3.29	Compassionate Reasons	13
3.30	Snow, foliage, covered or obscured the signs.	13
4		
4.A	I was not the Owner of the vehicle at the time it was used in the CAZ	14
4.B	The Charge did not apply to the vehicle (for example the vehicle met(()-2(em/ahic)3	8

1. INTRODUCTION

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

The Clean Air Zone (CAZ) is being introduced by Birmingham City Council to help reduce the

3. COMPELLING REASONS TO DISPUTE A PCN BY SUBMITTING REPRESENTATIONS WHERE DISCRETION MAY BE APPLIED:-

3.1 PAYMENT MADE VIA THE GOVERNMENT ON-LINE PORTAL (.GOV.UK)

MAY ACCEPT REPRESENTATION

If a payment is shown which is within 6 days in advance of the day of travel into the CAZ, on the day the vehicle is driven in the CAZ or in the 6 days after the day of travel into the CAZ.

If the motorist experienced problems when using the on-line portal due to a problem with the service provider.

Where there are other compelling reasons requiring the case to be assessed on its individual merits.

MAY REJECT REPRESENTATION

Where there is no evidence to show that the on-line payment portal had been used. Where the payment for license was made outside of the charging period If the card used to make the payment is declined and the charge was not paid within 6 days in advance of the day of travel into the CAZ, on the day the vehicle is driven in the CAZ or in the 6 days after the day of travel into the CAZ the licence will be void. Where the full amount for the charging day was not paid.

3.4	REGISTERED KEEPER LIABLE FOR PAYMENT IS NOW LIVING ABROAD FOR A PROLONGED PERIOD	

3.12 UNMARKED EMERGENCY VEHICLE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the vehicle qualifies as an emergency service vehicle and the particulars of the vehicle have for the time being entered in the local register.	If the vehicle does not qualify as an emergency vehicle or the vehicle has not been entered on the local register.

3.13 HACKNEY CARRIAGE VEHICLE EXEMPT FROM CAZ CHARGE

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where there has been an application for a Hackney carriage vehicle to be retrofitted and a deposit has been paid and the vehicle has	Where there has not been an application for a Hackney carriage vehicle to be retrofitted.
been entered on the local register.	Where there has been an application for a
Where the Hackney carriage vehicle has	Hackney carriage vehicle to be retrofitted but
been retrofitted and the DVLA registration has been amended and has been entered on	a deposit has not been paid.
the National register.	Where there has been an application for a
Where there are other compelling reasons	Hackney carriage vehicle to be retrofitted and
requiring the case to be assessed on its	a deposit has been paid but the vehicle has
individual merits.	not been entered on the local register.

3.14 COM63.84R1u(I-5(IOY T50.6e289.36 602.98 231.74 0.48 re84 re 0 1 494.52 491.44 Tm0 G[)]TJETQq28

3.20 VEHICLE IS A MEMBER OF THE "SHOWMAN'S GUILD" OR OTHER EXEMPT ORGANISATION

MAY ACCEPT REPRESENTATION

MAY REJECT REPRESENTATION

If the motorist can demonstrate that they are a exempt organisation and their vehicle has

3.24 VEHICLE IS EXEMPT UNDER THE "VEHICLE EXCISE AND REGISTRATION ACT 1994"

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist can demonstrate that their vehicle was being used as outlined under the	If the motorist cannot demonstrate their vehicle was being used as outlined under the
Where there are other compelling reasons requiring the case to be assessed on its individual merits.	

3.25 VEHICLE IS REGISTERED AS AN "HISTORIC VEHICLE"

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION

If the motorist can demonstrate their vehicle is classified as an

3.28 REGISTERED KEEPER IS DECEASED

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
Where it is demonstrated that the registered keep is deceased and the circumstances can be confirmed i.e. copy of a death certificate. Where there are other compelling reasons requiring the case to be assessed on its individual merits.	If there is reason to doubt the representation or evidence submitted in support.

3.29 COMPASSIONATE REASONS

MAY ACCEPT REPRESENTATION	MAY REJECT REPRESENTATION
If the motorist provides satisfactory evidence that may give reason for discretion to be applied on compassionate grounds. Where there are other compelling reasons requiring the case to be assessed on its individual merits.	If there is reason to doubt the representation.

3.30 SNOW, FOLIAGE, COVERED OR OBSCURED THE SIGNS

MAY ACCEPT REPRESENTATION

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. Where there are other compelling reasons requiring the case to be assessed on its individual merits.

MAY REJECT REPRESENTATION

If it can be established that such conditions did not cause signs to be obscured as claimed.

If photographic evidence directly contradicts

4. STATUTORY GROUNDS TO MAKE REPRESENTATIONS

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

4.D THE VEHICLE WAS USED IN THE CAZ BY SOMEONE ELSE WITHOUT MY KNOWLEDGE OR CONSENT (I.E. THE VEHICLE HAD BEEN STOLEN AND THE CRIME REPORTED TO THE POLICE)

MAY ACCEPT REPRESENTATION

MAY REJECT REPRESENTATION

If the vehicle was used in the CAZ by a person who was in control of the motor vehicle at the time without the consent of the registered keeper, and the registered keeper provides the name and address of the person who used the motor vehicle in the CAZ without his/her

4.F. THE COUNCIL HAS MADE A PROCEDURAL ERROR WHEN DEALING WITH MY CASE OR THE PCN

MAY ACCEPT REPRESENTATION MAY REJECT REPRESENTATION