

Miss [REDACTED] R [REDACTED] - v - Manchester City Council

Appeal Details

Case number:	MC00717-2311	Appeal Raised:	07/11/2023
Vehicle:	[REDACTED]	Hearing:	There was no hearing
Representative:	N/A	Decision:	17/11/2023
Number of PCNs:	1	Adjudicator:	Sarah Tozzi

Decision - PCN MC26194725

Miss [REDACTED] R [REDACTED], you have lost this appeal.

You need to pay the penalty charge to Manchester City Council.

Penalty Charge Amount: £50.00

Issued: 25/08/2023

Contravention: 25/08/2023 11:23

Newton Street (city Centre)

6 - Parked without clearly displaying a valid pay & display ticket or voucher

Please see the next page for the Adjudicator's Reasons

Adjudicator's Reasons

1. Miss F [REDACTED] appeals on the basis that she paid to park. The Council maintain that no valid virtual payment was showing as Miss F [REDACTED] paid for the wrong location, accordingly a contravention occurred.
2. I accept that Miss F [REDACTED] made a payment but her own records show it was for the wrong location and the wrong location code was entered (804323 instead of 83010). It is to be noted that the PCN was issued for failure to display the valid ticket or voucher which includes a virtual payment. The obligation is on the motorist to enter the correct details when paying by phone. The Traffic Regulation Order at evidence tab 13 on the Tribunal portal is clear that payment by phone needs to be made following the instructions at the location. It is clear that a mistake was made but that is not a ground on which I can allow an appeal. As no virtual payment for parking at this location was showing at the time the vehicle was observed, I find that the contravention occurred. The PCN was properly issued.
3. It is for the Council to consider mitigation in each case. Adjudicators do not have the power to reconsider these matters afresh. I am satisfied that the Council considered the representations made but decided not to cancel the PCN. That was a decision they were entitled to make.
4. The appeal is dismissed. Miss F [REDACTED] remains liable for the PCN at £50.

Sarah Tozzi
Adjudicator
17/11/2023