

**Motorist not
receiving a PCN on their vehicle**

Andrew Luck asked the below question on behalf of Bromley and Bexley.

I have been asked a question by Chloe Tovey at Bexley/Bromley regarding council policy when a motorist claims that they did not receive the PCN on their windscreen.

Bexley/Bromley would reoffer the discount in mitigating circumstances (such as adverse weather, away on holiday for a week or so, vehicle left outside a busy pub on a Saturday night, or outside a secondary school at going home time for example, where there is a reasonable possibility that someone may have taken the PCN off the screen.

Please see the responses I have received so far.

| Borough | Reset Discount | Their Comments |
|----------------|------------------------|---|
| Westminster | Yes | At Westminster we would generally take the motorist's word for this & reset the discount unless there was some evidence to the contrary, e.g. post-issue conversation recorded by the CEO, CEO noted PCN 'handed to driver', CEO notes something along the lines of 'driver returned & threw PCN on floor', photo shows driver with/in vehicle, correspondence or query received pre-NtO issue etc. |
| Croydon | Same as Bromley/Bexley | We would also consider what the motorist states in a similar way to Bromley. We would also look into whether or not they are a serial claimant. Any CEO notes and photographs (it's amazing how often the PCN was handed to the driver) before making a decision on whether to re-offer the discount. |

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| Tower Hamlets | No | Here quite a significant number of motorists' claim that the PCN was not attached to the vehicle when we have photographic evidence to the contrary. Having done some analysis on those cases we determined that there were no significant similarities between the cases (e.g. issuing CEOs, areas, dates, times etc.) so we came to the conclusion that the majority of claims were being made in order to have the PCN cancelled, with the fall-back position being that we would at least reoffer the discount. As a result we implemented a policy of not reoffering the discount in any cases in order to assess whether the number of such claims would decrease. We are monitoring the situation and may change the policy if it does not have the desired effect. |
| City of London | No | Where the City can demonstrate that the PCN was correctly served to the vehicle, usually with photographic evidence, we would not reoffer the discount if a motorist claimed the PCN was removed. The only time we would consider reoffering the discount is if there is no photographic evidence and we would not be able to prove the PCN was served correctly. |
| Lambeth | Yes | We at Lambeth reoffer the Discount wherever possible. |
| Southwark | Yes | We would always reoffer the discount if they have claimed the PCN was never received and not on their vehicle when they returned |
| Wandsworth | Yes | Wandsworth would give the benefit of the doubt that a 3rd party may have removed the PCN and re-offer the discount amount in instances of representations that state the PCN was not attached to the vehicle upon their return. This is however subject to investigations and would not be re-offered in instances of CEO notes that support that the driver returned to the vehicle and/or there was a driver conversation. |
| TfL | Yes | TfL would reject the rep explaining that we are satisfied that the PCN had been correctly served, but re-offer at the reduced rate. |

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| Enfield | Yes. | Further to Andrew Luck's email, here in Enfield at the NtO stage – if the PCN is enforceable - we generally give the motorist the benefit of the doubt if they declare they have not received the PCN, and offer them the discount once again in our Notice of Rejection of Reps. We do not restrict this offer only to the mitigating circumstances mentioned in Mr Luck's email. |
| Hillingdon | | We enforce under much the same common sense rules |