

**The Council of the City of Newcastle upon Tyne (“The Council”)  
Guidance for the Consideration of Representations against Penalty  
Charge Notices (PCNs) for being in a  
Clean Air Zone**

**Statement of Purpose**

This document sets out the grounds specified by regulations on which a PCN can be cancelled following representations made by a motorist. Under each specified ground guidance is given on the factors which will influence the Council in deciding whether or not that ground is satisfied.

**Guidelines set out in this document provide direction  
only.**

**Each case shall be considered on its own merits, taking into account all of  
the evidence available and the individual circumstances.**

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Date	30 November 2022

## **SECTION 1 – INTRODUCTION**

### **1.1 Why is a Clean Air Zone (CAZ) being introduced?**

The Clean Air Zone (CAZ) is being introduced by Newcastle City Council and the Borough Council of Gateshead to help reduce the levels of nitrogen dioxide (NO<sub>2</sub>) in the city in accordance with Government instructions.

### **1.2 What types of vehicles are required to pay the daily Clean Air Zone (CAZ) charge?**

The Newcastle City Council and the Borough Council of Gateshead CAZ is a type “C”, this means that the owners of buses, heavy goods vehicles, coaches, taxis, private hire vehicles and light goods vehicles will be subject to the charge if the vehicle does not meet the emission standard. The emission standard for the CAZ are-

- Euro 4 for petrol vehicles
- Euro 6 (VI) for diesel vehicles

The CAZ operates twenty-four hours a day, every day and there are no exemptions for weekends, public or bank holidays. The CAZ operates from midnight to midnight and as such a vehicle in use either side of midnight would need to be pay the CAZ charge for both days.

Motorists can check if their vehicles(s) are compliant and or make a payment to enter a CAZ at <https://www.gov.uk/clean-air-zones>

### **1.3 What types of vehicle are exempt from paying the daily Clean Air Zone CAZ charge?**

Some vehicles may be exempt from the CAZ charge if they have been granted a “local exemption” from the CAZ for a period of time which have been entered on the National or Local Register and will therefore not need to pay the daily charge

Further details regarding exemptions can be found at [Exemptions — BREATHE Clean Air \(breathe-cleanair.com\)](#)

### **1.4 Clean Air Penalty Charge Notices (PCN)**

A Penalty Charge Notice (PCN) will be issued for using a non-compliant vehicle within the Clean Air Zone where the Clean Air Charge has not been paid either 6 days before the day of travel or by 11.59pm on the 6<sup>th</sup> day after the date of travel.

Motorists are informed that they are entering a Clean Air Zone by a series of signage which is placed on all major routes into the city centre, combined with signage at the Clean Air Zone boundary. The enforcement of the Clean Air Zone is undertaken by a network of Automatic Number Plate Recognition cameras.

The level of the PCN is £120 which is discounted to £60 if paid within 14 days of the date of service of the PCN which is deemed to be 2 working days after the date of posting. Additionally, the outstanding daily CAZ charge would need to be paid.

### **1.5 Representations**

Representations received by the Local Authority will be considered and the appellant

will receive a notification of the representation being upheld or refused within 56 days of the date of the representations being received by the Local Authority. If the Local Authority rejects the representation the appellant may submit an appeal with the independent adjudicator known as the Traffic Penalty Tribunal. Further details regarding the role of the adjudicator can be found at <https://www.trafficpenaltytribunal.gov.uk/>

## **1.6 Guidelines**

The guidelines set out in this document have been produced to inform members of the public who have received a Penalty Charge Notice (PCN) how we will review representations submitted in response to a PCN and aims to provide clarity, consistency and transparency throughout the enforcement process.

It is important to note that representations are assessed on individual merits and the circumstances presented to the Local Authority. The document only represents a foundation upon which representations will be considered and a PCN may be cancelled. If a motorist believes that they have grounds to make representations, the Local Authority would encourage them to submit their representations for review.

## **SECTION 2 - STATUTORY GROUNDS TO MAKE REPRESENTATIONS**

The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement)

(England) Regulations 2013 (SI No. 1783) (“the Regulations”) sets out the grounds under which representations can be made. Full details regarding the statutory grounds can be found at <https://www.legislation.gov.uk/ukxi/2013/1783/contents/made> and are summarised below.

MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS
<b>2.1 - The recipient was not the owner/keeper of the vehicle at the time it was used in the Clean Air Zone (CAZ)</b>	
<ul style="list-style-type: none"> <li>• If the DVLA confirms the motorist was not the registered keeper of the vehicle at the time the vehicle entered the CAZ.</li> <li>• If the previous registered keeper provides satisfactory evidence that the motorist purchased or acquired the vehicle after the vehicle entered the CAZ, or the subsequent registered keeper provides satisfactory evidence that the motorist sold or disposed of the vehicle before the vehicle was used in the CAZ; and/or</li> <li>• Is able to provide the full name and address of the person to whom they purchased the vehicle from or sold the vehicle to and the date of that purchase/sale.</li> </ul>	<ul style="list-style-type: none"> <li>• If the DVLA confirms the motorist was the registered keeper at the time the vehicle entered the CAZ.</li> <li>• If the previous registered keeper provides satisfactory evidence that the motorist purchased or acquired the vehicle before the vehicle entered the CAZ, or the subsequent registered keeper provides satisfactory evidence that the motorist sold or disposed of the vehicle after the vehicle entered in the CAZ.</li> </ul>
<b>2.2 - Where the current registered keeper claims that the vehicle was disposed of before the vehicle was used in the Clean Air Zone (CAZ)</b>	
<ul style="list-style-type: none"> <li>• If the current registered keeper is able to provide proof that the vehicle was disposed of before the contravention i.e. a bill of sale, registration documents, insurance documents or a letter from the DVLA; and/or</li> <li>• If the current registered keeper is able to provide the full name and address of the person to whom they transferred the vehicle and the date of that transfer.</li> </ul>	<ul style="list-style-type: none"> <li>• If the current registered keeper is unable to prove that they disposed of the vehicle before the contravention nor provide the name and address of the person to whom they transferred the vehicle to;</li> <li>• If the person named by the current registered keeper as the person to whom they disposed of the vehicle, either does not exist or is for some reason not considered to be genuine.</li> </ul>
<b>2.3 - Where the current registered keeper claims that the vehicle was purchased after the vehicle was used in CAZ</b>	
<ul style="list-style-type: none"> <li>• If the current registered keeper is able to provide proof that the vehicle was purchased after the contravention i.e. an invoice, registration document, insurance documents or a letter from the DVLA; and/or</li> <li>• If the current registered keeper is able to provide the full name and address of the person from whom they purchased the vehicle and the date of that purchase.</li> </ul>	<ul style="list-style-type: none"> <li>• If the current registered keeper is unable to prove that they purchased the vehicle after the contravention nor provide the name and address of the person from whom they bought the vehicle;</li> <li>• If the person named by the current registered keeper as the person to whom they purchased the vehicle, either does not exist or is for some reason not considered to be genuine.</li> </ul>
MAY ACCEPT REPRESENTATIONS	MAY REJECT REPRESENTATIONS

<p><b>2.4 - The vehicle was used in the Clean Air Zone (CAZ) by someone else without my knowledge or consent (i.e. the vehicle had been stolen and the crime reported to the police)</b></p>	
<ul style="list-style-type: none"> <li>• If the registered keeper provides a valid police crime report reference number to show that the vehicle had been stolen prior and during the period the vehicle was used in the CAZ.</li> </ul>	<ul style="list-style-type: none"> <li>• If the current registered keeper is unable to provide any proof of theft or taking without consent.</li> <li>• If the police crime report reference number provided does not exist, it does not match the date of the theft or taking without consent, or the details in the report do not match the date when the vehicle was used in the CAZ.</li> </ul>
<p><b>2.5 - Where the current registered keeper is a vehicle-hire firm and claims that a contracted third party was responsible for the vehicle at the time of the contravention</b></p>	
<ul style="list-style-type: none"> <li>• If the recipient of the Penalty Charge Notice (PCN) is a vehicle hire firm and the motor vehicle was hired out under a hire agreement on the date the vehicle was used in the Clean Air Zone (CAZ) and the hirer signed a statement of liability for any resulting road user charges or penalty charges, and the vehicle hire firm provides the name and address of the person to whom the motor vehicle was hired.</li> <li>• If the hire company are able to provide satisfactory evidence that the vehicle was hired at the time the vehicle was used in the CAZ, i.e. a signed agreement including the full name and address of the person to whom they hired the vehicle.</li> </ul>	<ul style="list-style-type: none"> <li>• If the hire company are unable to prove evidence that they hired out the vehicle on the date that the vehicle was used in the CAZ and/or do not provide the name and address of the person to whom they hired the vehicle.</li> <li>• If the vehicle was hired out for a period of less than 6 months without an agreement signed to accept responsibility for Penalty Charge Notices issued during the period of the hiring.</li> <li>• If the hire agreement does not contain all the required particulars, irrespective of whether the person who hired the vehicle can be identified.</li> </ul>
<p><b>MAY ACCEPT REPRESENTATIONS</b></p>	<p><b>MAY REJECT REPRESENTATIONS</b></p>

<b>2.6- The charge for using the vehicle in the Clean Air Zone was paid by obtaining a licence in time from the government pay site</b>	
<ul style="list-style-type: none"> <li>If it can be verified that the motorist had paid the Clean Air Zone charge due for the vehicle on the date, the time and in the manner required by the charging scheme.</li> </ul>	<ul style="list-style-type: none"> <li>If there is no evidence that the Clean Air Zone charge has been paid.</li> <li>If payment had been made but was outside of the designated charging period i.e. more than 6 days before or more than 6 days after entering the Clean Air Zone.</li> <li>Where only a partial payment has been made.</li> </ul>
<b>2.7- The charge did not apply to the vehicle (for example the vehicle met the applicable emissions standard, or an exemption applied</b>	
<ul style="list-style-type: none"> <li>If the motor vehicle is either a compliant vehicle or is an exempt vehicle under the charging scheme and therefore not liable to pay the Clean Air Zone charge.</li> </ul>	<ul style="list-style-type: none"> <li>Where the motorist cannot provide evidence that the vehicle is compliant or exempt.</li> </ul>
<b>2.8 - The Penalty Charge Notice (PCN) exceeded the relevant amount</b>	
<ul style="list-style-type: none"> <li>If the amount shown on the PCN is incorrect and does not reflect the penalty charge due for the vehicle being used in the Clean Air Zone.</li> </ul>	<ul style="list-style-type: none"> <li>If no evidence has been provided that the incorrect amount has been indicated on the PCN.</li> </ul>
<b>2.9- There has been a procedural impropriety on the part of the council</b>	
<ul style="list-style-type: none"> <li>A “Procedural impropriety” means a failure by the Council to observe any requirement imposed on it by the Transport Act 2000 and/or regulations in relation to the imposition or recovery of a penalty charge or other sums.</li> <li>Where it is established that the enforcement authority has taken any step, whether or not involving the service of a document and the purported service of a Charge Certificate, in advance of the time scale set out in the regulations.</li> </ul>	<ul style="list-style-type: none"> <li>If it is established that:- <ul style="list-style-type: none"> <li>➤ Legal requirements have been fully and correctly observed by the enforcement authority, or</li> <li>➤ The service of all documents has taken place in compliance with relevant time scales, or</li> <li>➤ A Penalty Charge Notice has not been served.</li> </ul> </li> </ul>
<b>2.10 – Other compelling reasons</b>	
<ul style="list-style-type: none"> <li>If there are other grounds other than those listed above (sections 2.1-2.9) which require the case to be assessed on its individual merits. The decision if a Penalty Charge Notice should be cancelled, will be taken following a very careful review taking into account all of the evidence available.</li> </ul> <p>Examples of what may be considered to be “compelling reasons” are set out in section 3 of this document.</p>	<ul style="list-style-type: none"> <li>If there are no other compelling grounds which require the case to be assessed on its individual merits. The decision if a Penalty Charge Notice should be cancelled, will be taken following a very careful review taking into account all of the evidence available</li> </ul>

**SECTION 3 – THERE ARE OTHER COMPELLING REASONS WHY THE PENALTY CHARGE NOTICE SHOULD BE CANCELLED.**

<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
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<b>3.1-The motorist was unable to pay within designated timeframe</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that they were unable to make the required payment within the designated timeframe for reasons which are beyond their control, for example: <ul style="list-style-type: none"> <li>➤ They were hospitalised immediately on or after their journey in the Clean Air Zone</li> <li>➤ There were physically prevented from making the required payment in the days after the journey in the Clean Air Zone.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide any evidence as to why they were unable to make the required payment on the date of travel or within 6 days thereafter.</li> </ul>
<b>3.2- The motorist tried to pay but the online payment portal was not working</b>	
<ul style="list-style-type: none"> <li>If evidence can be provided to show that a payment was attempted within the designated timeframe, but that the payment portal was not working due to a technical problem confirmed with the service provider and that there was no further time within the payment window to pay the charge.</li> </ul>	<ul style="list-style-type: none"> <li>If proof cannot be provided or there is no evidence to show that the Payment Portal was not working.</li> </ul>
<b>3.3- The motorists claims that they made an error when entering vehicle details when making payment via the online portal</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide proof of payment i.e. customer payment reference, receipt of payment email.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide proof of payment for the date the vehicle entered in the Clean Air Zone.</li> <li>If records show that the incorrect vehicle that had been paid for did enter the Clean Air Zone on the specified date.</li> </ul>
<b>3.4- The vehicle has a valid exemption</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that they have a valid exemption and that this has been entered on to the local/national register.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist cannot provide evidence of a valid exemption or it has not been entered on the local/national register.</li> </ul>
<b>3.5 - More than one Penalty Charge Notice (PCN) has been issued on the same day</b>	
<ul style="list-style-type: none"> <li>A PCN is payable for each charging day (this being the period of 24 hours from Midnight to Midnight). If two PCN's have been issued for the same vehicle in the same charging period one of the PCN's will be cancelled.</li> </ul>	<ul style="list-style-type: none"> <li>If the PCN's issued to the vehicle relates to different charging days (The period of 24 hours from Midnight to Midnight) both PCN's may be upheld.</li> </ul>
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<b>3.6 -Vehicle classified for use by a disabled person</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence to show that their vehicle is classified by the DVLA as modified for disabled use as per article 19 or 20 of the Vehicle Excise and Registration Act 1994 and it has been entered at the time on</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide evidence that their vehicle is classified as modified for disabled use as per article 19 or 20 of the Vehicle Excise and</li> </ul>



the national register.	Registration Act 1994 or the vehicle has not been entered on the national register.
<b>3.7-The vehicle is classified as an emergency service vehicle</b>	
<ul style="list-style-type: none"> <li>If the vehicle qualifies as an emergency service vehicle.</li> </ul>	<ul style="list-style-type: none"> <li>If the vehicle does not qualify as an emergency service vehicle.</li> </ul>
<b>3.8 -Community Transport Vehicles</b>	
<ul style="list-style-type: none"> <li>If the vehicle qualifies as a community transport vehicle and the particulars of the vehicle have been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the operator cannot demonstrate the vehicle is a qualifying Community Transport Vehicle and if the particulars of the vehicle have not been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>
<b>3.9 -Showman’s Guild vehicles</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that they are a member of the “Showman’s Guild” or other exempt organisation and that their vehicle has been adapted to enable them to undertake their work and that the vehicle has been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist cannot demonstrate that they are a member of the “Showman’s Guild” or other exempt organisation or cannot demonstrate that their vehicle has been adapted to enable them to undertake their work and if the particulars of the vehicle have not been entered on the local register granting an exemption from payment of the Clean Air Charge</li> </ul>
<b>3.10 - Vehicle is registered as an “historic vehicle”</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that their vehicle is classified as an “Historic vehicle” by the DVLA and the vehicle particulars have for the time being entered on the national register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide evidence that their vehicle is classified as an “historic vehicle” and if the particulars of the vehicle have not been entered on the national register granting an exemption from payment of the Clean Air Charge.</li> </ul>
<b>3.11- The vehicle is a vintage bus</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that their vehicle is a vintage bus and the vehicle particulars have been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide evidence that their vehicle is classified as a vintage bus and if the particulars of the vehicle have not been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<b>3.12- The vehicle is a motor caravan</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that their vehicle is a Class L vehicle, and the particulars of the vehicle are for the time being entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide evidence that their vehicle is classified as a motor caravan and if the particulars of the vehicle have not been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>

<b>3.13 - The vehicle is a wheelchair accessible taxi/private hire vehicle</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that their vehicle qualifies as a wheelchair-accessible taxi or private hire vehicle and appears on a list of vehicles maintained under section 167(1) of the Equality Act 2010 and for the time being entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide evidence that their vehicle is classified as a wheelchair-accessible taxi or private hire vehicle and if the particulars of the vehicle have not been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>
<b>3.14- The vehicle is being retrofitted and upgrade to comply with standards required</b>	
<ul style="list-style-type: none"> <li>Where an application for a vehicle to be retrofitted and a deposit has been paid for retrofitting and the vehicle has been registered on the National or Local register.</li> </ul>	<ul style="list-style-type: none"> <li>Where an application for the vehicle to be retrofitted as not been submitted and where a deposit has not been paid for retrofitting and if the particulars of the vehicle have not been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>
<b>3.15- The vehicle is exempt under the “Vehicle Excise and Registration Act 1994” i.e. the vehicle is and an agricultural or similar vehicle</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that their vehicle was being used as outlined under the “Vehicle Excise and Registration Act 1994” and the vehicle has been entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist cannot demonstrate their vehicle was being used as outlined under the “Vehicle Excise and Registration Act 1994” and is not listed on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>
<b>3.16- The vehicle is registered to a business address within the Clean Air Zone</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence that the vehicle is owned by a qualified business located within the Clean Air Zone and that it has been owned by the business on or before the 31/12/2021 and that will be kept at the business premises.</li> <li>The vehicle is for the time being entered on the local register granting an exemption from payment of the Clean Air Charge.</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to provide evidence that the vehicle is owned by a qualified business located within the Clean Air Zone and that it has been owned by the business on or before the 31/12/2021 and that will be kept at the business premises.</li> <li>The vehicle is not entered on the local register granting an exemption from payment of the Clean Air Charge</li> </ul>
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<b>3.17 - The vehicle is a commercial vehicle, private hire vehicle or taxi subject to a finance agreement</b>	
<ul style="list-style-type: none"> <li>If the motorist can supply evidence that the vehicle was on or before the 31/12/2021 entered into a contractual arrangement for either financing the purchase or leasing of that</li> </ul>	<ul style="list-style-type: none"> <li>If the motorist is unable to supply evidence that the vehicle was on or before the 31/12/2021 entered into a contractual arrangement for either</li> </ul>

<p>vehicle and that one or more payments are due on or after the date of the commencement of the CAZ scheme and that the vehicle is—</p> <ul style="list-style-type: none"> <li>➤ a commercial CAZ vehicle; or</li> <li>➤ a local taxi or local private hire vehicle</li> </ul> <ul style="list-style-type: none"> <li>• The vehicle is for the time being entered on the local register.</li> </ul>	<p>financing the purchase or leasing of that vehicle.</p> <ul style="list-style-type: none"> <li>• The vehicle is not for the time being entered on the local register.</li> </ul>
<p><b>3.18 -The vehicle has zero emissions</b></p>	
<ul style="list-style-type: none"> <li>• If the motorist can provide evidence that the vehicle has zero-emission as classified by the DVLA and can provide a copy of their V5.</li> </ul>	<ul style="list-style-type: none"> <li>• If the motorist cannot provide evidence that the vehicle has zero-emission as classified by the DVLA.</li> </ul>
<p><b>3.19 - The vehicle has had an Liquefied Petroleum Gas (LPG) conversion</b></p>	
<ul style="list-style-type: none"> <li>• If the motorist can provide evidence that their vehicle has been converted to LPG, via an approved conversion provider.</li> </ul>	<ul style="list-style-type: none"> <li>• If the motorist is unable to provide evidence that their vehicle has been converted to LPG.</li> </ul>
<p><b>MAY ACCEPT REPRESENTATIONS</b></p>	<p><b>MAY REJECT REPRESENTATIONS</b></p>
<p><b>3.20 -The incorrect vehicle registration number details have been entered onto the Penalty Charge Notice (PCN)</b></p>	
<ul style="list-style-type: none"> <li>• If there is evidence to show incorrect registration details have been printed on the PCN and it has been issued correctly.</li> </ul>	<ul style="list-style-type: none"> <li>• If the registration details on the PCN are correct.</li> </ul>
<p><b>3.21 -The vehicle had not entered the Clean Air Zone (CAZ) at the alleged time and on the date stated on the PCN</b></p>	
<ul style="list-style-type: none"> <li>• If the motorist can provide sufficient evidence to confirm that the vehicle cannot have been or</li> </ul>	<ul style="list-style-type: none"> <li>• If the motorist is unable to provide sufficient evidence to confirm that the</li> </ul>

was not at the location at the time when the vehicle was used in the CAZ.	<p>vehicle cannot have been or was not at the location at the time when the vehicle was used in the CAZ.</p> <ul style="list-style-type: none"> <li>If the evidence presented does not support the claim or is inconclusive.</li> </ul>
<b>3.22 -Signs were covered or obscured by snow or foliage</b>	
<ul style="list-style-type: none"> <li>If it can be established that such conditions prevailed, and it is likely that signs were obscured as claimed and there was no alternative indication of the restriction.</li> </ul>	<ul style="list-style-type: none"> <li>If it can be established that such conditions did not cause signs to be obscured as claimed.</li> <li>If photographic evidence directly contradicts the motorist's version of events.</li> <li>If any reasonable alternative indication of the restriction was available to the motorist.</li> </ul>
<b>3.23- The vehicle was diverted into the Clean Air Zone (CAZ) due to a traffic diversion and no other route was available</b>	
<ul style="list-style-type: none"> <li>Where the Council is satisfied, by the production of such evidence as it may reasonably require, that a vehicle has been used on one or more designated roads solely as a result of a traffic diversion.</li> </ul>	<ul style="list-style-type: none"> <li>If it can be established that no such diversion was present.</li> <li>If alternative routes were available at the time the diversion was in place.</li> </ul>
<b>3.24 -The vehicle number plate has been "cloned"</b>	
<ul style="list-style-type: none"> <li>If the motorist can provide evidence to show that the vehicle number plate has been 'cloned'. Evidence would need to include the crime reference number as reported to the Police, together with any other relevant evidence.</li> </ul>	<ul style="list-style-type: none"> <li>If evidence such as a crime reference number and other relevant evidence cannot be provided.</li> <li>If the police crime report reference number provided does not exist, or the details in the report do not match the details provided.</li> </ul>
<b>3.25 -Unaware of the existence of the Clean Air Zone (CAZ) or the CAZ boundary was not clearly signed</b>	
<ul style="list-style-type: none"> <li>If evidence shows that signs were missing or unclear.</li> <li>If signs were inconsistent with each other and/or the CAZ Order or legislation.</li> </ul>	<ul style="list-style-type: none"> <li>If site visit records or photographs establish that signs and/or markings were correct and consistent with each other and the CAZ Order, at the time the vehicle was used in the CAZ.</li> </ul>
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<b>3.26 -The vehicle unexpectedly entered the Clean Air Zone because of a medical emergency where urgent medical assistance was required</b>	
<ul style="list-style-type: none"> <li>Where evidence is supplied to substantiate the medical emergency which required urgent medical assistance such as at accident and emergency or maternity departments of the Royal Victoria Infirmary.</li> </ul>	<ul style="list-style-type: none"> <li>Where evidence is not supplied to substantiate the medical emergency which required urgent medical assistance such as at accident and emergency or maternity departments of the Royal Victoria Infirmary.</li> <li>Where the visit to the hospital was not a medical emergency or where the visit was for a scheduled appointment.</li> </ul>

<b>3.27 – The registered keeper who is liable for payment is now living aboard for a prolonged period</b>	
<ul style="list-style-type: none"> <li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason.</li> </ul>	<ul style="list-style-type: none"> <li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason.</li> </ul>
<b>3.28 – The registered keeper who is liable for payment is now in prison</b>	
<ul style="list-style-type: none"> <li>• If evidence is provided to confirm that the registered keeper is in prison.</li> <li>• Where there are other specific mitigating circumstances requiring the case to be assessed on its individual merits.</li> </ul>	<ul style="list-style-type: none"> <li>• If proof cannot be provided to confirm that the registered keeper is in prison.</li> </ul>
<b>3.29 – The motorist claims that they assumed the Clean Air Charge did not apply on a Bank Holiday or a Sunday</b>	
<ul style="list-style-type: none"> <li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason.</li> </ul>	<ul style="list-style-type: none"> <li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason.</li> </ul>
<b>3.30 - The recipient claims that the registered keeper liable for the payment of PCN has died</b>	
<ul style="list-style-type: none"> <li>• Where it can be shown that the registered keeper of the vehicle is deceased, and that this can be confirmed i.e. supplying a copy of a death certificate.</li> </ul>	<ul style="list-style-type: none"> <li>• If there is reason to doubt the representation or supporting evidence submitted.</li> </ul>
<b>MAY ACCEPT REPRESENTATIONS</b>	<b>MAY REJECT REPRESENTATIONS</b>
<b>3.31- Where the motorist was attending a church, temple, mosque or other religious establishment for a service or prayers</b>	
<ul style="list-style-type: none"> <li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason.</li> </ul>	<ul style="list-style-type: none"> <li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason.</li> </ul>
<b>3.32 – Where the motorist claims they were following satellite navigation advice</b>	

<ul style="list-style-type: none"><li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason.</li></ul>	<ul style="list-style-type: none"><li>• There are unlikely to be circumstances where the Penalty Charge Notice would be cancelled for this reason</li></ul>
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