

Mr [REDACTED] S [REDACTED] - v - West Northamptonshire Council

Appeal Details

Case number:	NP00115-2209	Appeal Raised:	14/09/2022
Vehicle:	[REDACTED]	Hearing:	There was no hearing
Representative:	N/A	Decision:	12/10/2022
Number of PCNs:	1	Adjudicator:	Annie Hockaday

Decision - PCN NP84712714

Mr [REDACTED] S [REDACTED], you have lost this appeal.

You need to pay the penalty charge to West Northamptonshire Council.

Penalty Charge Amount: £50.00

Issued: 06/05/2022

Contravention: 06/05/2022 07:55

Wellington Street Car Park,
Northampton

83 - Parked in a car park without clearly displaying a valid pay & display ticket or voucher or parking clock

Please see the next page for the Adjudicator's Reasons

Adjudicator's Reasons

1. The PCN is for parking in the car park without displaying a ticket. As the adjudicator, I must consider all the evidence, apply the law and decide the outcome.
2. The PCN was issued at 07:55 on 6 May 2022. Mr S [REDACTED] wrote that morning to say that he used his card to buy a ticket but the ticket was somehow not visible. He provides the receipt which shows a £2 card payment at 22:17 on 5 May and provides the ticket which states expiry at 10:00 on 6 May 2022. It is clear that the ticket was still valid when the PCN was issued.
3. The Council say that his failure to display the ticket proves the contravention. That is correct.
4. It is a condition of use of the car park to not only buy the ticket but also to display it so that the details can be seen by an officer when they patrol. The need to buy and to display the ticket is stated on the sign by the machine and on the ticket. The officer noted 'all windows checked'. I find that the photos show that no ticket was displayed so as to be visible. I do understand that it is frustrating to receive a PCN when a ticket was bought from the machine but unfortunately Mr S [REDACTED] made a mistake by not displaying the ticket. I accept that this was not deliberate, but the lack of display means that the contravention is proved. He has not shown a reason to win his case. The Council are entitled under the law to enforce the penalty.
5. The amount starts at £50. The law requires the Council to offer a 50% discount in the PCN but after that any later discount is only at their discretion. In this case, when replying to his first challenge, they used their discretion to extend the 50% discount period (evidence 2) but that offer no longer applies. Mr S [REDACTED] is liable to pay £50.

Annie Hockaday

Adjudicator

12/10/2022