

## Register Kept Under Regulation 20 of the Road Traffic (Parking Adjudicators)(London) Regulations 1993, as amended

**Case Reference:** 2070445427  
**Appellant:** Pulp Faction Recycling  
**Authority:** Islington  
**VRM:** T356KDW  
**PCN:** IS12089441  
**Contravention Date:** 16 Jul 2007  
**Contravention Time:** 09:41  
**Contravention Location:** Liverpool Road N1  
**Penalty Amount:** £120.00  
**Contravention:** Entering and stopping in a box junction when prohibited  
**Decision Date:** 02 Nov 2007  
**Adjudicator:** Andrew Harman  
**Appeal Decision:** Allowed  
**Direction:** cancel the Penalty Charge Notice.  
**Reasons:** The Penalty Charge Notice (PCN) in this case was issued under the provisions of the London Local Authorities and Transport for London Act 2003

The Appellants, who appeared before me on 29 October 2007 represented by Mr Douglas and Mr Aldridge, argued in accordance with their written submissions of 10 September 2007 that the PCN was not compliant.

I reserved my decision.

I set out below the Act's relevant provisions:

S.4 (8): "a penalty charge notice under this section must

(a) state

(iii) that the penalty charge must be paid before the end of the period of 28 days beginning with *the date of the notice* [my italics]".

The PCN in this case stated that " the penalty charge must be paid before the end of the period of 28 days beginning with *the date that this notice was served (the day it was delivered)* [my italics]".

The Appellants submitted that in view of this discrepancy in wording the PCN was invalid.

Although I have noted the Authority's submissions on the

point as set out in its Notice of Rejection the requirements of Section 4(8) of the Act are mandatory and a PCN must fully comply with them.

I am accordingly satisfied for the reason identified above that this PCN is not compliant and is therefore not valid.

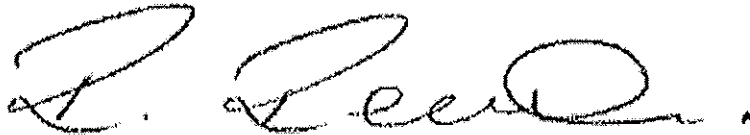
The penalty charge may not therefore be enforced.

I make no finding as to any other matter raised by the Appellants.

The appeal must for the reason given however be allowed.

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I certify this to be a true copy of an entry in the register

A handwritten signature in black ink, appearing to read 'R. Reeve', with a small flourish at the end.

Mr R Reeve Proper Officer