

# A Westminster ticket

Dear Sirs

Re PCN Number WM77019438

Once again, your operatives are 'trying it on' – in fact engaging in fraudulent practices. There was no Penalty Charge Notice issued in this case. Anticipating this might happen, I made contemporaneous notes.

As a private hire driver I was awaiting my clients to emerge from the Royal Horticultural Society's Lindley Rooms on Vincent Square when the 'Civil Enforcement Officer' appeared at my side window to say, " You've been here 8 minutes. I can mail it to you " . I replied, "No, it doesn't work like that. You would have to put the ticket on my windscreen. I'll be off now. " Whereupon, I departed the scene – at no point did he try to affix any parking ticket, nor attempt to hand me one.

The terms of your 'How to Challenge' documentation detail the somewhat draconian, " A person who knowingly or recklessly makes a false representation regarding a material fact is guilty of an offence and on summary conviction may be liable for a fine of up to £5,000." Tell me, please, why this should not apply to your deceitful traffic wardens ?

Yours faithfully,

Mr A.J.P. Summers

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## City of Westminster

Our Ref: DW\_EROBERT

07 December 2012

**Penalty Charge Notice No:** WM77019438  
**Date of Contravention:** 25/10/2012 at 11:56  
**Vehicle Registration Mark:** AX03KXM  
**Location:** Vincent Square [d4]  
**Contravention Code:** 11U  
**Contravention Description:** Parked without payment of the parking charge - mobile phone parking

Dear Mr Summers

Traffic Management Act 2004

### NOTICE OF ACCEPTANCE

Thank you for your Representation made on receipt of the Notice to Owner (NtO) regarding the above Penalty Charge Notice (PCN), issued by a Civil Enforcement Officer (CEO) for an alleged parking contravention.

I am pleased to inform you that your Representation has been accepted and the PCN and NtO have been cancelled.

The PCN was issued because the CEO observed the vehicle parked in a paid for bay without a payment for parking in place.

As insufficient evidence was provided by the CEO to demonstrate the PCN was served correctly, I am able to cancel the charge on this occasion.

You state in your Representation that you were parked to await your passengers. I must advise you that the City Council appreciates that the picking up passengers and their luggage is sometimes necessary and most regulations provide an exemption for this purpose. In most instances, the exemption applies strictly to allow the passenger to board the vehicle, and does not include waiting for the passenger. It should be immediately obvious to a CEO that the vehicle is parked for this purpose.

In this instance, no exempt activity was seen to be taking place around the vehicle. As there was no indication that the vehicle was parked for picking up a passenger, a PCN was issued.

I can confirm there is no further action required in respect of this PCN.

Yours sincerely

Leith Penny, Strategic Director for City Management

↓ No it wasn't!