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1 May 2019

Dear Lord Chancellor,

Concerns about the Traffic Enforcement Centre

I am writing to you on behalf of a group that campaigns against tolls including those on the Mersey Gateway bridge which opened in October 2017. Those tolls are of course not your concern, but the bridge has no toll booths and like the Dartford Crossing it relies on the courts to help enforce the tolls. You may be aware that this type of 'free flow' system results in the issue of numerous 'penalty charge notices'. In the case of the Mersey Gateway there is a penalty charge notice for about one in sixteen of those crossings where a toll was payable. If the PCN is unpaid then a 'charge certificate' is issued. If there is still no payment then the Traffic Enforcement Centre, based at Northampton County Court, issues an order for recovery which if not paid results in the issue of a warrant.

The latter stages of the recovery action at the Mersey Gateway Crossing did not start till towards the end of 2018. Our group has over 5,000 members and when the recovery action started various issues were raised by our members and we contacted the TEC about some cases. There are regulations that should be applied by the TEC when acting on behalf of local authorities for penalty charges and we formed the impression that these were not being followed. We have raised our concerns with the TEC and asked various questions. The TEC have either refused to answer or given answers which do not deal with our concerns. We have complained to the Information Commissioner's Office but they said it was outside their remit. We have used the Resolver service, but so far have had no proper reply. We also raised this with Robert Neill MP, the chair of the Justice Committee who recently looked at the 'Enforcement of debt', but have received no reply.

It is possible that the TEC is not answering questions because they feel that it does not need to respond to our concerns. It is also possible that the silence is to cover up incompetence and / or the regulations not being followed which might cast doubt on the legality of the recovery orders.

A copy of the questions put to the TEC is attached. We would like a response from your department, if we do not get one, then we will be making this issue public.

Yours sincerely,

John McGoldrick
Scrap Mersey Tolls

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