

Simple action 1

Penalty charge notice a draft redesign

The Simplification Centre is a not-for-profit organisation that helps to make information clearer. Our Simple Actions bring together volunteer designers and writers to tackle communication problems no one appears to own.

The idea is to demonstrate how much better things can be, and to provide models of good practice.

You can find out more about this activity, and others, on our website:

www.simplificationcentre.org.uk

This Simple Action was developed by Rob Waller.

BOROUGH OF MANTON
PENALTY CHARGE NOTICE
Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005

Date of Detection: 24/11/2008

Vehicle Registration Number: E300H8X
Penalty Charge Number: RG80506710

Date of this Notice: 03 Dec 2008

DO NOT IGNORE THIS NOTICE

Manton Borough Council believes that a Penalty Charge is payable with respect to the above vehicle, for the following alleged contravention:
Being in a Bus Lane (as defined in S.14(4)(b) Transport Act 2000).
The vehicle was seen in (Place) STATION APPROACH (WEST TO EAST) at 11:19:22 on 24/11/2008. The alleged contravention was noted at the time by Camera Operator RG175. The alleged contravention is supported by video evidence.

You must either pay the Penalty Charge Notice or make representations to the Council by 07/01/2009. Pay the Penalty Charge of £40 by 07/01/2009. If payment of the Penalty Charge is received by the Council within 14 days of the service of this notice a reduced amount of £30 is payable.

If you believe you have valid reasons, you can make representations against paying the Penalty Charge. The Grounds on which you can make representations are set out overleaf. Any representations made outside this 28 day period may be disregarded by the Council.

IF YOU DO NEITHER OF THESE THINGS WITHIN 28 DAYS FROM THE DATE OF SERVICE OF THIS NOTICE, THE COUNCIL WILL SERVE A CHARGE CERTIFICATE INCREASING THE PENALTY BY 50% TO £60. AT THAT STAGE IT WOULD BE TOO LATE TO MAKE REPRESENTATIONS.

PAYMENT SLIP

PENALTY CHARGE NOTICE NUMBER: RG80506710
DATE OF NOTICE: 03 Dec 2008
VEHICLE REGISTRATION NUMBER: E300H8X

RETURN ADDRESS
TO: Manton Borough Council BL
PO Box 4449
Worthing
BN11 9FB

Please detach the bottom part of this slip and return it with your payment to the address shown.

Card Number: _____
Amount £: _____
Issue Date: _____ Expiry Date: _____
Issue Number: _____ Name of Cardholder: _____
Cardholders Address: _____ Postcode: _____
Signature of Cardholder: _____

If payment is made by post please detach this slip, complete the details above and return it with your payment to the address shown.
If you require a receipt please tick the box. A stamped SAC must be enclosed.

BOROUGH OF MANTON
**Bus Lane
Penalty Charge Notice**

This is an important notice. Do not ignore it. You must either pay the penalty charge or challenge it by 05 September 2013.

This Penalty Charge Notice is issued under the Bus Lane Contraventions (Penalty Charges, Adjudication & Enforcement) (England) Regulations 2005.

Notice date: 06 August 2013
Reference: MN1234567

Mr Andrew Sample
12 Acacia Avenue
Manton MN3 6XY

Your car was photographed in a bus lane

Date of photo: 03 August 2013
Time: 12.33
Vehicle: AB51THY
Place: Station Approach
Evidence: Video signature MN175
You are entitled to view this. Write to Manton Borough Council or phone us on 01243 5000 000.

The penalty

£30 If you pay by 22 Aug 2013	£60 If you pay by 05 Sept 2013	£90 If you pay later.
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How to challenge

If you wish to challenge, see the back of this form for instructions. You must contact us by 17.30 (5.30pm) on **05 September 2013**. You will not have to pay the penalty whilst we consider your appeal. If we refuse your challenge we will give you a new date by which you will need to pay the penalty.

How to pay

Notice date: 06 August 2013
Reference: MN1234567

By phone
Call 0845 1234567 with your credit or debit card details.

In person
You can pay by cash, cheque or card at the Civic Offices, Manton 9.30-5.30, Sat 9.30-1.00.

Online
<https://secure.manton.gov.uk/parking/>

By post
Send this slip with a cheque paid to Manton Borough Council or enter your card details here. Send a stamped address envelope if you need a receipt.

Manton Borough Council
PO Box 2323
Worthing
BN11 9XY

Name on Card: _____
Card number: _____
Start date: _____ Expiry date: _____
Issue number: _____
Address: _____
Signature of cardholder: _____

Assuming you are foolish or flustered enough to stray into a bus lane, which of these notices would you prefer to receive in the mail? Which would get you to the next step fastest: paying the penalty charge, or challenging on solid grounds?

Or, if you are a local authority, which one would be the most efficient, reduce the most enquiries and groundless appeals, and best represent your values?

We've used a real notice for this exercise, but have disguised the name of the local authority. This exercise was done in 2011 and current notices may look different.

The original

If you've ever strayed into a bus lane, you may have received something like this in the post. You were probably unaware of your mistake, so this will have come as an unpleasant surprise.

The document has one merit at least – alarm bells ring when you open the envelope. It doesn't look like an everyday document you have seen before, and so know how to approach. Instead, everything competes for your attention, and you have to move around the page assembling your understanding of the situation piece by piece.

Documents like this have often evolved over time, with new information added from time to time – for example, when the regulations change, or to cope with an operational problem.

- **Everything competes for our attention**, using bold type, capital letters, and black backgrounds – including some things that are not very important, such as some of the headings highlighted in the payment slip.
- **The 'story' is hidden**. What has happened? What happens next?
- The language uses **technical jargon**, taken directly from the relevant government regulations:
 - 'The council will serve a charge certificate...'
 - 'You can make representations...'
 - 'The alleged contravention'
- It includes a number of features known to detract from **legibility**: long line lengths, extended passages in capital letters, white type on black, small print.

BLPCN_0312_0536.RBC 03/12/2008 Rec:120

BOROUGH OF MANTON

PENALTY CHARGE NOTICE

Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005

Date of Detection: 24/11/2008

Vehicle Registration Number: **RG80506710**

Penalty Charge Notice: RG80506710

Date of this Notice: 03 Dec 2008

DO NOT IGNORE THIS NOTICE

Manton Borough Council believes that a Penalty Charge is payable with respect to the above vehicle, for the following alleged contravention:
Being in a Bus Lane (as defined in S.144(5) Transport Act 2000).
 The vehicle was seen in (Place) **STATION APPROACH (WEST TO EAST)**
 at 11:19:22 on 24/11/2008 The alleged contravention was
 noted at the time by Camera Operator RG175 who was observing real time pictures from the roadside
 camera at the time stated above. This alleged contravention is supported by video evidence.

You must either pay the Penalty Charge Notice or make representations to the Council by 07/01/2009
 Pay the Penalty Charge of £60 by 07/01/2009 IF PAYMENT OF THE PENALTY CHARGE IS RECEIVED BY THE
 COUNCIL WITHIN 14 DAYS OF THE SERVICE OF THIS NOTICE A REDUCED AMOUNT OF £30 IS PAYABLE.
 Or,
 If you believe you have valid reasons, you can make representations against paying the Penalty Charge. The Grounds
 on which you can make representations are set out overleaf. Any representations made outside this 28 day period may
 be disregarded by the Council.

**IF YOU DO NEITHER OF THESE THINGS WITHIN 28 DAYS FROM THE DATE OF SERVICE OF THIS NOTICE, THE COUNCIL
 WILL SERVE A CHARGE CERTIFICATE INCREASING THE PENALTY BY 50% TO £90. AT THAT STAGE IT WOULD BE TOO
 LATE TO MAKE REPRESENTATIONS.**

BOROUGH OF MANTON

PAYMENT SLIP

PENALTY CHARGE NOTICE NUMBER: RG80506710

DATE OF NOTICE: 03 Dec 2008

VEHICLE REGISTRATION NUMBER: **RG80506710**

RETURN ADDRESS

TO: Manton Borough Council BL
 PO Box 4649
 Worthing
 BN11 9FB

Please debit my MasterCard/Visa/Switch/Delta Card (Delete as appropriate)

Card Number

Amount £

Issue Date Expiry Date

Issue Number Name of Cardholder

Cardholders Address Postcode

Signature of Cardholder

If payment is made by post please detach this slip, complete the details above and return it with your payment to the address shown.
☐ If you require a receipt please tick the box. A stamped SAE must be enclosed.

Penalty Charge Notices from other local authorities are similarly complex.

SECTION 1: PENALTY CHARGE NOTICE
BRIGHTON & HOVE CITY COUNCIL
PO Box 4686 Worthing BN1 9GR

Section 1: The Road Traffic Regulation Act 1984 Sections 1, 2, 4 and 9 (as amended)
The Transport Act 2000 Section 144 (1), (2) and (3) (as amended)

Section 2: Payment
Penalty Charge Notice: _____
Vehicle Registration No: _____
PCN Number/Payment Due Date: _____
Amount Due: _____

Section 3: Challenge
I am not the owner of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.

SECTION 3: CHALLENGE
THE PENALTY CHARGE NOTICE (PCN) WAS INCORRECTLY ISSUED BECAUSE (tick one of the following):

☐ The contravention did not occur - Tick this box if the contravention described on the Penalty Charge Notice (PCN) did not occur, for example you parked in the correct place.

☐ I was not the driver of the vehicle at the time of the contravention - Tick this box if you were not the driver of the vehicle at the time of the contravention.

☐ I was not the registered keeper of the vehicle at the time of the contravention - Tick this box if you were not the registered keeper of the vehicle at the time of the contravention.

☐ I was not the driver of the vehicle at the time of the contravention - Tick this box if you were not the driver of the vehicle at the time of the contravention.

☐ I was not the registered keeper of the vehicle at the time of the contravention - Tick this box if you were not the registered keeper of the vehicle at the time of the contravention.

Penalty Charge Notice
THE ROAD TRAFFIC REGULATION ACT 1984 SECTIONS 1, 2, 4 and 9 (as amended)
THE TRANSPORT ACT 2000 SECTION 144 (1), (2) and (3) (as amended)

Section 2: Payment
Penalty Charge Notice: _____
Vehicle Registration No: _____
PCN Number/Payment Due Date: _____
Amount Due: _____

Section 3: Challenge
I am not the owner of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.

HOW TO PAY
By Telephone: 0845 337 1138 (24 hours/7 days a week). Have your card and PCN number ready.
By Post: Using the enclosed envelope. Cheques & postal orders payable to Oxfordshire County Council and the Penalty Charge Notice number should be enclosed in the envelope and sent to: Oxford PCN Processing Centre, PO Box 880, Oxford OX1 1TF.
In Person: Payment by cash, cheque/postal order or credit/debit card can be made in person at the following address: Oxfordshire County Council Parking Shop, Speedwell House, Speedwell Street, Oxford OX1 1NE.

HOW TO MAKE REPRESENTATIONS
You can make representations on any of the grounds listed below. Please indicate on which grounds you wish to make representations and give details supporting your representations in the space provided below. The Council will also consider any mitigation you may wish to support your representations. Your representation should be sent to: Oxfordshire County Council PCN Processing Centre, PO Box 880, Oxford OX1 1TF or email to: oxfordshire.pcn@oxfordshire.gov.uk

Penalty Charge Notice
THE ROAD TRAFFIC REGULATION ACT 1984 SECTIONS 1, 2, 4 and 9 (as amended)
THE TRANSPORT ACT 2000 SECTION 144 (1), (2) and (3) (as amended)

Section 2: Payment
Penalty Charge Notice: _____
Vehicle Registration No: _____
PCN Number/Payment Due Date: _____
Amount Due: _____

Section 3: Challenge
I am not the owner of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.

Notice to Owner - how to make representations against the Penalty Charge
If you do not think that you should have to pay this Penalty Charge, you may make representations against the Penalty Charge by going online to www.oxfordshire.gov.uk/penaltycharge or alternatively write representations or correspondence should be sent to: Local Enforcement, Leicestershire City Council, New Court, Leicester, LE1 5DT. All telephone calls please phone 0115 235555.

Section 2: Payment
Penalty Charge Notice: _____
Vehicle Registration No: _____
PCN Number/Payment Due Date: _____
Amount Due: _____

Section 3: Challenge
I am not the owner of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.
I was not the driver of the vehicle at the time of the contravention.
I was not the registered keeper of the vehicle at the time of the contravention.

The redesign

The new design uses a design pattern that's often used for complex information such as insurance documents, forms or user guides. Clear headings sit in their own space on the left, so you can read down them for the main story. Thick rules divide off the sections, so you read in short chunks. And the language is simplified to reflect what it means to people, not how the regulations are worded.

- A **clear title** says what it is, and includes the context ('bus lane'). We thought about changing the title to 'traffic fine', but we decided that 'penalty charge' is now fairly familiar as a term.
- The left hand column **tells a story in headline form**.
'Your car was photographed...'
'The penalty'
Then a choice of two actions: Appeal or Pay.
- The **penalties and deadlines are given clearly, in equivalent terms** (amount and deadline) and in terms meaningful to the recipient.
- **Actual dates** are given, not '14 days from service of this notice' (what does that mean? When it was sent or when it was received?)
- The **photographic evidence** is included, making a more convincing case and potentially reducing appeals and queries. Also reduces sense of injustice for people who were unaware of their error.
- The **payment slip** includes all the different ways to pay.
- The box around the return address is a **visual cue** that the payment slip can be used in a window envelope.

**BOROUGH OF
MANTON**

Bus Lane Penalty Charge Notice

This is an important notice. Do not ignore it. You must either pay the penalty charge or challenge it by 05 September 2013.

This Penalty Charge Notice is issued under the Bus Lane Contraventions (Penalty Charges, Adjudication & Enforcement) (England) Regulations 2005

Notice date: **06 August 2013**
Reference: **MN1234567**

Your car was photographed in a bus lane

Date of photo **03 August 2013**
Time **12.33**
Vehicle **AB51HTY**
Place **Station Approach**
Evidence **Video (operator MN175)**

You are entitled to view this. Write to us at the address below or phone us on 01234 000 0000.



The penalty	£30 if you pay by 22 Aug 2013	£60 if you pay by 05 Sept 2013	£90 if you pay later.
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How to challenge

If you wish to challenge, see the back of this form for instructions. You must contact us by 17.30 (5.30pm) on **05 September 2013**. You will not have to pay the penalty while we consider your appeal. If we refuse your challenge we will give you a new date by which you will need to pay the penalty.

How to pay

Notice date **06 August 2013**
Reference **MN1234567**

Manton Borough Council
PO Box 2323
Worthing
BN11 9XY



By phone
Call 0845 1234567 with your credit or debit card details.

By post
Send this slip with a cheque paid to Manton Borough Council, or enter your card details here. Send a stamped address envelope if you need a receipt.

Name on card	
Card number	
Start date	Expiry date
Issue number	
Address	
Signature of cardholder	

In person
You can pay by cash, cheque or card at the Civic Offices, Mon-Fri 9.30-5.30, Sat 9.30-1.00.

Online
<https://secure.manton.gov.uk/parking/>

The back: original

Packed with words, printed in long lines of small type, this is off-putting and intimidating.

- The language includes unusual terms rarely found in everyday usage: representation, mitigation, cite..
- You have to choose a code letter and write it at the bottom of the page – giving scope for mistakes. This also implies that you can only give one reason, which we believe is not the case.
- The box at the bottom right could confuse some people, if they do not realise that it is linked only to reason C.

HOW TO PAY	
Debit/Credit Cards are accepted by telephone: 0845 3108743 or alternatively complete the authorisation slip overleaf and return to the address shown.	
By Post: Using the enclosed envelope. Cheques & postal orders payable to Manton Borough Council and write the Penalty Charge Notice number shown overleaf on the reverse and attach to the payment slip. All postal payments must be sent to: Manton Borough Council BL, PO Box 4649, Worthing, BN11 9FB.	
In Person: Payment by cash, cheque/postal order or credit/debit card can be made in person at the following address: Civic Offices, Buckingham Street, Manton (Opening Hours Mon - Fri 9:00 am to 5.30 pm, Sat 9.00 am to 1.00 pm).	
Internet: You can pay the amount due online using your Debit/Credit Card at https://secure.manton.gov.uk/parking/	
HOW TO MAKE REPRESENTATIONS	
You can make representations on any of the grounds listed below. Please indicate on which grounds you wish to make representations and give details supporting your representations in the space provided below. The Council will also consider any mitigation you may cite in support of your representations. Your representation should be sent to Manton Borough Council BL, PO Box 4649, Worthing, BN11 9FB or alternatively you may make representations against this notice at the councils secure internet site https://secure.reading.gov.uk.parking/ using the PIN number overleaf.	
After we have considered your representations we will write to you with our decision. If we accept your representations we will cancel the Penalty Charge. If we do not accept them you will have a further 28 days to either pay the Penalty Charge or appeal against our decision to the independent Bus Lane Adjudicator. We will tell you how to do this when we write to you.	
A	The alleged contravention did not occur: If you believe the contravention did not happen or you believe an exemption to the regulations applies, for example you were forced to drive into the bus lane for some reason, Quote this ground.
B	The circumstances leading to the issue of the PCN are subject to criminal proceedings: You should use these grounds if the matter has been dealt with by the police or a Fixed Penalty Notice has been issued. Remember to include any supporting documentation with your representations.
C	I was not the owner of the vehicle at the time of the contravention: If you sold the vehicle before the date of the contravention, or bought it after that date, you must tell us the name and address of the person who bought it from you, or sold it to you, together with the date of exchange. You should also supply whatever evidence of the sale you may have (such as a sales receipt etc.).
D	I was not the hirer of the vehicle at the time of the contravention: If you have been elected by a car hire company as the hirer of a vehicle at the time of the contravention but you dispute this, you should use these grounds and supply any documentary evidence you have in your possession to support your assertion.
E	I was the registered keeper of the vehicle on the date of the contravention, however:
i.	We are a hire company and the hirer had signed a statement accepting liability: Please supply a copy of the signed agreement and supply the name and address of the hirer in the box below.
ii.	The vehicle was being kept by a vehicle trader: If you were not the keeper at the time of the contravention as the vehicle was being kept by a vehicle trader you should complete the box below and enclose a copy of any documentary evidence you may have.
iii.	The vehicle was being used without my consent: If the vehicle had been stolen please provide details of the police crime reference or insurance claim.
F	The Penalty Charge exceeded the amount applicable in the circumstances of the case: Quote this below if you think you are being asked to pay more than you should legally pay.
CAMERA Recording: You may request to review the recording at the Civic Centre. This request should be made in writing and a date and time will be provided for you to view the footage. Alternatively you may request a still image of the contravention to be sent to you.	
REPRESENTATION SLIP	
Enter the Ground on which you are making representation	TICK RELEVANT BOX I was not the owner/keeper of the vehicle when the PCN was issued because: I had sold the vehicle before that date ☐ I had bought the vehicle after that date ☐ I never owned the vehicle ☐
Other Representations	Name and Address of Buyer/Seller/Hirer Name _____ Address _____ _____ Postcode _____ Date of Purchase/Sale _____
(Please continue on another sheet of paper if necessary)	
I confirm the above information is correct to the best of my knowledge. I understand that making a false statement may result in prosecution and a possible fine of up to £5,000.00. Signed: _____ Date: _____	
Position in company (If applicable): _____ Name (IN BLOCK CAPITALS) _____	

The back: redesign

By moving the How to Pay information to the front, the back can focus on a single topic: the different grounds for challenging the penalty. Again, the left hand column is used to display each heading in its own space, making it easy to skim-read. It's now less intimidating, and makes it more likely people will deal with the issue quickly, rather than put it off.

- The **How to Pay** information has been shortened and moved the front, on the payment slip. It is now all in one place, rather than split between front and back.
- The various reasons have been translated into **plain English**.
- **Tick boxes** remove the need to write a code letter in the form at the bottom of the page, and allow more than one reason to be given.
- Reasons should be ordered in **order of likely occurrence** (we don't have that data, so have guessed for this mock-up).
- **Further explanation** is asked for immediately after the reason (for example, the date the car was bought or sold).
- One disadvantage: people need to send the whole form in, not just a slip, so would need to get a photocopy made. Alternatively this could be sent as a second, separate page.

If you wish to challenge	
To challenge this penalty charge, tick one or more of the possible reasons below and sign at the bottom, or write to us to explain why you think you should not pay the penalty. Send this form (or a copy) to us, together with any supporting documents, to Manton Borough Council, PO Box 4649, Worthing BN11 9FB. Or appeal online at https://secure.manton.gov.uk/parking If you wish to challenge, you must contact us by 5.30pm on 05 Sept 2013 .	
☐ I was forced into the bus lane or it did not happen	Tick here if you deny that you were in the bus lane, or if you had a good reason to be there - for example if you were forced into it for some reason. Explain your reason here. Use another sheet of paper if you need to.
☐ Someone else was driving without my consent	If the car was stolen, give us the police crime reference or details of the insurance claim.
☐ I was not the owner of the car at that time	Tell us who owned the car, and give us evidence such as the receipt for when you bought or sold the car. ☐ I bought the car after 6 Aug 2013. Give the date: ____/____/____ ☐ I sold the car before 6 Aug 2013. Give the date: ____/____/____ Name and address of the buyer/seller: _____ _____
☐ I was not the hirer of the vehicle at that time	Tick here if a hire company has identified you as the person who hired the car from them, but you deny it. Give us a copy of the hire agreement to prove when you hired the car.
☐ We are a hire company and the hirer is responsible	Give us a copy of the signed hire agreement and the name and address of the hirer.
☐ The offence is already being dealt with by the police or by a Fixed Penalty Notice	Tick here if you have been charged with a criminal offence in connection with the same event. Provide us with documents that prove this.
☐ The Penalty Charge is higher than the circumstances legally require	Give us the reasons why. Use another sheet of paper if you need to.
☐ Other reason	Explain your reason. Use another sheet of paper if you need to.
Sign here	I confirm that the above information is correct to the best of my knowledge. I understand that if I give false information I could be prosecuted and fined up to £3,000. Signed ✕ _____ Date: ____/____/____ Position in company (if relevant) _____

What does the law say?

We have checked our redesign against the regulations and, while we are not lawyers, we believe that we comply (or would be compliant with minor editing). We provide the information that is required, although we translate some of the technical wordings into plainer English. For example, instead of advising people to ‘make representations’ we use the term ‘challenge’. In our first draft we used ‘appeal’ but were advised that this has a special meaning in law.

We sent our redesign to the local authority responsible for this notice, and they took us seriously enough to send a detailed critique, largely based on the requirements of the regulations, as they saw it, to communicate in a particular way.

Official documents often reflect the wording of the regulations that they are implementing – but legislation is written for the primary purpose of defining the law precisely, not for ease of understanding. For example, when this notice uses the term ‘serve a charge certificate’ it is directly quoting from the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005.¹

There is a great deal of case law in respect to both parking and bus lanes and some of the content of Penalty Charge Notices probably has the purpose of closing loopholes or responding to court judgements. There are a number of active websites advising people who have been sent Penalty Charge Notices about their various grounds for appeal.² Much of the discussion on these sites focuses on whether local authorities have communicated unambiguously and accurately – both on street signing, and on Penalty Charge Notices. In response, local authorities may feel more secure in their judgement if they sticking closely to the original regulatory wording.

One possible response to this concern is to use a layered communication, where the same message is communicated in more than one way, reflecting its different users, occasions of use, and motivations. Many everyday document genres use a layered approach – a news report typically starts with a heading, an introduction, then the story in depth. A story about a technical issue (for example, the latest financial scandal) may additionally include a glossary explaining specialist terminology, and historical summaries.

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¹ London has its own bus lane legislation: the London Local Authorities Act 1996. Scotland has The Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011.

² for example, www.parking-appeals.gov.uk/; www.appealnow.com/; www.penaltychargenotice.co.uk/ (subscription site).

The Bus Lane Penalty Charge Notice: what the regulations say

This Penalty Charge Notice has been written in plain English, with clear design, to make it easier for you to understand the situation, and your choice of actions.

The technical notes on this page are to help you or your adviser understand how our plain English notice conforms to what the law requires, and how it follows the recommendations of the Department for Transport.

The notice is issued under the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005.

1 The regulations state that you have 28 days from the date of service of this notice, either to pay the penalty charge or to challenge it ('make representations'). Date of service is taken to be the second working day from date of posting (excluding bank holidays). We have calculated this for you and printed it here so you know which date we will regard as the deadline.

2 The alleged contravention is 'Being in a bus lane as defined in S.144(5) Transport Act 2000'. This explains the reason why we believe this alleged contravention occurred, and gives the evidence on which we base this, including the date of detection.

3 The regulations state that you have the right to see the evidence: "the recipient may, by notice in writing to the authority, request them to make available at an office of theirs specified by him, free of charge and at a time during normal office hours so specified, for viewing by him and by his representative (if any), the record of the contravention produced by the approved device pursuant to which the penalty charge was imposed; or to provide him, free of charge, with such still images from that record as, in the authority's opinion, establish the contravention."

4 £60 is the Penalty Charge. This date represents the period of 28 days from the date of service of this notice.

5 £30 represents the 50% discount allowed by the regulations if the Penalty Charge is paid within 14 days of the service of the notice (shown by the date printed here).

**BOROUGH OF
MANTON**

**Bus Lane
Penalty Charge Notice**

This is an important notice. Do not ignore it.
You must either pay the penalty charge or
challenge it by 05 September 2013.

This Penalty Charge Notice is issued under the Bus Lane Contraventions (Penalty Charges, Adjudication & Enforcement) (England) Regulations 2005

Notice date: **06 August 2013**
Reference: **MN1234567**

1

Mr Andrew Sample
12 Acacia Avenue
Manton MN3 6XY

2

**Your car was
photographed in
a bus lane**

Date of photo: **03 August 2013**
Time: **12.33**
Vehicle: **AB51HTY**
Place: **Station Approach**
Evidence: **Video (operator MN175)**

You are entitled to view this. Write to us at the address below or phone us on 01234 000 0000.



5

The penalty

£30 if you pay by **22 Aug 2013**

£60 if you pay by **05 Sept 2013**

£90 if you pay later.

7

How to challenge

If you wish to challenge, see the back of this form for instructions.
You must contact us by 17.30 (5.30pm) on **05 September 2013**.
You will not have to pay the penalty while we consider your appeal.
If we refuse your challenge we will give you a new date by which you will need to pay the penalty.

How to pay

Notice date: **06 August 2013**
Reference: **MN1234567**

Manton Borough Council
PO Box 2323
Worthing
BN11 9XY

By phone
Call 0845 1234567
with your credit or
debit card details.

By post
Send this slip with
a cheque paid to
Manton Borough
Council, or enter your
card details here. Send
a stamped address
envelope if you need
a receipt.

In person
You can pay by cash,
cheque or card at the
Civic Offices, Mon-Fri
9.30-5.30, Sat 9.30-1.00.

Online
<https://secure.manton.gov.uk/parking/>

Name on card	
Card number	
Start date	Expiry date
Issue number	
Address	
Signature of cardholder	



6 £90 represents the 50% increase in the penalty charge that may be made if at the end of the 28 day period no representations have been made, and the penalty charge has not been paid. After this date, we may take steps to enforce payment of the charge.

7 This date represents 28 days from the service of this notice. During this time representations may be made, on any of the statutory grounds of appeal against the imposition of the penalty charge. Representations made outside this 28 day period may be disregarded.

In the case of our Penalty Charge Notice, a technical layer could be provided on a separate sheet that explicitly shows how the notice conforms to regulations. For example, the statement '£60 if you pay by 5 September 2013' could be explained thus: '£60 is the Penalty Charge. This date represents the period of 28 days from the date of service of this notice'.

Bus lane and parking appeals are handled in England and Wales by the Traffic Penalty Tribunal (formerly known as the National Parking Adjudication Service). Their annual reports are refreshingly well written (entertaining, even) and pull no punches. Referring to new regulations that came into force in 2008, they comment that:

Simplification Centre

Simple Action 1: Penalty Charge Notice

8

Cornwall Council's Penalty Charge Notice is closely based on the model notice published by PATROL. Reduced from 67mm x 160mm (as published in Cornwall's guidelines, which may not have printed it at actual size)..

Cornwall Council Civil Parking Enforcement Procedures, downloaded October 2013 from www.cornwall.gov.uk.

"It must be said the Adjudicators were somewhat disappointed by the complexity of the new legislation. The new Civil Enforcement of Parking Provisions are introduced in no fewer than six sets of Regulations for England and another set of Regulations that apply for Wales. These replace what now seems simple legislation of the Road Traffic Act 1991 itself and the Adjudicators' Regulations. Furthermore, the language used in the Regulations is obtuse and confusing." (TPT 2008 page 8).¹

This 'obtuse and confusing' language cannot have helped efforts to develop clearer documents. PATROL² is the body tasked with civil enforcement of parking regulations in England and Wales. In 2008 they commissioned an independent review of parking notices³ which developed model documents which most local authorities use for parking enforcement (although they did not extend their work to bus lanes, as far as we have been able to tell).

CORNWALL COUNCIL
THE CORNWALL COUNCIL
PENALTY CHARGE NOTICE (PCN)
The Traffic Management Act 2004, s.78; Civil Enforcement of Parking Contraventions (England) General Regulations 2007; Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007

PCN No: FA00000000

Served On: 07/07/2010
by Civil Enforcement Officer: (CEO) 000
Who had reason to believe that the following contravention had occurred and that a penalty charge is now payable

(14)
Parked in an electric vehicles' charging place during restricted hours without charging

Date of Contravention: 07/07/2010 09:00
Location: Fore Street, Anytown
Vehicle Registration No: WK10 @##
Make: Ford **Model:** Focus
Tax Disc: 12345678 **Expiry:** 08/08/2010

Observed from: 0900 to: 0900

Signature:

A penalty charge of £50.00 is now payable and unless this PCN is challenged must be paid not later than 03/08/2010 that date being the last day of 28 days beginning with the date on which this PCN was served

The penalty charge will be reduced by a discount of 50% to £25.00 if it is paid not later than the last day of the period of 14 days beginning with the date on which this PCN was served (i.e. 20/07/2010)

SEE REVERSE FOR: How to Pay
How to challenge this PCN
What happens if no payment is made

Detach here **PAYMENT SLIP** Detach here

PCN No: FA00000000

Served On: 07/07/2010
Vehicle Registration No: WK10 @##
Contravention Code: 14
Parked in an electric vehicles' charging place during restricted hours without charging

If payment is made by post, please detach this slip. Complete the details on the reverse and return it with your payment.

1624 1607 1234 0000 0000

How to Pay

- By Telephone:** Credit / Debit card payments only. Automated payment line **0845 452 4538** (24 hours / 7 days a week). have the PCN Number and vehicle details ready.
- Online:** at www.cornwall.gov.uk/parkingpayments
- By Post:** using the payment slip provided to: **Parking Services, PO Box 664, Truro, TR1 9DH**. Allow 2 working days for 1st class post and 5 for 2nd class. Please do not send cash through the post. The payment is no deemed to be received until it reaches the payment office.
- In Person:** at any outlet displaying the **PayPoint** logo or at any branch of the **Post Office**

If you believe that the Penalty should not be paid and wish to challenge this PCN

- Write to: **Parking Services, PO Box 664, Truro, TR1 9DH** or
- Online at www.cornwall.gov.uk/parking.

If you are unable to write or apply online or have any other enquiry, please telephone 0300 1234 222 and we can offer advice on how to proceed.

Please quote the PCN Number, the vehicle registration and your address in all contacts.

Details of the Council's policy and approach to challenges can be found at www.cornwall.gov.uk/parking or a hard copy can be provided - all cases will be considered on their individual circumstances.

If you challenge this PCN within 14 days and the challenge is rejected the Council will usually re-offer the 14 day discount period.

If the Penalty Charge is not paid or challenged

If the penalty charge is not paid on or before the end of the 28 day period as specified on the front of this notice or successfully challenged the council may serve a Notice to Owner (NTO) on the owner of the vehicle requiring payment of the penalty charge. The owner can then make representations to the Council and my appeal to an independent adjudicator if those representations are rejected. The NTO will contain instructions for doing this. The Council will consider representations received before an NTO is issued. If you challenge a PCN but the Council issues an NTO anyway, the owner must follow the instructions on the NTO.

Further information about Civil Parking Enforcement (including PCNs and NTOs) is available online at www.patrol-uk.info or in a leaflet available from the Council.

Detach here Detach here

Please complete your details before returning this slip with your payment.

Name: Mr/Mrs/Miss/Ms
Address:
Postcode:

Make cheques or postal orders payable to Cornwall Council and write the PCN number on the reverse.

If you would like a receipt, please enclose a stamped, addressed envelope

Stephen Sauvain Q.C., who chaired the review, remarks in his foreword that:

'Over the last few months the Committee has produced a series of specimen documents which attempt to combine the essential requirements of the statutory regulations with principles of good practice and use of plain English. Inevitably conflicts have occurred between the desire to produce simple and easily understandable documents and the sometimes complex requirements of the regulations and statutory guidance.' (page 3).

Their recommended notice (left) is perhaps in plainer English than its predecessor, but many people will still struggle not only with the language, but also the lack of visual structure and the small size of type.

¹ *P is not just for parking*, Traffic Penalty Tribunal Annual Report 2007/2008, page 8. (downloadable from <http://www.trafficpenaltytribunal.gov.uk/>).

² PATROL is the mercifully short abbreviation for the Joint Committee of England and Wales for the Civil Enforcement of Parking and Traffic Regulations Outside London.

³ *Independent Committee on the Review of Parking Documentation and Notices in relation to the Traffic Management Act 2004: Report to the Parking and Traffic Regulations Outside London (PATROL) Joint Committee*. 2008 (downloadable from www.patrol-uk.info).

A technical word

The original is a template with spaces left for data to drop in. Our new design assumes a more complete and seamless data merge. That way, there are no awkward gaps, and precise dates can be merged in, instead of '14 days from the service of this notice'. This technology is very accessible, either in print centres of the sort used for direct mail or billing, or even on office PCs using Word mailmerge templates.

Learnings

Assuming our redesign works, we might look to it not just for tips about penalty charges notices, but for some general principles of information design. For example:

- Use headlines to tell a story.
- Anticipate questions (for example, by including the photo evidence).
- Group related activities together (for example, where people have ticked that they did not own the car at the time, ask for the information about who bought or sold the car immediately, not at the foot of the form).
- Explain things from the user's viewpoint (for example, the three levels of penalty charge, with deadlines).
- Use visual cues about possible responses (for example, the dotted line means 'tear off and send'; or the vertical column of tick boxes means 'choose one of these').
- Making very sparing use of visual disruption (that is, bold type, flashes, icons, etc. Here, the ✕ to help you remember to sign depends for its effect on everything around it being 'quiet').

What might we expect the effect to be?

On the general principle that people engage more accurately and quickly with documents that are approachable and comprehensible, we would expect payments to speed up, but we would also expect more informed appeals, as the process would be more transparent. Faster payments could reduce local authority income because they are charged at a lower rate,¹ but accurate appeals might be quicker to deal with, and the clearer photo evidence might mean there are fewer of them. It's not possible to say for sure without trying it.

But we think there's a more fundamental reason to communicate clearly. Literacy statistics show that a large proportion of the UK population struggle with complex information,² and both local and central government have a duty of care to their citizens. They frequently demonstrate this duty of care in the way they communicate – for example, by providing translations of key communications into other languages, and by conforming to RNIB guidelines on the legibility of type. There seems no reason why documents about civil enforcement of driving regulations should be any different.

.....

1 The guidance on parking enforcement states that 'raising revenue should not be an objective of CPE [civil parking enforcement]'.

2 According the 2011 Skills for Life Survey, 43% of the UK population have literacy skills below Level 1, the level required to cope with the Penalty Charge Notice. See 'Skill for Life Survey 2011: Headline findings', BIS Research Paper 57, Department of Business, Innovation & Skills.



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If you wish to cite this report please use the following bibliographic description:

Waller R (2014). *Penalty charge notice: a draft redesign*. Simple Action 1. London: The Simplification Centre.

The latest version may be downloaded from: www.simplificationcentre.org.uk/simple-actions

About Simple Actions

Most of us don't complain when we come across information that's poorly written or designed – for example, a mobile phone contract, an application form, or a user guide. We cope and make do, we blame ourselves for not being clever enough, we make mistakes, or if we have a choice we might just chuck it away. For one thing, it's probably not worth complaining, and we wouldn't know who to complain to anyway.

It's not obvious to everyone how to improve poor documents. A lot of everyday information could be better, but we've got used to it and assume that, like the rain, there's nothing we can do. But that's often not true, and with a little effort we can set much higher standards.

So the Simplification Centre has got together a group of volunteer information designers and writers to challenge the quality of everyday information.

They work together to take on 'orphan design projects' – those communications that no one seems to own or look after, but that really matter. Their work is published on the Simplification Centre website, where anyone can comment, or borrow the ideas under a Creative Commons license (www.simplificationcentre.org.uk/simple-actions).



One of our Simple Actions days, with a group of volunteer information designers.