

Copy of Entry in Statutory Register

Case Reference	9050026542
Appellant	Mr Frank James Freeman
Authority	Transport for London
Contravention	On a road in the charging area to which a charging scheme applies without payment of the charge
Decision Date	16 Jun 2005
Adjudicator	Mr Paul Middleton-Roy
Decision	Refused
Direction	None
Reasons	<p>The Appellant makes this Statutory declaration appeal on the ground that at the time of the contravention, the Appellant was not the registered keeper of the vehicle which is the subject of the contravention.</p>

The contravention was said to have occurred on 04 October 2004.

The Appellant submits that the vehicle which is the subject of the contravention was sold on 04 August 2004, two months prior to the contravention date.

Under the Regulations, liability for payment of a congestion charge and any subsequent Penalty Charge rests with the registered keeper of a vehicle.

Transport for London provide and rely upon evidence to confirm that the Appellant was registered with The Driver and Vehicle Licensing Agency as the 'Registered Keeper' within the meaning of the Regulations at the time of the contravention.

The Appellant has produced no evidence to the contrary to show that at the material time any other person was lawfully registered with The Driver and Vehicle Licensing Agency as the vehicle's keeper.

Transport for London invited the Appellant to provide a letter or other evidence from The Driver and Vehicle Licensing Agency confirming that he was no longer the registered keeper, however, no such evidence has been received.

On the balance of probabilities, and in the absence of any evidence from the Appellant, I am satisfied that the Appellant was the Registered Keeper of the vehicle at the time of the contravention. I find as a fact that a

contravention occurred, that the Penalty Charge Notice was properly issued and that the Appellant as the registered keeper of the vehicle is the person liable for payment of the penalty charge.

For the reasons given, I refuse the Appeal.