



London Local Authorities Act 2000

2000 CHAPTER vii

PART II

PARKING

11 Representations relating to unpaid charges

- (1) The relevant person may make representations to the participating council on one or more of the following grounds:—
 - (a) that there were no reasonable grounds for the parking attendant concerned to believe that the vehicle had been permitted to remain at rest—
 - (i) in a designated parking place in circumstances specified in section 66(2)(a), (b) or (c) of the Act of 1991; or
 - (ii) in a special parking area (other than in a designated parking place) in circumstances in which an offence would have been committed in respect of the vehicle but for section 76(3) of the Act of 1991;
 - (b) that the vehicle had been permitted to remain at rest in the place in question by a person who was in control of the vehicle without the consent of the owner;
 - (c) that the place at which the vehicle was at rest was neither a designated parking place nor in a special parking area;
 - (d) in a case where the vehicle is released from an immobilisation device that, by virtue of an exemption given by section 70 of the Act of 1991, neither section 69 nor 77(4) of that Act applied to the vehicle at the time in question; or
 - (e) that the penalty or other charge in question exceeded the amount applicable in the circumstances of the case.
- (2) A council may disregard any representations which are received by them after the end of the period of 28 days beginning with the date on which the person making them is informed, under subsection (1) of section 10 (Effect of removal or release) of this Act, of his right to make representations.
- (3) It shall be the duty of a council to whom representations are duly made under this section, before the end of the period of 56 days beginning with the date on which they receive the representations—

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- (a) to consider them and any supporting evidence which the person making them provides; and
 - (b) to serve on that person notice of their decision as to whether they accept that the ground in question has been established.
- (4) Where a participating council serve notice under subsection (3)(b) above that they accept that a ground has been established any charges allegedly incurred which were not paid at the time the vehicle was removed or released shall cease to be payable except to the extent (if any) to which those sums were properly payable and section 13 (Charge certificates relating to unpaid charges) of this Act shall not apply in relation to those charges except to the said extent.
- (5) Where a participating council serve notice under subsection (3)(b) above that they do not accept that a ground has been established, that notice shall—
- (a) inform the person on whom it is served of his right to appeal to a parking adjudicator under section 12 (Appeals relating to unpaid charges) of this Act;
 - (b) indicate the nature of a parking adjudicator’s power to award costs against any person appealing to him under that section; and
 - (c) describe in general terms the form and manner in which such an appeal is required to be made.
- (6) Where a participating council fail to comply with subsection (3) above before the end of the period of 56 days mentioned there—
- (a) they shall be deemed to have accepted that the ground in question has been established and to have served notice to that effect under subsection (4) above; and
 - (b) immediately after the end of that period, subsection (4) above shall have effect in relation to any charges incurred in the manner set out in that subsection.
- (7) A participating council may disregard any representations made under Schedule 6 to the Act of 1991 in respect of any charges allegedly incurred where representations are made in respect of those charges under this section.