

LOW EMISSION ZONE PENALTY CHARGE NOTICE

Transport (Scotland) Act 2019

Low Emission Zones (Emission Standards, Exemptions and Enforcement) (Scotland) Regulations 2021

**Penalty Charge Notice Number:****Vehicle Registration Mark:****Contravention:****Detection date & Time of Alleged****Low Emissions Zone Contravention:****Level of Contravention:****Location of Contravention:****Date of Posting:****Date of Service:****SECTION 1: PENALTY CHARGE NOTICE DETAILS**

The City of Edinburgh Council believes that a contravention of section 6(1) of the Transport (Scotland) Act 2019 ("The Act") has occurred and that a Penalty Charge of £ is payable for the contravention. The contravention is that a vehicle that you were responsible for was driven on a road within a Low Emission Zone ("LEZ") in contravention of the terms of the Edinburgh Low Emission Zone Scheme but that vehicle did not meet the specified emission standard of the LEZ and was not exempt by virtue of section 6(4)(b) or section 17 of the Act. The contravention was captured by an approved device. The photographs below in the Council's opinion, establish the contravention.

A scheme surcharge means that the Penalty Charge amount will double with each subsequent contravention by the same vehicle within 90 days of the previous contravention. Please refer to surcharge levels on our website.

You must not ignore this notice. Liability for the Penalty Charge lies with you the registered owner/keeper/hirer of the vehicle. You must make a payment - see section 2, or make formal representation to the Council, see section 3.

SECTION 2: MAKE A PAYMENT

If a Penalty Charge is paid within 14 days from the date of service being the Penalty Charge will be reduced by 50% and the charge payable will be £ . Payment of the discounted sum must be paid by .

The Penalty Charge must be paid within 28 days from the date of service being , unless representations have been made under Regulation 8(1), see section 3. If you do not pay the charge or make formal representations to the Council within this 28 day period, a Charge Certificate will be issued. This will increase the charge by 50% to £ . A payment must not be made if representations have been submitted, even in circumstances where a decision notice has not yet been issued.

How to Pay

Online at: www.edinburgh.gov.uk/lez

By phone on: 0131 589 2744

Both payment methods are available 24 hours a day. Payment by Mastercard, Visa, Delta or Maestro is accepted.

By post: Pay by cheque or postal order, made payable to the City of Edinburgh Council, write the PCN Number and your address on its reverse. Do not send cash by post. A stamped addressed envelope must be enclosed if you require a receipt. Postal payments must be sent to: Parking Services, The City of Edinburgh Council, PO Box 380, Sheffield, S98 1TS.

The Council cannot be held responsible for delays or delivery failures.

In person: using a debit or credit card, we do not accept cash, at the Customer Hub, 249 High Street, Edinburgh, EH1 1YJ.

SECTION 3 – HOW TO MAKE REPRESENTATION

The grounds on which you may make a representation are listed below. If you think that one or more of the grounds applies to your case, tick the relevant boxes below. Representations should be made within 28 days from the date of service being: . Representation made outside the 28 day period may be disregarded.

Representation may be made online at: www.edinburgh.gov.uk/lez or complete and return this form by post to: Parking Services, The City of Edinburgh Council, PO Box 380, Sheffield, S98 1TS. The Council will consider your representation and if you have sufficient grounds, the Council will cancel the Penalty Charge Notice.

If your representations are rejected an appeal may be made to the First-tier Tribunal against the decision to serve a Penalty Charge Notice on any of the grounds specified in regulation 8(4) below. The Council will inform you how you can appeal to the First-tier Tribunal, where an independent adjudicator will review your case. The adjudicator's decision is final and binding on both parties.

You may also request a record of the contravention evidence produced by the approved device by writing to the Council. This will be provided free of charge. However, photographs are provided overleaf.

If you do not either (a) make a payment within 28 days, beginning with the date of service of this notice, or (b) make representation (as explained in section 3) within 28 days of the date of service of this Notice, then your option to make a representation may no longer apply and a Charge

Certificate may be sent to you meaning that the charge will increase by 50% from £ to £ . If the full Charge is not paid by you then the Charge Certificate may be passed to Sheriff Officer for enforcement of payment.

Regulation 8(4) Low Emission Zones (Emission Standards, Exemptions and Enforcement) (Scotland) Regulations 2021 statutory grounds for appeal: Please tick relevant box

- a) ☐ The alleged contravention did not occur.
- b) ☐ I have received this notice as I am the registered keeper of the relevant vehicle, but I was not the registered keeper on the detection date.*
- c) i ☐ I was the registered keeper, but sold the relevant vehicle before the detection date.*
- c) ii ☐ The relevant vehicle was on hire at the detection date and the hirer has accepted liability for these charges.*
- c) iii ☐ I was the registered keeper but at the detection date the relevant vehicle was used or kept by a person who was a vehicle trader.*
- d) ☐ I have received this notice on the basis that I, though not the registered keeper of the relevant vehicle, was the person by whom the penalty charge was payable under regulation 5; however, I was neither the keeper, the hirer nor the vehicle trader keeping the vehicle at the detection date.*
- e) ☐ The Penalty Charge exceeds the amount applicable in the circumstances of the case.
- f) ☐ The contravention did occur but in light of extenuating circumstances, it would be unreasonable to impose a Penalty Charge Notice.

***You must provide name and address details below for the hirer/keeper or person responsible for the vehicle for grounds (b), (c) and (d).**

Include any evidence you wish the Council to consider - attach additional sheets if required, clearly marking each with the Charge Notice Number.

Details:	Name and address of buyer/seller/hirer:
	Name:
	Address:
Postcode:
	Date of Purchase/Sale:
	Date/time of Hire Start:
	Date/time of Hire End:

Declaration: This must be signed in order for your representation to be considered.

I confirm the details of my representations are correct to the best of my knowledge. I realise that making a false statement may result in prosecution and a fine upon conviction of up to level 5 on the standard scale.

Name..... Signature..... Date.....

Email.....

Data Protection Information

Personal data has been collected in order to serve this LEZ Penalty Charge Notice. As it is believed a contravention has occurred, your personal data may be collected, processed, shared and retained in order to carry out the performance of a public task and fulfil our legal obligations in the following ways:

- To request details of the registered keeper of the vehicle from the DVLA in order to pursue a Penalty Charge Notice.
- Shared with third parties for appeals, enforcement and debt collection.
- Shared with the police or security organisations to prevent or detect crime.
- Shared with IT providers and data processors.
- Shared with third parties for the purpose of data analytics, for example traffic or vehicle surveys.

In relation to the personal data which we may hold about you, you have the right to request to: be **informed**, have **access** or **rectify** incorrect information. You also have the right to **object** to or **restrict** our processing of your data. Under Data Protection law we must verify your identity and explain to you our reasons if we do not agree to carry out your request.

If you would like more information about how we use your data, please read our Privacy Policy at www.edinburgh.gov.uk/LEZprivacy
Data protection questions can be made in writing to Information Rights team, City of Edinburgh Council, Waverley Court (Business Centre 2:1), 4 East Market Street, Edinburgh, EH8 8BG. You have the right to complain to the Information Commissioner's Office at www ICO.org.uk.