

Notice To Pay - Appeals Process

Any person issued with a Notice to Pay Standard Charge ticket by Rother District Council is able to appeal the issue of the notice.

Please note: Appeals will only be considered when a full name and correspondence address are supplied, including appeals received by email

Stage 1 – Informal Appeal

- If you have received a Standard Charge Notice to Pay (NTP) ticket and wish to appeal you must do so by writing or emailing in to our Car Park Administration Team, Rother District Council, Town Hall, Bexhill On Sea TN39 3JX, or email your appeal to appeals@rother.gov.uk within fourteen days of receiving the NTP. You must explain the reasons why you think the NTP should be cancelled and enclose or attach any evidence you have to be taken into consideration. The Car Park Administration Team will consider each appeal on a case by case basis, investigating points raised in your challenge letter. The Car Park Administration Team will then make a decision as to whether the NTP is to be paid. The appeal decision will be notified to you in writing.
- There are 6 grounds on which an appeal can be made these are detailed below
- If your appeal is successful no fee is payable.
- If your appeal is unsuccessful and your challenge was received in the discounted payment period (within 14 days of issue of the Notice) then you will have the opportunity to pay the fee at the discounted rate.
- If payment is not received within 28 days of the date of the appeal confirmation letter further action will be taken to recover the money.

Stage 2 – Formal Appeal

- If you are not satisfied with the outcome of your challenge you need to submit a formal appeal in writing or via email at the following address: Car Park Appeal Officer, Town Hall, Bexhill on Sea, East Sussex TN39 3JX, appeals@rother.gov.uk.
The appeal will be considered by an independent Rother District Council Officer. All cases will be considered on individual evidence submitted.
- There are 6 grounds on which an appeal can be made these are detailed below.
- Formal appeals must be made in writing and must be submitted within 28 days of receiving the outcome of the Stage 1 appeal. The appeals officer will discuss and consider each appeal and will notify you in writing of their decision. If the Notice cannot be cancelled you will be advised of the reasons why
- If your appeal is successful no fee is payable.
- If your appeal is unsuccessful and your challenge was received within the 28 day period following on from a stage 1 appeal you will have the opportunity to

pay the fee at the discounted rate, if received by Rother District Council within 14 days of the date of the written appeal confirmation letter.

- If payment is not received within 28 days of the date of the appeal confirmation letter further action will be taken to recover the money.

If you are not satisfied by the final outcome of the independent officer you do not have the opportunity to take the charge through the legal system otherwise than by Judicial Review.

As Rother does not deal with on-street parking you cannot refer disputes to the Traffic Penalty Tribunal. Please note that Rother District Council will seek to recover any costs incurred if the appeal decision is upheld.

Recognised Grounds for Appeal

1) The contravention did not occur.

The parking restrictions were not properly signed, the vehicle was exempt from the regulations or where a vehicle was allegedly displaying a valid permit, badge, ticket etc.

Please note that the enforcement team capture images of all vehicles at the time of the issue of notice to pay tickets. The ticket or permit must be in clear view for the officer to see all details clearly, as stated on the tickets.

2) The vehicle was parked by someone in control of it without my consent.

Eg: the vehicle was parked after being stolen. You will need to supply details of the incident and supporting crime reference number.

3) I was not the owner at the time.

Eg: the vehicle was sold before or bought after the Notice to Pay was issued. You **MUST** supply the full name and address of the buyer or seller if you have it.

Please note the owner of the vehicle is held liable for payment.

4) We are a hire firm and have supplied the name of the hirer.

This applies only to hire firms where there is a qualifying hire agreement for less than 6 months and the hirer has signed a statement accepting liability for any charges. You will be expected to supply the name and address of the hirer and a copy of the hire agreement

5) Emergency hospitalisation resulting in the person's car remaining parked in excess of pre-paid time period.

In this instance a ticket must have been purchased prior to the incident and any appeal must be supported by confirmation from the medical hospital treating the person.

6) The relevant parking places order was invalid.

This only applies if the authority's regulations are legally defective.