



Shropshire Council

Moving Traffic Enforcement

Grounds for the Cancellation of a Moving Traffic Penalty Charge Notice

EACH CASE WILL BE CONSIDERED ON ITS OWN MERITS TAKING INTO ACCOUNT ALL EVIDENCE AVAILBALE AND THE EXCEPTIONALITY OF THE CIRCUMSTANCES

Grounds for making a representation	
	May accept representations
1.The alleged contravention did not occur	
1.1 A vehicle actively engaged in building or industrial operation or demolition	If evidence can be provided to support that it was not possible to carry out the works without the vehicle being in the specified location – for example – cherry picker or concrete mixer delivery
1.2 Breakdown/recovery vehicles attending an incident or obstruction during the hours of operation	If evidence can be provided to support the requirement for recovery
1.3 A vehicle involved in the maintenance, improvement or re-construction of that length of road	If evidence can be provided to support the requirement of the vehicle entering the prohibition for the purpose specified
1.4 A vehicle actively engaged in operation involving the laying, erection, alteration or repair on or on land adjacent to the length	If evidence can be provided to support the requirement of the vehicle entering the prohibition for the purpose specified

of road or any sewer or of any main pipe or apparatus for the supply of gas, water or electricity or of any telegraphic line as defined in the Telegraph Act 1878	
1.5 A visitor needing to collect/drop off an individual from within the school street zone as they have needed to attend an emergency medical visit or a medical professional entering the zone to carry out an emergency medical visit.	If evidence can be provided to support the medical visit taking place
1.6 A tradesperson attending an emergency trade call out	If evidence can be provided to support the emergency call out
1.7 A parent/carer collecting a sick child from school	If evidence can be provided from the school confirming the child needed to be collected
1.8 An unmarked delivery vehicle making a delivery	If evidence can be provided to support that the delivery was previously booked for delivery to a property within the prohibition

2. The recipient was not the owner/keeper of the vehicle in question	
2.2 Where the current registered keeper claims that the vehicle was disposed of before the alleged contravention occurred	If the current registered keeper is able to provide proof that the vehicle was disposed of before the contravention, i.e. a bill of sale, registration documents, insurance documents or a letter from the DVLA; and/or If the current registered keeper is able to provide the full name and address of the person to whom they disposed of the vehicle
2.3 Where the current registered keeper claims that the vehicle was purchased after the alleged contravention occurred	If the current registered keeper is able to provide proof that the vehicle was purchased after the contravention, i.e. an invoice, registration documents, insurance documents or a letter from the DVLA; and/or If the current registered keeper is able to provide the full name and address of the person from whom they purchased the vehicle
2.4 Where the current registered keeper claims that a contracted third party was responsible for the vehicle at the time of the alleged contravention	Only when a hire agreement exists
2.5 Where the recipient claims that they never owned the vehicle	If the DVLA confirm that the recipient was not the registered keeper at the time of the alleged contravention

3. The vehicle had been taken without the owner's consent	
3.1 Where the current registered keeper claims that the vehicle had been stolen	If the registered keeper provides a valid police crime report reference number
3.2 Where the current registered keeper claims that the vehicle was driven by a third party (i.e. a friend, relative or estranged partner)	In no circumstances

4. The recipient is a vehicle hire firm and the vehicle was on hire under a qualifying hiring agreement	If the hire company are able to provide proof that the vehicle was hired at the time of the alleged contravention, i.e. a signed agreement. If the hire company are able to provide the full name and address of the person to whom they hired the vehicle
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5. The penalty exceeded the amount applicable in the circumstances of the case	If the PCN and/or Notice to Owner showed the incorrect amount of penalty charge, i.e. the wrong penalty charge band
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6. There has been a procedural impropriety by the Council	If the registered keeper is able to demonstrate and provide evidence that the Council has failed to comply with any requirement imposed by the: - Traffic Management Act 2004; - Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007; OR - Civil Enforcement of Parking Contraventions (England) General Regulations 2007
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7. The order which is alleged to have been contravened in relation to the vehicle concerned is invalid	If the Traffic Regulation Order which prescribes the restriction that the vehicle entered a prohibited area either not constructed correctly or made correctly, i.e. not consulted on properly
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8. Any other information that the motorist/vehicle owner want the Council to take into consideration (Other Grounds)	The decision whether or not a Penalty Charge Notice should be cancelled, will only be taken following very careful consideration of mitigating circumstances and taking into account all of the evidence submitted
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