

**Parking Penalty Charge
Notice Debts.**

Recovery Framework.

Responsible Officer: Martin Beard, Parking Services Manager

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1. INTRODUCTION

This Framework should be read in conjunction with the Council's Corporate Debt Policy, which sets out the Council's objectives and approach to the management and collection of debt.

The Policy states the over-riding principles applying to all debt collection across the Council and is supported by a suite of 4 practical frameworks that explain the approach and procedures for collecting debts in specific areas, i.e. Council Tax, Business Rates, Sundry Accounts & Housing Benefit Overpayments; Housing Rents; Social Care client contributions and Parking Services.

2. RESPONSIBILITIES FOR THE FRAMEWORK

This Framework is intended to supplement the Corporate Debt Policy, by identifying the procedures to be applied to recovering income due from people, businesses, and service-users.

3. PROGRESSION OF CASES

Parking Penalty Charge Notices

The Council's Parking Service undertakes parking enforcement under the Traffic Management Act (TMA) 2004. The Service enforces parking contraventions in on-street and off-street locations and the issuing of penalty charge notices (PCNs) is undertaken in compliance with the Council's Parking Enforcement Policy.

The process for progression of unpaid PCNs is established in legislation i.e. the TMA.

Cases are automatically progressed by the Council's Notice Processing software (currently Parking 360 provided and externally hosted by Imperial Civil Enforcement Solutions) as follows:

If a PCN is paid within four weeks of issue then the case is automatically closed by the Parking 360 system.

If no payment is received after 28 days Parking 360 generates a request to the DVLA for details of the registered keeper of the vehicle. A Notice to Owner (NTO) is then sent via first class post as per the requirements of the TMA.

This results in: -

- a) Payment of the Penalty Charge
- b) Information as to the new keeper of the vehicle, for example if the vehicle had been sold prior to the date of contravention.
- c) If (a) the case is closed.
- d) If (b) a new NTO is generated and sent to the new keeper of the vehicle.

After four weeks of the NTO being issued and no response is received, the case progresses to Charge Certificate (CC) stage.

If no payment is received then the case is registered at the Traffic Enforcement Centre (TEC) at Northampton County Court. This is the County Court that deal with registration of all PCN debts outside London. The Council pays a debt registration fee of £9 per case to TEC. The Service is allocated a defined budget for debt registration and this is lodged with TEC each April. Batches of debts of approximately 100 in number are then registered throughout the financial year or until funds are exhausted.

A notice of debt registration is sent to the registered keeper. The notice gives details of the date, time, location, registration number of the vehicle as well as details of the amount outstanding to which the debt registration fee has been added.

For those debts remaining unpaid after 21 days, the Council applies for warrants to be issued by TEC. Those warrants are usually issued within one working day and they are then issued to Enforcement Agents for recovery of the debt.

4. CUSTOMER COMMITMENT

Council staff will always act in a customer-friendly manner, treating those who owe parking debt in a sensitive way. In cases of hardship, the Council will assist people, businesses and service-users in the development and maintenance of a realistic payment plan.

5. METHODS OF PAYMENT

Payments can be made by using the following methods:

- Debit or Credit Card payments can be made via an automated payment line on 01709 336003 or online at <https://www.rotherham.gov.uk/parking/pay-challenge-parking-ticket/1>
- Cheques (payable to Rotherham Metropolitan Borough Council) can be delivered in person to Riverside House, Main Street, Rotherham, S60 1AE or posted to Parking Services, Riverside House, Main Street, Rotherham, S60 1AE. Details of the PCN number, name and address must be provided on the tear off remittance strip at the bottom of the PCN document. Post-dated cheques are not acceptable.

6. COLLECTION & RECOVERY

The Council will identify and pursue parking debts promptly and in compliance with the timescales set by the TMA, considering the circumstances of people, businesses or service-users and their ability to pay, distinguishing between those who will not pay and those who genuinely cannot pay their debts. Where genuine hardship exists, the Council will adopt a sympathetic and reasonable approach to the collection of debt.

The Council will, where appropriate, allow for a full appraisal of the circumstances of people, businesses or service-users and work in partnership with all registered advice agencies, recognising the claims of competing creditors and the need to address the demands of priority debts.

Where appropriate, applications will be considered to suspend recovery action pending appeals or further investigation of the circumstances of people, businesses, or service-users.

Where people, businesses or service-users have engaged with an advice agency, the Council will work with that agency to ensure, wherever possible, that a positive outcome is achieved.

Where appropriate, the Council might engage the services of Debt Collection and Enforcement Agents, in line with a detailed code of practice which regularly monitors their performance.

7. STANDARDS, COMPLAINTS & WHERE TO FIND MORE INFORMATION

All services procured by the Council that charge for the collection of debt are required to comply with corporate standards of service. A list of these services can be found at:- <https://www.rotherham.gov.uk/downloads/download/7/tenders-and-contracts>

Any persons, businesses or service-users can contact the Council by several contact channels to either make a complaint, compliment, or comment about the Council's services. These channels include:-

- Completing the form at <https://www.rotherham.gov.uk/council/complain-council-services/1>
- Writing to, or emailing Parking Services, Riverside House, Main Street, Rotherham, S60 1AE.
E-mail: parkingservices@rotherham.gov.uk
- Telephoning on 01709 336003

All contacts are then managed within the Council's corporate guidelines of responding to a Stage 1 customer complaint or comment. Further details on the process, and a copy of our complaints procedure, are available on our website at:- <https://www.rotherham.gov.uk/council/complain-council-services/2?documentId=119&categoryId=20003>

For more information relating to parking debt please contact: -

Parking Services,
Riverside House,
Main Street,
Rotherham S60 1AE.
Telephone: 01709 336003
E-mail: parkingservices@rotherham.gov.uk
Website: [Parking – Rotherham Metropolitan Borough Council](#)