

Claim Form

Claimant

PARKING CONTROL MANAGEMENT
(UK) LIMITED
THE COURTYARD
1A CRANBOURNE ROAD
SLOUGH
BERKS
SL1 2XF

Address for sending documents and payments (if different)

GLADSTONES SOLICITORS LIMITED
THE TERRACE, HIGH LEGH PARK
WARRINGTON ROAD, HIGH LEGH
WA16 6AA

Defendant

Particulars of Claim

The driver of the vehicle registration
(the 'Vehicle') incurred the parking
charge(s) on [redacted] or breaching the terms of parking
on the land at [redacted].
The Defendant was driving the Vehicle and/or
is the Keeper of the Vehicle.

AND THE CLAIMANT CLAIMS

£[redacted] for Parking Charges / Damages and
indemnity costs if applicable, together with
interest of £24.51 pursuant to s69 of the
County Courts Act 1984 at 8% pa, continuing
to Judgment at £0.11 per day.

The Claimant believes that the facts stated in this claim form
are true and I am duly authorised by the claimant to sign this
statement

Signed Jamie William Ashford

(Claimant's Legal Representative)

In the
COUNTY COURT BUSINESS CENTRE

Claim No.

Issue Date

Court Address

7372

COUNTY COURT BUSINESS CENTRE
4TH FLOOR ST KATHARINE'S HOUSE
21-27 ST KATHARINE'S STREET
NORTHAMPTON
NN1 2LH

Court telephone number:
0300 123 1056

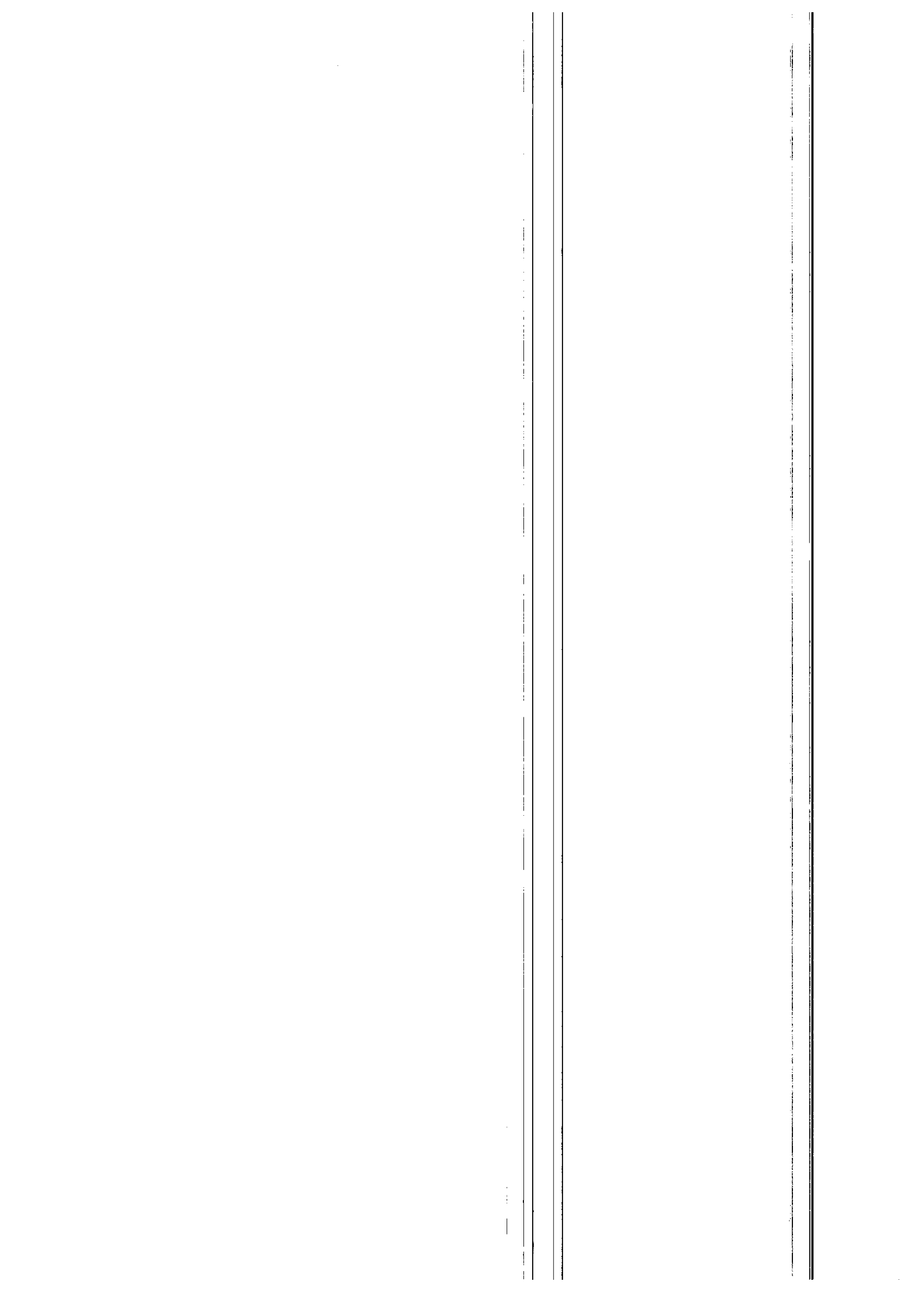


Defendant

Important Note

- You have a limited time in which to reply to this claim form
- Please read all the guidance notes on the back of this form - they set out the time limits and tell you what you can do about the claim
- You can respond to this claim online. Log on to www.moneyclaim.gov.uk
- You will need the claim number (see above) and the following password qDV4kpeC

	£
Amount claimed	502.39
Court fee	60.00
Legal representative's costs	70.00
Total amount	632.39





Parking Control Management (UK) Ltd
 Telephone 0845 8679445

The vehicle is parked in a manner whereby the driver is liable to pay £100 as stated on the signage throughout the area.

(PCN) number:

For the following reason:

Operative PM051 has identified this vehicle parked in a manner which attracts a Parking Charge as brought to the drivers attention by the signage throughout the site.

Reason for issue:

Parked within a restricted area.

At site name:

Notice issued at: on:

Vehicle Registration:
 Make: Ford Colour:

A charge of £100.00 is now due (28 days).

A discounted amount of £60.00 will be accepted for early payments (14 days).

Please see the reverse of this notice for further payment information.

Photographic evidence can be viewed online at: www.paymypcn-uk.co.uk

or by using the QR barcode below:
 (service normally available within 24 hours of the PCN issue time):



registered post.

Parking Charge Notice (PCN) issued by Parking Control Management (UK) Ltd (PCM)

The charge has not been paid in full and is the liability of the driver.

How to Pay

This charge must be paid within 28 days beginning with the day after this notice is issued. If it is paid within 14 days of issue then a discounted amount of £60 will be accepted. If it remains unpaid after 28 days we may request registered keeper details from the DVLA so that this charge can be enforced.

Pay Online/View Evidence

www.paymypcn-uk.co.uk (NB. Please allow 24 hours after issue of PCN)
Payment by credit card incurs a £5.00 admin fee / debit card no admin fee payable.

Pay by Telephone

(NB. Please allow 24 hours after issue of PCN)
Please call 0845 867 9445 and follow the prompts, payments by telephone (automated service) incur an admin fee of £1.00

Pay by Post

Make your cheque or postal order payable to Parking Control Management (UK) Ltd (write the notice number and vehicle registration number shown overleaf on the reverse to avoid error). Complete the slip below and attach it to your cheque or postal order (DO NOT SEND CASH) to Parking Control Management (UK) Ltd, The Courtyard 1a, Cranbourne Road, Slough, Berks. SL1 2XF.

How to Appeal

Appeals must be made in writing via an online web form at www.paymypcn-uk.co.uk or by post to The Courtyard 1a, Cranbourne Road, Slough, Berks. SL1 2XF.

If you wish to appeal against this PCN, you must submit your appeal within 28 days of issue. If your appeal is submitted within 14 days of imposition, the offer to pay at the reduced rate will be preserved and if your appeal is subsequently rejected, you will be offered a further 14 days from the date of rejection to pay at the reduced rate, after which the full amount will be payable. Decisions to accept or reject appeals are based upon the information supplied. All appeals received are responded to. If you do not receive a response in 14 days please contact 01753 512603. **DO NOT assume an appeal is successful if no response is received.**

The Independent Appeals Service (www.theIAS.org) provides an Alternative Dispute Resolution scheme for disputes of this type. We will engage with the IAS Standard Appeals Service providing you comply with our internal appeals procedure as detailed herein and that thereafter you lodge an appeal to the IAS within 21 days of rejection.

How to Complain

If you wish to challenge the validity of this charge then you must use the appeals procedure detailed above. Other issues can be dealt with under the complaints procedure.

If you wish to complain, you must complain to us directly in the first instance by writing to The Courtyard, 1A Cranbourne Road, Slough, Berkshire, SL1 2XF. If you are not satisfied with our response, then you may refer your complaint to the Independent Parking Committee. Further details can be found at www.theipc.info

Data Protection

PCM will use any data collected through the issuing of this PCN for parking enforcement and other associated purposes. All processing of this data will be in accordance with the Data Protection Act 1998.

Charges are inclusive of VAT where applicable
Parking Control Management Ltd,
VAT Number 812 960 238 - Registered in England and Wales 4395994.

Please complete details below before returning the slip with your payment.

You must provide the parking charge notice number or a copy of the PCN ticket with your payment.

Parking Charge Notice Number _____

Name: Mr/Mrs/Miss/Ms _____

Address _____

Post Code _____

Daytime Telephone Number _____

Paid By: Cash

Paying by Cheque or Postal Order

You may pay by cash if you wish, however we strongly recommend the use of other forms of payment. If paying by cash please ensure you send by registered post.

Parking Control Management
The Courtyard
1A Cranbourne Road
Slough
SL1 2XF
Tel: 01753 512603



PCN number:
Vehicle registration:
PCN issued on:

Parked in:

Dear Mr

Thank you for your correspondence regarding the above Parking Charge Notice (PCN). I have considered your case carefully and have decided to reject your appeal on the following grounds;

Parking Control Management are contracted to manage the parking within this area and the Parking Charge Notice (PCN) has been issued in accordance with this parking management scheme.

This site is private land and is managed and operated by Parking Control Management. The Parking Charge Notice (PCN) has been issued in accordance with this parking management scheme. The signage in the area is clear and informs motorists of the contractual obligations you agree to by parking in this area. By parking in this manner, you agree to pay the stated charge.



The restrictions require that a vehicle is parked in the designated parking area only. Parking is not permitted on access roads, grass verges, areas marked with cross hatched markings or areas in which parking is not designated. No vehicles can park in this position regardless of the circumstance, if the driver was unable to park inside a bay displaying a permit the alternative unrestricted parking should have been found.

Parking Control Management (UK) Ltd are under no obligation to provide evidence of a contract between ourselves and the Landowner as you are not party to this agreement. In this regard I refer to (and rely) on the decisions in the following two cases;

ParkingEye v Beavis (CA 2015), in particular LJ Moore-Bick's comments at para 29:

"In the course of argument a good deal of reliance was placed on ParkingEye's contract with the Pension Fund, under which it received no revenue from its operation of the car park if motorists adhered to the terms of the license ... In my view the terms on which ParkingEye chose to contract with the Pension Fund are irrelevant"
VCS v HM Revenue & Customs (2013), in particular Lord Justice Lewison's verdict at paras 21-22:

"There is no legal impediment to my contracting to sell you Buckingham Palace. If (inevitably) I fail to honour my contract then I can be sued for damages ... On the stock market it is commonplace for traders to sell short; in other words to sell shares that they do not own in the hope of buying them later at a lower price. In order to perform the contract the trader will have to acquire the required number of shares after the contract of sale is

Parking Control Management
The Courtyard
1A Cranbourne Road
Slough
SL1 2XF
Tel: 01753 512603



made." Both of the above cases make it abundantly clear that the relationship between the Landowner and the parking operator is not relevant to the relationship between the parking operator and the motorist.

The cancellation provisions that you refer to under the Consumer Contracts (Information, Cancellation and Additional Payments) Regulations do not apply to this contract."

You now have a number of options:

1. Pay the Parking Charge Notice at the discounted amount of £60.00 within 14 days. Please note that after this time, you will be liable for the full charge of £100.00.

Payment can be made:

- Online, by visiting www.paymypcn-uk.co.uk
- By phone, calling **0845 867 9445**. Please have your credit/debit card details and the information in this letter to hand.
- By post, sending a cheque or postal order made payable to **Parking Control Management (UK) Ltd** to the address at the top of this letter.

2. If you believe this decision is incorrect, the Independent Appeals Service (www.theias.org) provides an Alternative Dispute Resolution scheme for disputes of this type. As you have complied with our internal appeals procedure you may use, and we will engage with, the IAS Standard Appeals Service providing you lodge an appeal to them within 21 days of this rejection. For further information please visit www.theias.org.

If you decide to use the independent appeals service, the offer of a discount for early payment will be withdrawn, and the full parking charge of £100.00 will apply if your appeal is rejected. Please note that the independent adjudicator is unable to cancel a charge on grounds of mitigation and the decision will be based on facts and evidence only.

If you choose to do nothing, we will seek to recover the monies owed to us via our debt recovery procedures and may proceed with Court action against you.

Yours sincerely,
PCM Appeals Team



Date of posting of this notice :
Date this notice is given :

Re: Postal Notification of Parking Charge

To : this notice is given to you in line with Schedule 4 of the Protection of Freedoms Act 2012, because the DVLA record shows that [redacted] was the registered keeper of the above vehicle on [redacted] when this vehicle was parked in a manner whereby the driver agreed to pay a charge: "Parked within a restricted area." - The signage in the area is clear and concise.

The above incident took place in the following Parking Control Management UK Ltd (PCM) managed parking area: [redacted] on [redacted]

The driver of the vehicle on the above date, now has 28 days to pay the parking charge of £100.00. A discounted amount of £60.00 will be accepted as full settlement if payment is received by us not later than the last day of the period of 14 days beginning with the day after the date on which this postal notification of parking charge is given. We do not know the name and current address of the driver of the vehicle.

Under the Protection of Freedoms Act, Schedule 4, you are now required to do one of the following, by not later than the last day of the period of 28 days beginning with the day after the date on which this postal notification of parking charge is given:

- o Pay the outstanding amount outlined to the right, if you were the driver of the vehicle. OR:
- o If you were not the driver, provide us with the full name of the driver of the vehicle and their current address where a notice can be served on them. (You are also required to pass this notice to the driver.)

If, at the end of the period of 28 days beginning with the day after the date on which this postal notification of parking charge is given, you have not complied with the above, then your company (as registered keeper of the vehicle) will become liable for the charge and we have the right to take recovery action against your company.

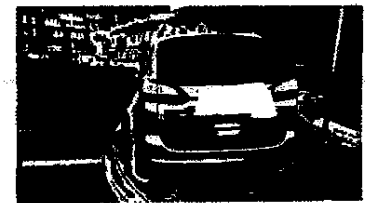
Please see below for information on how to pay. See the reverse of this notice for information on how to supply the driver details / or make representations against this notice.

PCM as agent of the landowner, has the right to seek payment of this parking charge.

Parking Charge Details

Parking Charge Notice (PCN) Number:
Vehicle Registration:
Make:
Colour:
Date PCN was issued:

Photographic Evidence



Parking Charge Summary

Parking Charge Amount: £100.00
Amount Paid to Date: £0.00
Total Now Due: £60.00

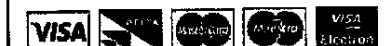
Payment options and instructions can be found overleaf.

Secure Instant Payments

Instant secure payment can be made for this Parking Charge using one of the following methods:

Phone by calling 0845 867 9445

Online at www.paymypcn-uk.co.uk



Please note additional charges are applicable if paying by phone or using a credit card, see reverse for details.

PAYMENT SLIP

If payment is made by post please see the reverse of this form for further details and detach this slip. **DO NOT SEND CASH IN THE POST.**

RETURN TO:
Parking Control Management (UK) Ltd
The Courtyard, 1A Cranbourne Road,
Slough, Berks SL1 2XF

Vehicle Registration: [redacted]
Parking Charge Notice (PCN) Number: [redacted]
Date PCN was issued: [redacted]

I enclose a cheque/postal order for the amount of [redacted] made payable to Parking Control Management (UK) Ltd.





GE Energy UK Ltd - 6241 - WEA AGS Stafford
 Krysia Purnell, Alstom
 St Leonards Avenue
 Stafford
 Staffordshire
 ST17 4LX

ALD Ref. 2624/66

20/10/2016

Dear Sir / Madam

Parking charge notice: PM10517353
Vehicle Registration: LC65TXJ
Date and time of Event: 10/10/2016 17:55:00
Notice Date: 13/10/2016

Please find attached a copy of a parking charge notice we have received in relation to your vehicle, we have made representation to the Parking Operator advising them that the vehicle is in your possession.

The purpose of this letter is to give you advance notice that we have made a representation to the Parking Operator thus allowing you time to review the details. The Parking Operator should now re-issue the parking charge notice to you for payment or appeal.

Should you have any queries please do not hesitate to contact a member of our team, who will be happy to help with any questions you may have.

Yours faithfully

Maintenance Administration

Tel:- 0117 9086399
Fax:- 0117 9086231
Email:- maintenance.admin@aldautomotive.com



Oakwood Park
 Lodge Causeway
 Bristol BS16 3JA
 United Kingdom

Tel: +44 (0)117 908 2000
 Fax: +44 (0)117 908 9000
 www.aldautomotive.co.uk
 www.socgen.com

Co. Reg. No. 987418 England
 Reg. office: Oakwood Park
 Fishponds Lodge Causeway
 Bristol BS16 3JA UK



SOCIETE GENERALE GROUP

ALD Automotive Ltd is incorporated in the UK and authorised and regulated by the Financial Conduct Authority. We may monitor or record any communication between you and ALD Automotive for quality control and training purposes.



GLADSTONES
—SOLICITORS—

Our Reference:

Re: Our Client: Parking Control Management (UK) Limited
Amount Due:

Thank you for your correspondence.

Our client relies on the case of *ParkingEye v Beavis* 2015. In that case it was accepted as an established principle that a valid contract can be made by an offer in the form of the terms and conditions set out on the sign and accepted by the driver's actions as prescribed therein.

The signs on the Land are clear and unambiguous. By parking in the manner in which you did, the charge was properly incurred.

As the contract is between you and our client, our client does have the authority to enforce parking charges. Both *VCS v HM Revenue & Customs* (2013) and *Parking Eye v Beavis* (CA 2015) made it clear that a contracting party need not show they have a right to do what they have promised in the performance of any other contract, nor is (in the case of a parking operator) the agreement between Operator and Landowner of any relevance. In any event, and without concession, our client did have authority from the landowner to operate on the land.

The charge sought is industry standard and is set at a rate so as to suitably satisfy our client's legitimate interest. In the case of *ParkingEye v Beavis* 2015 it was held that an £85.00 charge was neither extravagant nor unconscionable. The Accredited Trade Associations of which parking operators must be a member in order to apply for DVLA data prescribe a maximum charge of £100. Our client's charges are within this level. The charge is not therefore excessive.

The decision of the Supreme Court also made it clear that the charges are not penal nor do they have to be reflective of the parking operator's loss. Furthermore, they are they are entitled to be at a level that provides a deterrent effect.

As you did not pay the charge within the 28 days allowed you are in breach of contract. Breach of contract entitles the innocent party to damages as of right in addition to the parking charge incurred. As you didn't pay the charge the matter was passed to us and the debt has, as a result of this referral risen as our client's staff have spent time and material facilitating the recovery of this debt. This time could have been better spent on other elements of their business. Our client believes the costs associated with such time spent were incurred naturally as a direct result of your breach and as such claims them as a

17/02/2017



GLADSTONES
SOLICITORS

Reference:

To make a payment to TRACE
call 03300 080 477.
Please Quote: 100201912

Claimant: Parking Control Management UK Limited
Total Amount Outstanding:
Vehicle Registration:

You have previously been written to by TRACE Debt Recovery UK Limited ('TRACE') on behalf of Parking Control Management UK Limited requesting settlement of your outstanding parking charge(s). You did not pay, nor did you present a satisfactory reason as to why you weren't paying the debt.

As all other attempts have failed, our client may now instruct us to take legal action against you. To prevent such action, we invite you to make payment to TRACE immediately.

In order to avoid any further action, you should pay the full amount outstanding of £160 within 14 days of this letter.

You can make payment to TRACE online at www.tracerecovery.co.uk or by calling their secure payment line: 03300 080 477. If you are having difficulty making payment or for additional payment options, please call the payment helpline: 01604 968 123.

Please note: The additional costs associated with issuing a claim and the subsequent potential enforcement action is likely to increase the debt. This may further increase if the claim is defended.

It is important that you understand that if a judgment or decree is registered against you then this could seriously affect your chances of obtaining credit in the future.

If you are unsure about anything contained within this letter, you should seek advice from a solicitor or contact one of the following organisations who may be able to help you:

- National Debtline, Tricorn House, 51-53 Hagley Road, Edgbaston, Birmingham, B16 8TP, 0808 808 4000, www.nationaldebtline.co.uk
- Consumer Credit Counselling Service, 0800 138 1111, www.cccs.co.uk
- Citizens Advice, Check your local Yellow Pages or Thomson local directory for address and telephone, www.citizensadvice.org.uk
- Community Legal Advice (formerly Community Legal Services Direct), 0845 345 4345, www.clsdirect.org.uk

Yours Faithfully

Gladstones Solicitors

www.gsicollections.com
Gladstones Solicitors Ltd, Registered in England and Wales (07535449).
Authorised and regulated by the Solicitors Regulation Authority (559050).

Gladstones Solicitors
1 The Stables, Red Cow Yard,
Knutsford, Cheshire, WA16 6DG.



GLADSTONES
SOLICITORS

TO PAY CALL GLADSTONES
SOLICITORS LIMITED ON
0333 0230 049

Our Reference:

Final Reminder

Re: Our Client :
Amount Due:
Vehicle Reg:

We have previously written to you requesting settlement of a parking charge. As you will already know, due to the absence of payment or a valid appeal against the charge, we are instructed to recover the total amount due to our client as shown above.

As you have not either made payment or contacted us in respect of the charge, we may now be instructed to issue legal proceedings against you in the County Court. To prevent such action, we invite you to make payment immediately or contact us confirming your proposals in respect of this debt.

In order to avoid any further action you should pay the full amount outstanding within 7 days of this letter. You can make payment online at www.gstcollections.com or by calling 0333 0230 049.

Please note: The additional costs associated with issuing a claim and the subsequent potential enforcement action could be as follows (these figures are for illustration purposes only and would only apply in the event of Judgment being obtained and subsequently enforced).

Claim Issue Fee:	£25
Solicitor's Costs for issue of claim:	£50
Judgment Costs:	£25
Warrant Issue Fee:	£100
Solicitor's costs for issue of Warrant:	£2.25
Total Additional Costs:	£202.25

It is important that you understand that if a judgment is registered against you then this could seriously affect your chances of obtaining credit in the future as this information can be made available to any interested parties via the Register of Judgments, Orders and Fines, and will remain there for 6 years.

If you are unsure about anything contained within this letter, you should seek advice from a solicitor or contact one of the following organisations who may be able to help you:

National Debtline, Tricorn House, 51-53 Hagley Road, Edgbaston, Birmingham, B16 8TP, 0808 808 4000, www.nationaldebtline.co.uk; **Consumer Credit Counselling Service**, 0800 138 1111, www.cccs.co.uk; **Citizens Advice**, Check your local Yellow Pages or Thomson local directory for address and telephone, www.citizensadvice.org.uk; **Community Legal Advice** (formerly Community Legal Services Direct), 0845 345 4345, www.clsdirect.org.uk

Yours sincerely, Gladstones Solicitors

www.gstcollections.com
Gladstones Solicitors Ltd, Registered in England and Wales (07535449).
Authorised and regulated by the Solicitors Regulation Authority (559050).

Gladstones Solicitors
The Terrace, High Legh Park Golf Club,
Warrington Road, Knutsford, Cheshire,
WA16 6AA. Tel 01565 655470



GLADSTONES
SOLICITORS

TO PAY CALL GLADSTONES
SOLICITORS LIMITED ON
0333 0230 049

Our Reference:

Re : Our Client : Parking Control Management (UK) Limited
Amount Due :
Vehicle Registration:

You have previously been written to requesting settlement of a parking charge. Due to the absence of payment or a valid appeal against the charge, our client has instructed us to recover the total amount due to them as shown above.

As all other attempts have failed, our client may now instruct us to take legal action against you in the County Court. To prevent such action, we invite you to make payment immediately or confirm to us in writing your proposals in respect of this debt.

In order to avoid any further action you should pay the full amount outstanding within 14 days of this letter.

You can make payment online at www.gsicollections.com or by calling 0333 0230 049.

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WA16 6AA. Tel 01565 655470



GLADSTONES
SOLICITORS

TO PAY CALL GLADSTONES
SOLICITORS LIMITED ON
0333 0230 049

Our Reference: :

LETTER BEFORE CLAIM

Re : Our Client : Parking Control Management (Uk) Limited
Amount Due:
Vehicle Reg:

We act on behalf of the Claimant and we have now been instructed to commence legal action against you to recover the amount due above, as you have failed to settle the debts that are owing, or provide a valid reason for non-payment. We understand that our client has written to you to request payment but the amounts are still outstanding.

PCN Number	Date of Charge	Location	Charge Amount

The debts relate to parking charges (detailed above) for which you are liable. Full details of the charges have previously been provided to you within the Parking Charge Notices and/or Notices to Driver/Keeper that have been served upon you. The Claimant will rely on these documents in the forthcoming action against you.

We refer you to the Practice Direction for Pre-Action Conduct under the Civil Procedure Rules and in particular paragraph 13-16 of the same which concerns the Court's powers to impose sanctions for any failure to comply.

We now require you to pay the full amount within 14 days. Alternatively, you should provide an acknowledgement of receipt of this letter and a full written response within 14 days. Your response should provide your full account of the circumstances that have led to the charges being imposed and should include confirmation as to who the driver(s) of the vehicle were at the time of each incident and a current address for service for each driver. Unless a satisfactory response is provided, we are instructed to start proceedings against you without any further notice in order to recover the amounts due and costs associated with the recovery of them. The amount that is claimed may therefore increase in terms of costs and any interest that is recoverable.

If you are unsure about anything contained within this letter, you should seek advice from a solicitor or contact one of the following organisations who may be able to help you; **National Debtline**, Tricorn House, 51-53 Hagley Road, Edgbaston, Birmingham, B16 8TP, 0808 808 4000, www.nationaldebtline.co.uk; **Consumer Credit Counselling Service**, 0800 138 1111, www.cccs.co.uk; **Citizens Advice**, Check your local Yellow Pages or Thomson local directory for address and telephone, www.citizensadvice.org.uk; **Community Legal Advice** (formerly Community Legal Services Direct), 0845 345 4345, www.clsdirect.org.uk.

Yours Sincerely
Gladstones Solicitors

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Gladstones Solicitors
The Terrace, High Legh Park Golf Club,
Warrington Road, Knutsford, Cheshire,
WA16 6AA. Tel 01565 655470

17/02/2017



GLADSTONES
SOLICITORS

Reference:

To make a payment to TRACE
call 03300 080 477.
Please Quote: 100202431

Claimant: Parking Control Management UK Limited
Total Amount Outstanding:
Vehicle Registration:

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- Community Legal Advice (formerly Community Legal Services Direct), 0845 345 4345, www.clsdirect.org.uk

Yours Faithfully

Gladstones Solicitors