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**ETA Register of Appeals**

Register Kept Under Regulation 20 of the Road Traffic (Parking Adjudicators)(London) Regulations 1993, as amended or Paragraph 21 of the Schedule to the Civil Enforcement of Parking Contraventions (England) Representations and Appeals Regulations 2007, as applicable

**Case Details**

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| **Case reference** | 2220105465 |
| **Appellant** | Cathy Cross |
| **Authority** | London Borough of Hounslow |
| **VRM** | LN11OVD |
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| **PCN Details** | |
| **PCN** | NJ34336162 |
| **Contravention date** | 11 Sep 2021 |
| **Contravention time** | 16:19:00 |
| **Contravention location** | Hartington Road J/W Chiswick Quay |
| **Penalty amount** | GBP 130.00 |
| **Contravention** | Fail comply prohibition on certain types vehicle |
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| **Referral date** |  |
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| **Decision Date** | 23 Apr 2022 |
| **Adjudicator** | Sean Stanton-Dunne |
| **Appeal decision** | Appeal allowed |
| **Direction** | cancel the Penalty Charge Notice and the Notice to Owner. |
| **Reasons** | Ms Cross was scheduled for a personal hearing today but she has not attended and so the appeal is being decided on the evidence presented.  This PCN was issued for the alleged contravention of failing to comply with a prohibition on motor vehicles in Hartington Road.  I have looked at the CCTV footage and library images supplied by the Council. These show that Ms Cross' car was driven through two no entry to motor vehicles signs in Hartington Road. There is a sign attached to a post on either side of the road at the entrance to the restricted area.  I am, however, allowing the appeal because I am not satisfied that the signage was adequate to alert Ms Cross to the restricted entry.  The motorist must have sufficient time on seeing the signage to safely take evasive action to avoid contravening the restriction and I am not satisfied that such is the case at this location. This is a road where vehicles are travelling at speed and the motorist has limited time to process restrictions. It is not the same as a situation where a motorist is stopping to make a turn. Looking at the footage, there is nowhere for the motorist to turn into before passing the signs. The advance signage of “Hartington Road No Through Route Permit Holders Only” does not convey a no entry restriction and Ms Cross was not in any case seeking a through route as her car turned right at the mini roundabout. This sign is also of no assistance to a motorist who does not know the area. Roadside permit holder only signs equally do not convey a no entry restriction and might easily be mistaken for a parking restriction. |
| **Authority Response** |  |
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