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Case Reference	9040388944
Appellant	Mr Alan Hastie
Authority	Transport for London
Contravention	On a road in the charging area to which a charging scheme applies without payment of the charge
Decision Date	20 Jan 2005
Adjudicator	Miss Annabel Pilling
Decision	Allowed
Direction	cancel the Penalty Charge Notice and refund the amount of the penalty paid by the Appellant.
Reasons	On 11 th October 2004 a turquoise Fiat Punto with the registration mark R483HGK was within the Congestion Charging Zone at a time when the appropriate charge was payable. No charge had been paid for that date and a Penalty Charge Notice was issued to the person liable, the registered keeper, who was the Appellant.

The Appellant submits that on 11th October he attempted to pay the charge by using the SMS text message service. He had not registered the details of this vehicle and payment was not accepted. The Appellant then telephoned the call centre and made the payment through an operator. He was given a receipt number. He has since discovered that this relates to a different vehicle registration mark and a different date of travel. I am satisfied on the balance of probabilities that an error was made by the operator in recording both the accurate vehicle registration mark and the date of travel the Appellant had indicated he wished to pay the charge for.

I am satisfied that the Appellant drove within the Zone believing that the charge had been paid. I am satisfied that the Appellant had done all that was possible to ensure that the charge was paid in the manner and within the time required. The fact that the receipt suggests that the charge had not been attributed to the requested vehicle registration mark and date for travel was a fault of the employee of Transport for London. I therefore allow this Appeal and direct that the amount of the penalty paid by the Appellant be refunded.