**PARKING AND ROAD TRAFFIC APPEALS**

**ANGEL HEARING CENTRE**

Before Adjudicator:

**Carl Teper**

**Sainsburys Supermarkets**

-v-

**Transport for London**

*Appeal number* 2110572773

Date of Decision: 17 November 2011

**D E C I S I O N**

Mr Mark Janssen has attended on behalf of the Appellant Company.

I have considered the evidence and watched the CCTV footage and I find that the Appellant's vehicle was stopped in the box junction due to stationary vehicles travelling in the same direction as their vehicle when in the Archway Road/Jacksons Lane/Highgate Avenue/Shepherds Hill on 7 September 2011 at 13.11.

Mr Janssen takes two points in relation to this appeal.

First, that the Penalty Charge Notice incorrectly states the time for payment of the penalty charge. In that it records '*If you fail to pay the penalty charge or make representations before the end of the period of 28 days beginning with the date of service of this notice, a* ....'. Mr Janssen points out that the legislation requires that the payment of the penalty charge is from the '*date of the notice'* and not the *'date of the service of the notice'*.

Second, Mr Janssen complains that the authority did not address this point in the Notice of Rejection.

I have considered the points raised by Mr Janssen and reject both of them for the following reasons:

First, above the section of the Penalty Charge Notice that deals with the representations it states as follows: '*A penalty charge of £130.00 is payable before the end of the period of 28 days beginning with the date of this notice'*. I find that this complies with the legislation.

The words that follow reflect the position in relation to the representations, which is that they must be submitted *'before the end of the period of 28 days beginning with the date of service of this notice*'. The fact that the sentence commences with the words '*If you fail to pay the penalty charge*...' is, in my judgment, irrelevant because the time for payment has already been clearly stated at the beginning of the paragraph.

The legislation makes a difference between the time for payment of the penalty amount and the time for the submission of the representations, and I am satisfied that the authority's Penalty Charge Notice accurately states this position.

Second, I find that the authority has recorded in the Notice of Rejection that they have considered and rejected the Appellant's representations. I do not find that they have to go on and explain in detail the reasons for the rejection.

The appeal is refused.