on its usual course in your name.

Whilst we understand that you may not be familiar with the area, it is expected that all drivers note the presence of road signs and comply as necessary. The road signs for bus lanes are in section 120 of the Highway Code: "Bus and Tram Lanes. These are shown by road markings and signs. You MUST NOT drive or stop in a Tram Lane or in a Bus Lane during its period of operation unless the signs indicate you may do so."

The decision of where and when to install bus lanes is usually made in consultation with the Local Borough, London Buses, The London Bus Initiative and Transport for London, assisted by specialist Traffic and Transport consultants. A Traffic Regulation Order is required for the installation or alteration of any bus lane, and during this process the local community is consulted and has the opportunity to comment.

Traffic congestion in London has been subject to CCTV enforcement for a number of years, and this method of enforcement within London is generally well known and understood by the public. The CCTV warning sign is displayed on routes throughout London. However, there is no requirement to place CCTV warning signs immediately adjacent to each and every location where CCTV enforcement takes place.

The Civil Enforcement Officer (CEO) in this case is considered by Transport for London (TfL) as a credible witness. The Officer is employed by the Metropolitan Police Service (MPS) as a CEO and was acting on behalf of TfL in enforcing the red route regulations.

When a penalty charge notice has been issued by an on-street Civil Enforcement Officer (CEO), photographic evidence is not required as proof the contravention has taken place. The CEO who issued the penalty charge notice noted the tax disc number (add number). Transport for London is therefore satisfied that the penalty charge notice has been served correctly.

When a penalty charge notice has been issued by an on street Civil Enforcement Officer (CEO), photographic evidence is not required as proof the contravention has taken place. However, in this case the CEO image see below shows the PCN affixed to your vehicle. Transport for London is therefore satisfied that the penalty charge notice has been served correctly.

You have stated that (enter customer's circumstances and reasons for stopping). However we have reviewed the enforcement officer's notes in respect of this contravention, and they are not consistent with the information you have provided. (Add details of CEO notes).

Upon investigation into your comments, TfL is satisfied that the wording and layout of the Penalty Charge Notice complies with the requirements of the Traffic Management Act 2004 in that the date of notice is the same as the Date of Service of Notice. We are therefore satisfied that the Penalty Charge Notice was served correctly.

In line with the requirements of the Data Protection Act of 1998, we are unable to comment on PCNs that may have been issued to other vehicles.

We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera, stationary within a yellow box junction at the above location on the date of contravention. Upon investigation we can confirm that your vehicle moved unnecessarily into the box junction. The CCTV evidence clearly shows your vehicle entering the box junction. Your vehicle stopped in the box junction from (stationary time 1) to (stationary time 2), and was stationary for a total of (\*\*seconds/minutes). The Traffic Signs Regulations and General Directions 2002 and as amended 2011, regulation 29(2) states that a vehicle is not permitted to remain stationary within a Yellow Box Junction. Therefore, in order to comply with regulation 29(2) a driver must not allow their vehicle to enter and stop in the box junction for any reason other than the exception given in Schedule 19, 7(2) which allows stopping in the box junction for the purpose of turning right. In this instance, your vehicle was not observed attempting to turn right. We are also able to confirm that this box junction is compliant with the requirements set out within the Traffic Signs Regulations and General Directions 2002 and as amended 2011. In light of this and upon viewing the CCTV footage, we are satisfied that a contravention occurred. We are therefore unwilling to cancel this Penalty Charge Notice and or reject the representation. We have enclosed photographic evidence of the contravention.

We have noted your comments regarding the legality of the road layout and yellow box junction at this location. Transport for London usually apply to the Department for Transport for special authorisation when a non compliant sign or road marking is essential to traffic management and where not having such sign or road marking could cause congestion to the Road Traffic Network. Part II of the Traffic Signs Regulations and General Directions Act 2002 defines a box junction under section 6 as: "box junction" means the area of carriageway marked with yellow cross-hatching at a junction between two or more roads on which there has been placed the road marking shown in diagram 1043 or 1044; In 2007, Transport for London made such a request to the Department for Transport to authorise the use of the road markings at this location for the means of traffic enforcement. The Department for Transport subsequently authorised the enforcement of road traffic contraventions at this location on 20 April 2007 in line with section 64 of the Road Traffic Regulation Act 1984. This confers on the Secretary of State such powers to authorise local authorities the use of none prescribed signs and road markings. Sub section (4) (a) of the act states thus: "Except as provided by this Act, no traffic sign shall be placed on or near a road except a traffic sign placed on any land; (i) by a person authorised under the following provisions of this Act to place the sign on a road, and; (ii) for a purpose for which he is authorised to place it on a road." In conclusion, we can confirm that the yellow box junction at the junction of Peckham High Street and Peckham Bus Garage is not compliant with the requirements of the Traffic Signs Regulations and General Directions Act 2002. However, as special authorisation for the enforcement of Road Traffic Contraventions has been submitted to and granted by the Department for Transport, we are satisfied that the location in which the above contravention occurred fulfils legal requirements. Upon further investigation into the CCTV footage, we can confirm your vehicle followed the vehicle in front into the box junction when it would not be able to clear it. If there is a vehicle already ahead of you in the box junction, you must wait until that vehicle has moved out and there is a free space for your vehicle the other side of the box junction.

We have noted your comments whereby you have requested confirmation that this yellow box junction has been authorised for use by the Department for Transport (DfT). Please be advised that it is only necessary for a yellow box junction to have DfT authorisation if it does not comply with the requirements of the TSRGD. We can advise you that the yellow box junction at this location is compliant with the requirements of the TSRGD and does not therefore require authorisation from the DfT.



We issued the PCN because your vehicle was observed by a CCTV Enforcement Camera, stationary within a yellow box junction at the above location on the date of contravention. Upon investigation we can confirm that your vehicle moved unnecessarily into the box junction. The CCTV evidence clearly shows your vehicle entering the box junction. Your vehicle stopped in the box junction from (stationary time 1) to (stationary time 2), and was stationary for a total of (\*\*seconds/minutes). The Traffic Signs Regulations and General Directions 2002 and as amended 2011, regulation 29(2) states that a vehicle is not permitted to remain stationary within a Yellow Box Junction. Therefore, in order to comply with regulation 29(2) a driver must not allow their vehicle to enter and stop in the box junction for any reason other than the exception given in Schedule 19, 7(2) which allows stopping in the box junction for the purpose of turning right. In this instance, your vehicle was not observed attempting to turn right. We are also able to confirm that this box junction has been authorised for use by the Department for Transport and is therefore a legally compliant box junction. In light of this and upon viewing the CCTV footage, we are satisfied that a contravention occurred. We are therefore unwilling to cancel this Penalty Charge Notice and or reject the representation. We have enclosed photographic evidence of the contravention. Please be advised that it is the driver's responsibility to ensure that a correct judgement is made when attempting to cross over the traffic lights. Whilst we note that the traffic lights turned to red, amber light always give adequate warning that this will happen. The driver should therefore not proceed ahead unless it is possible to clear the box before the traffic light turns to red.

The Traffic Signs Regulations and General Directions (TSRGD) 2002 and as amended 2011 does not prescribe precisely the distance the box junction corner must be from the kerbside; only that it must be of the size, colour and type shown in the appropriate schematic diagram.

The Traffic Signs Regulations and General Directions (TSRGD) 2002 and as amended 2011 does not prescribe precisely the distance the box junction corner must be from the kerbside; only that it must be of the size, colour and type shown in the appropriate schematic diagram. When marking a box junction on the red route, the junction markings must be contained within, and must not obscure, the red route markings (similarly the red route markings must not obscure those of the box junction). Therefore the corners of a box junction on the red route, such as that at (location) will not meet the kerb. As stated above, the TSRGD does not require them to do so.

We have noted your comments referring to the road works in the area. However, please note that the presence of road works in the nearby vicinity of a yellow box junction does not necessarily interfere with the function of the yellow box junction. The onus remains with the driver of the vehicle to ensure that they are able to clear the box junction without stopping when they enter the box.

We would also like to refer to The Highway Code: Section 174 which states; "Box junctions. These have criss-cross yellow lines painted on the road (see other road markings section). You MUST NOT enter the box until your exit road or lane is clear. However, you may enter the box and wait when you want to turn right, and are only stopped from doing so by oncoming traffic, or by other vehicles waiting to turn right. At signalled roundabouts you must not enter the box unless you can cross over it completely without stopping." In light of this, We can confirm that your vehicle was stopped in contravention of the rules and regulations as set out within the Highway Code.

The main purpose of the yellow box was to prevent vehicles on Kew Road from blocking vehicles entering and exiting Strand on the Green. As part of TfL's review programme it was decided that the yellow box should be replaced by a keep clear marking because vehicles turning left or right out of the side road were facing difficulties performing this manoeuvre in heavy traffic conditions without overhanging the box.

You have stated that the traffic lights were green and this is why you proceeded into the yellow box junction. We must advise you that whilst the traffic lights may be green, this indicates that vehicles may proceed, not that they must do so. Unless your exit is clear you should not enter a box junction regardless of the colour of the traffic lights.

We have noted your comments regarding the layout of the yellow box junction in relation to fire, police and ambulance stations and would like to confirm that this yellow box junction complies with The Traffic Signs Regulations and General Directions (TSRGD) 2002 as amended 2011, Part II of Schedule 19.

You have stated that another vehicle pulled in front of your vehicle, forcing you to stop within the box. We can confirm that your vehicle can be seen following the vehicle in front into the yellow box junction. The CCTV evidence shows your vehicle drove into the box junction and stopped when it would not be able to clear the box junction.

The decision of where and when to install box junctions is made in consultation with the Local Borough concerned and Transport for London. These organisations are often assisted by specialist traffic and transport consultants. The box junction must be marked in accordance with the Traffic Signs Regulations and General Directions.

You have stated that at the time of contravention there was low visibility due to adverse weather conditions. It is the driver's responsibility to exercise caution and to be aware of and comply with road signs as necessary. The bus lane is installed alongside a general traffic lane, which has a width restriction that is adequate for your vehicle to pass through. The width restriction is in place to prevent heavy vehicles accessing the weak bridge on Kidbrooke Park Road to the north of the junction with Weigall Road. In addition to the bus lane signs, signs are in place on the approach to the width restriction advising wide and long vehicles to divert.

There are three types of camera used to monitor, detect and record any vehicle illegally using a bus lane. The cameras used are mobile, static and CCTV. Mobile cameras are mounted on the front of buses and automatically record when they are in an operational bus lane. They record two images, a close up shot of the vehicle's number plate, and a wide angle shot showing the context in which the contravention occurred. Static cameras look similar to speed camera, but are positioned at the roadside to monitor stretches of bus lanes with a regular pattern of contraventions. They record two images, a close up shot of the vehicle's number plate, and a wide-angle shot showing the context in which the contravention occurred. Recordings of the above are reviewed after the contravention has been recorded. CCTV cameras operate under the direct control of a trained Civil Enforcement Officer, and record live images.

We have received a signed copy of a Hire Agreement between you and (Enter hire company name) which indicates that you were the hirer of the vehicle on the date that this contravention was observed. The agreement contains a clause under which you accepted liability for Penalty Charges. In accordance with the London Local Authorities Act 1990 to 2003 you are the person liable for the payment of this penalty charge.

We have received a signed copy of a Hire Agreement between you and (enter hire company name), which indicates that you were the hirer of the vehicle with registration «VRM» on the date and time of the contravention. The agreement contains a clause under which you accepted liability for penalty charges. In accordance with the Traffic Management Act 2004, we are satisfied that you are the person liable for the payment of this penalty charge.

Transport for London has noted your complaint about the Civil Enforcement Officer who issued the penalty charge notice. The Officer is employed by the Metropolitan Police Service (MPS) and was acting on behalf of TfL in enforcing the red route regulations. If you wish to take this further please put your complaint in writing to: Professional, Standards Unit, Safer Transport Command - MPS, Room 533 - 5th Floor, 172 Buckingham Palace Road, London, SW1W 9TJ. E mail: ST-PSU@met.police.uk

The hire agreement provided shows the hire period was extended for the period **\*\*\*ENTER DATE AND TIME>** to **<ENTER DATE AND TIME\*\*\***. However, there is no extension period documented on the hire agreement which covers the date and time of the contravention. As no authorised extension was in place and liability cannot be transferred for the contravention(s). Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 specifically requires the recording of authorised extensions and only these periods permit liability transfer.

The addendum sheet with document reference \*\*\*INSERT ADDENDUM REFERENCE NUMBER\*\*\*, is not accepted as an extension to the hire agreement provided with reference \*\*\*INSERT HIRE AGREEMENT NUMBER\*\*\*. The recording of extensions is a particular required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000. This requires the commencement date and time and the expiry date and time for any extension(s) to the original period of hire to be recorded on the hire firm's copy of the agreement. As the documents provided have separate reference numbers we do not consider the addendum sheet records a valid extension to the original hire period. Rather it constitutes a separate unrelated hire agreement as it contains a different agreement number. If the document reference numbers were the same or had been cross-referenced we may have accepted a valid extension to the original period of hire had been recorded.

Liability can only be transferred through a valid hire agreement between the registered keeper of the vehicle and the hirer that includes a valid liability statement signed by the hirer. Liability cannot be transferred where the hire agreement has not been signed by the hirer, including 'pp' signatories and where someone has signed the agreement on behalf of hirers.

For any change of vehicle Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 requires specific particulars to be recorded upon the original agreement. Specifically the VRM, make, model and date and time of any change of vehicle. These details must be correctly recorded on the original hire agreement at the time of the contravention. The hire agreement provided shows all these details have not been correctly recorded. Amendments to the documentation provided will not be accepted.

The hire agreement provided fails to correctly record the commencement date and time of the hire period and confirms the start of the fixed period of hire. This must be provided on the original hire agreement at outset and is a particular required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000. Amendments to the original hire agreement will not be accepted.

The hire agreement provided fails to correctly record both the due back date and time which are particulars required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000. They must be provided on the original hire agreement at outset and serve to fix the period of hire. Amendments to the original hire agreement will not be accepted.

You have indicated you represent a vehicle hire company and the PCN should be reissued to the hirer of the vehicle and have provided a copy of the hire agreement. We have checked our records and consider the evidence you are now presenting is not consistent with the information we already hold and as such we cannot be satisfied this agreement is valid and cannot transfer liability on this occasion. You have previously made a representation and provided a hire agreement for VRM \*\*\*VRM\*\*\* from \*\*\*DATE AND TIME\*\*\* to \*\*\*DATE AND TIME\*\*\*. However, we were unable to transfer liability as the agreement was \*\*\*INSERT ORIGINAL REPRESENTATION REJECT REASON(S)\*\*\*. We sent you a Notice of Rejection advising you of your right of appeal and payment options.

We have now received correspondence regarding PCN \*\*\*INSERT THIS PCN\*\*\* for <VRM> from \*\*\*DATE AND TIME\*\*\* to \*\*\*DATE AND TIME\*\*\*. This agreement now contains <INSERT INCONSISTENT REASONS> OR The evidence is not consistent with \*\*\*INSERT HIRE AGREEMENT NUMBER\*\*\*, or any explanation as to how this vehicle could be on hire to separate (INDIVIDUALS/COMPANIES) at the same time. A vehicle can only be on hire to one hirer at any one time and therefore we cannot transfer liability

You may wish to pursue the reimbursement of the penalty charge with your customer according to your private contract with them.

A hire agreement must outline both the commencement and expected expiry date and time of hire. The agreement provided does not show all these particulars to confirm the hire period as required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000. Periods of insurance are a wholly separate service; insurance may be compulsory or voluntary and serves a separate function and does not define the hire period as required by the regulations.

The hire agreement provided fails to correctly record the make and model of the vehicle on hire. This is a particular required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000. This must be provided on the original hire agreement at outset; amendments to the original hire agreement will not be accepted.

**\*\*NB Amend as appropriate.** The hire agreement provided does not refer to you as the liable party for the PCN but a separate hire company, <INSERT OTHER COMPANY> who is not liable for the penalty charge. Or The hire agreement must relate directly to the liable party when considering the strict liability provisions where the definition of a hire agreement is set out in Section 66 of the Road Traffic Offenders Act 1988. This makes it clear liability cannot be transferred where a vehicle is not subject to a hire agreement. In addition any liable business using a trading name must display both the business name and associated trading name on all documentation, failure to do so can mean the documentation may not be valid. On the evidence available we believe that <INSERT REGISTERED KEEPER> and <INSERT OTHER COMPANY> are not related and constitute two separate legal entities.

The hire agreement does not contain the full name and address of the hirer of the vehicle at the time of the contravention. This is a mandatory particular required for private or corporate hirers. This means the hire agreement is not capable of transferring liability for the contravention. Amendments to the document provided in this representation are not acceptable.

Section 66 of The Road Traffic Offenders Act 1988 requires that the hire period must be for a fixed period, and that it is agreed at the outset, to enable liability to be transferred. This is confirmed by reference to the particulars required in a hire agreement in Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 and the recording of an expected due back date and time. In this case both a due back date and time have not been recorded so the period of hire is not fixed in accordance with Section 66 of the Road Traffic Offenders Act 1988 and is "open ended".

**\*\*NB Amend text as appropriate.** The document provided is not a hire agreement as it is incomplete and therefore not capable of transferring liability. Or. You have only submitted pages **\*\*\*NUMBER \*\*\*** and **\*\*\*NUMBER \*\*\*** from a **\*\*\*NUMBER \*\*\*** page hire agreement so has pages missing. Or It is a schedule only and not the hire agreement required by Section 66 of the Road Traffic Offenders Act 1988. Does not contain all the relevant particulars required in Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 to be treated as a hire agreement.

As the initial hire period shown on the agreement is for a period of six months or greater, the document does not reflect a valid hire agreement as set out in the regulations.

Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 requires specific separate particulars to be recorded upon a hire agreement including the expected due back date and time of the vehicle, the actual date and time of the return of the vehicle and the commencement and expiry date and time of any extension to the original period of hire. These must be recorded on the hire firm's copy of the agreement. Recording the actual return of the vehicle does not 'extend' the hire period or any subsequent extension. Therefore the hire period on the hire agreement expired prior to the vehicle being returned and before the contravention date.

The hire agreement shows the statement of liability for this hire agreement has been signed after the date of contravention. Therefore liability cannot be transferred as the hirer had not accepted liability for any Penalty Charges incurred during the period of hire at the time of the contravention. The signed statement of liability must be shown on the original hire agreement at the time of the contravention. Amendments to the original hire agreement will not be accepted.

**\*\*NB** Amend text as appropriate. The hire agreement you have provided with reference number **\*\*\*INSERT HIRE AGREEMENT NUMBER \*\*\*** does not show a vehicle registration mark. The regulations are strict and require a valid hire agreement for the vehicle subject to the contravention to enable the transfer of liability. This is a particular required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000. This must be provided on the original hire agreement at outset; amendments to the original hire agreement will not be accepted. or You may wish to review your evidence and if relevant a valid hire agreement for the vehicle covering the date(s) of contravention that complies fully to the relevant regulations.

You have not provided a hire agreement with a signed liability statement which confirms to us that all the provisions for the transfer of liability have been made out in accordance with the strict regulatory requirements.

The hire agreement provided does not contain a liability statement signed by the hirer which means we cannot accept it as a valid hire agreement when considering the transfer of liability under the strict provision of the regulations.

**\*\*NB** Amend text as appropriate. The hire agreement provided with reference number **\*\*\*INSERT AGREEMENT NUMBER \*\*\*** is not for the contravening vehicle **\*\*\*INSERT VRM\*\*\*** for which the PCN was issued but for VRM **\*\*\*INSERT VRM\*\*\***. It is therefore not capable of transferring liability for the contravention(s). or You may wish to review your evidence and if relevant provide a valid hire agreement for the vehicle covering the date(s) of contravention that complies fully with the relevant regulations.

**\*\*NB** Amend text as appropriate. The hire agreement provided has a reference **\*\*\*INSERT HIRE AGREEMENT NUMBER \*\*\*** and also an addendum sheet with reference **\*\*\*INSERT ADDENDUM REFERENCE NUMBER \*\*\***. Or Where a hire vehicle is substituted for another vehicle during the course of the hire period, Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 makes it clear the change vehicle details such as registration mark, make and model and time and date of change of any vehicle substituted during the hire period must be fully recorded on the hire agreement. The documents provided have separate reference numbers and we consider the addendum sheet represents a separate hiring agreement and does not form part of the original hire agreement and it cannot be confirmed or proven that amended vehicle details have been recorded upon the vehicle hire firms copy of the hire agreement. If the document reference numbers were the same, or were cross-referenced, we may have accepted a valid replacement vehicle had been recorded. As the hire agreement documentation provided fails to correctly record these details liability cannot be transferred.

The extension(s) to the hire period are not correctly recorded on the agreement; This is a particular required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 which requires the commencement date and time and the expiry date and time for any extension(s) to the original period of hire to be recorded on the hire firm's copy of the agreement. This is also not the same as recording the actual due back date and time which is a separate particular too.

**\*\*NB** Amend text as appropriate. You have stated you were not the driver at the time of contravention. Or Our records show we were provided a hire agreement by **\*\*\*INSERT HIRE FIRMS NAME \*\*\*** which shows they recorded your name, address, driving licence details and you signed a statement of liability accepting liability for any motoring offences /contraventions incurred during the period of hire for the vehicle. As the hire agreement provided complied with the definitions of a hire agreement outlined in Section 66 of the Road Traffic Offenders Act 1988 and had all the relevant information required by Schedule 2 of the Road Traffic (Owner Liability) Regulations 2000 we reissued the PCN to the hirer. As the recorded hirer of this vehicle under the agreement you are liable for any PCN incurred during the period of hire, not the driver.

The liable person or company must be a vehicle hire or lease firm and must provide a valid agreement between themselves and the hirer of the vehicle at the time of the contravention in order to transfer liability. The definition of a valid hire agreement is set out in Section 66 of the Road Traffic Offenders Act 1988 make it clear liability cannot be transferred where a vehicle is not subject to an agreement. The documentation you have provided does not constitute a valid agreement.

**\*\*NB Amend text as appropriate . The hire agreement provided shows the period of hire from \*\*\*INSERT DATE AND TIME \*\*\*; to \*\*\*ENTER DATE AND TIME \*\*\*. As the contravention occurred on the \*\*\*ENTER DATE AND TIME \*\*\*; the hire agreement does not cover the date and time of the contravention and does not enable the transfer of liability for the Penalty Charge(s). and or: You may want to review your evidence; if you are able to provide a hire agreement that fully meets the required criteria we will review the decision. You should provide this to us within 28 days of the date of this notice.**

You have not provided a hire agreement with a signed liability statement which confirms to us that all the provisions for the transfer of liability have been made out in accordance with the strict regulatory requirements.

The vehicle is registered to an individual who is a director of the hire company. The strict provisions of Regulation 6 of the Road User Charging (Charging and Penalty Charges) (London) Regulation liability provisions where the definition of a hire agreement is set out in Section 66 of the Road Traffic Offenders Act 1988. This makes it clear liability cannot be transferred where a vehicle is not subject to a hire agreement. The regulations make it clear the liable party seeking to transfer liability must be a hire firm. An individual such as a director, employee or owner of the company is a separate legal entity to a limited company.

The recipient of a penalty charge notice has the statutory right to challenge the notice. Details of how to do so are set out in the notice you received. The options available are that you either pay the penalty charge or challenge it. If at any stage you opt to pay the charge, that is deemed to be an acceptance of liability and the matter is presumed closed. Therefore as you have paid the charge at the discounted amount, you have lost the right to make a formal representation or appeal. We consider the matter is now closed.

Red route restrictions, like other traffic contraventions, apply on Bank Holidays except where the restriction clearly states that they are excluded. The Traffic Management Orders that define each red route requirement do not make provision for the exemption of bank holidays, and as such TfL may enforce on these days.

We note the reference to The Bill of Rights Act 1689. This issue was considered and dismissed by the High Court as being relevant to the imposition of a penalty charge. This can be found in the decision of Mr Justice Collins in the case of DeCrittenden v NPAS [2006] EWHC 2170 (Admin). As the legislation under which TfL enforces the above contravention provides the right to challenge the PCN by making representations and appeal to an independent adjudicator where relevant, we are satisfied the Bill of Rights has no bearing upon this PCN and that it is enforceable through the statutory provisions the regulations have set out.

The onus is on the driver to be aware of and comply with road signs as laid out in the Highway Code. TfL is satisfied that the signs / road markings in place at this location comply with the Road Traffic Regulation act 1984 (sections 64 and 65). In addition, TfL is not aware of any successful challenge made to the traffic order within six weeks of its enactment. We are therefore satisfied that the traffic order is valid.

We have noted your comments that your vehicle was not parked at this time and would refer you to part 6, section 85 of the Traffic Management Act 2004, which states:- "in a special enforcement area a vehicle must not be parked on the carriageway in such a way that no part of the vehicle is within 50 centimetres of the edge of the carriageway." Item 7 in this section, clearly stipulates that "References in this section to parking include waiting, but do not include stopping where- (a) the driver is prevented from proceeding by circumstances beyond his control or it is necessary for him to stop to avoid an accident, or (b) the vehicle is stopped, for no longer than is necessary, for the purpose of allowing people to board or alight from it." As neither of the above situations applies to your particular circumstances at this time, TfL is satisfied that your vehicle was in contravention

It is unclear from your correspondence which ground your representation has been made upon or indeed how you claim that you are not liable for the penalty charge. The legislation governing TfL's enforcement of red route contraventions sets out that, notwithstanding a limited number of exemptions that are not applicable in this case, it is the registered keeper of the vehicle seen in contravention who is liable for payment of the penalty charge. The PCN was therefore issued to you in accordance with the details provided by DVLA and as such you are liable, under the legislation cited above, for this charge. We do not consider that any of the points raised in your representation preclude this issue and our enforcement of the statutory penalty that you have incurred.

You have stated that (enter customer's statement, eg: I do not consent). The legislation governing civil enforcement of traffic contravention does not set out that the enforcing authority must seek consent before a PCN can be issued.

You have stated that (enter customer's statement, eg: you require evidence of a signed contract / you do not wish to contract with Transport for London). The above contravention is enforced under an Act of Parliament, not by way of contract law.

As of 26 October 2011, the Secretary of State deemed that it is no longer a requirement for signage to be in place advising drivers that stopping on a double red line is prohibited at all times. The onus is on the driver to be aware of and comply with road markings as laid out in the Highway Code, which states "the double red line ALWAYS means no stopping at any time".

It is the responsibility of the driver to be aware of and adhere to the red route restrictions as laid out in the Highway Code. TfL will allow drivers a reasonable time to check the restrictions, however, the priority must be to do this. Our review of the CCTV footage does not support your claim. The CCTV footage shows

It is the legal responsibility of every road user and business operator to identify all the traffic laws that must be complied with, and to then comply. The relief of congestion and the improvement of traffic flows are of strategic importance to London. The red routes are by definition roads that are particularly sensitive to the disruptive effect of illegal stopping. As the Highway Authority with the responsibility for the performance of the red route network, TfL places a very high priority on achieving full compliance with the restrictions and expects every road user to plan and operate their road use fully within the law at all times.

It is the responsibility of the driver to be aware of and comply with the red route restrictions as laid out in the Highway Code. Statutory signs or road markings are in place giving drivers adequate information regarding the red route restrictions at the above location. TfL will allow drivers a reasonable time to check the restrictions, however the priority must be to do this.

Roads on the red route have stopping and parking restrictions in place, which can be identified by red lines, red and white bays and road signs indicating the times when parking or stopping is allowed.

Signs and road markings on the red route are authorised under a special authorisation issued by the Secretary of State, The Authorisation of Traffic Signs and Road Markings for Red Route Controls on GLA Roads and GLA Side Roads, which sets out the requirements relating to red route signs. The positioning of signs is determined by the unique requirements of any given location and therefore signs sited parallel to the kerb are not considered as twisted signage. The Traffic Signs Manual (TSM) recommends that a red route sign should face the direction of oncoming traffic so that drivers can read the sign without stopping, however it must be clarified that the TSM has the status of guidance only. TfL is satisfied that the signs in place at the above location give motorists adequate information regarding the restrictions in place.

Transport for London (TfL) has noted your comments that you are unfamiliar with the above location, however it is the responsibility of the driver to be aware of and comply with the red route restrictions as laid out in the Highway Code. Statutory signs or road markings are in place giving drivers adequate information regarding the red route restrictions at this location. TfL will allow drivers a reasonable time to check the restrictions, however the priority must be to do this.

The Penalty Charge (PC) was initially issued to a third party using information provided to us against a PC(s) issued for an earlier contravention. The information indicated the third party was legally responsible for the vehicle at the time of the contravention. We then received evidence from them confirming the vehicle was returned to the registered keeper prior to the date of contravention. Therefore liability for this PC(s) rests with you as the registered keeper of the vehicle as recorded by the DVLA for the date of the contravention.

All Penalty Charges (PCs) are issued in accordance with the liability considerations set out in the relevant regulations. We acknowledge the PC(s) was paid and the registered keeper made a successful representation that meant liability for the PC(s) was transferred to you. At that point any monies that had been paid were automatically refunded to the payee. When the PC(s) was re-issued you were provided the opportunity to pay the PC(s) or make a representation within 28 days of its receipt.

We can confirm receipt of payment for the above penalty charge. Please be advised that this was less than the amount due at the time of payment. The amount of (ENTER VALUE) was payable. TfL can confirm that, on this occasion, we have decided to write off the outstanding amount. Discretion may not be exercised in the future as it is the registered keeper's responsibility to ensure that payment is made within the time frame specified on the penalty charge notice.

We note that you have stated you did not receive the Penalty Charge Notice (PCN), However our records show that it was issued by first class Royal Mail post on (INSERT ISSUE DATE) to the address provided by DVLA. No correspondence has been returned undelivered and we are satisfied that the PCN was issued and served correctly. It is the registered keeper's responsibility to ensure the DVLA records are kept up to date including notifying them of any change of address details. We cannot be held responsible for any error or failure that may occur as a result of any delay or failures in updating the information or due to invalid information held by the DVLA. The options available to you are: 1. To pay the outstanding penalty charge. We will accept the discounted amount in full and final settlement provided your payment is received by this office within xx days. Please see below for details of How to Pay. OR 2. To follow the statutory enforcement process. If we do not receive payment or notification of an appeal, enforcement will continue and a Charge Certificate will be issued and the amount of the penalty charge will increase. We will apply to register the amount outstanding as a debt, and you will receive an order of recovery. This includes a debt registration fee. This gives you the opportunity to file a witness statement or statutory declaration.

You have stated that you did not receive the PCN. The Civil Enforcement Officer (CEO) had noted that the PCN was (affixed to the vehicle/handed to the driver) on the date of contravention. In addition, the CEO has provided the enclosed photographic evidence. We are therefore satisfied that the PCN was served correctly. If you wish to pay the penalty charge, we have decided on this occasion that the discounted amount may be accepted as full and final settlement of this charge provided your payment is received by this office within xx days. If no payment is received enforcement of the PCN will continue.

Thank you for your letter regarding the above penalty charge. We have decided on this occasion, to accept a reduced payment of £\*\* as full and final settlement of the penalty charge and write off the outstanding amount. Therefore, please find enclosed a refund cheque for the sum of £\*\*. Please note that this decision has been made on a discretionary basis for this penalty charge notice and we may not exercise the same discretion in the future.

Thank you for your letter regarding the above penalty charge. We have decided on this occasion, to accept a reduced payment of £\*\* as full and final settlement of the penalty charge and write off the outstanding amount. We have therefore refunded the amount of £\*\* to the payment card used to make the original payment. This will appear on the next payment card statement. Please note that this decision has been made on a discretionary basis for this penalty charge notice and we may not exercise the same discretion in the future.



You have asked to pay a reduced amount in payment of the PCN because (Detail circumstances). We have decided on this occasion that the amount of (£\*\*) will be accepted as full and final settlement. You should ensure that this payment is made within 14 days. If payment is not received enforcement of the penalty charge notice will continue at the full amount. We may not exercise this discretion in the future.

All Penalty Charges (PCs) are issued in accordance with the liability considerations set out in The Road User Charging (Charges and Penalty Charges) (London) Regulations 2001 as amended. We acknowledge the PC(s) was paid and the registered keeper made a successful representation that meant liability for the PC(s) was transferred to you. At that point any monies that had been paid were automatically refunded to the payee. When the PC(s) was re-issued you were provided the opportunity to pay the PC(s) or make a representation within 28 days of its receipt.

Thank you for your letter regarding the above penalty charge. We have decided on this occasion, to accept the payment of £\*\* you have made as full and final settlement of the outstanding penalty charge amount and to write off the balance. Please note that this decision has been made on a discretionary basis for this penalty charge notice and we may not exercise the same discretion in the future.

Thank you for your letter regarding the above penalty charge. Having checked our records, we can confirm that you are correct in stating that an overpayment of £\*\* was made to TfL for the penalty charge. In light of the above, we have returned the amount of £\*\*. The details of this transaction should appear on the next payment card statement.

Thank you for your letter regarding the above penalty charge. Having checked our records, we can confirm that you are correct in stating that an overpayment of £\*\* was made to TfL for the penalty charge. In light of the above, we have returned the amount of £\*\*. A cheque for this amount has been sent to you. The details of this transaction should appear on your next bank statement.

A third party paid the penalty charge upon your behalf. A refund is now due. A cheque to the value of £xx is enclosed. We have sent this to you because we do not have the postal address of the payee. Please forward the payment to them, and contact us if you have any queries.

Upon confirmation that (Company Name) has gone into liquidation, the above penalty charge has now been written off. Please be advised however that each penalty charge notice is considered separately, and this decision does not affect the outcome of any other penalty charge notices issued.