

# County Court Business Centre Traffic Enforcement Centre

## Applicant Correspondence User Guide

**A number of sections of the *User Guide* make reference to relevant legislation. There is no attempt within the *User Guide* to interpret specific legislation, but where statutory requirements exist these naturally take precedence over the *User Guide*.**

<b>Last Updated</b>	14.3.2014
<b>Issued Date</b>	TBC
<b>Owner</b>	John Denny
<b>Product Version</b>	5.0

## **Document Control**

### *Revision History*

Synopsis	The purpose of this document is to provide instructions for users with regards to the role of the Traffic Enforcement Centre and the authority within the correspondence process.		
Version	Date	Significant Changes	Change Owner
0.1	March 2011	First draft	R McVeigh/L Longden
0.2	May 2011	Second draft	V McCall
0.3	August 2011	Third draft	V McCall
0.4	December 2011	See embedded document of changes below:   TEC Correspondence User Guide Review 01	R McVeigh
0.5	March 2014	Single Court Act Changes	J Denny
Reference			

### *Reviewers*

Reviewer	Organisation	Role
Cid Spooner	HMCTS - CCBC	CCBC Operations Manager
Selina Forde	HMCTS - CCBC	Data Systems & Customer Contact Office Manager
Rebecca McVeigh	HMCTS - CCBC	TEC Team Leader

## Glossary

Term	Definition
TEC	Traffic Enforcement Centre
PCN	Penalty Charge Number
HMCTS	Her Majesty's Courts & Tribunals Service
CPR	Civil Procedure Rules

## Contact Details

**Traffic Enforcement Centre**  
**County Court Business Centre**  
St Katharine's House  
21-27 St Katharine's Street  
NORTHAMPTON  
NN1 2LH  
DX 702885 Northampton 7

Tel: 0300 123 1059 / 01604 619450  
Fax: 0870 324 0092  
Email general queries: xxx@xxxxx.xxx.xxx.xx  
Email data file queries : xxxxxxxx@xxxx.xxx.xxx.xx

# CONTENTS

---

---

<b>SECTION</b>	<b>TRAFFIC ENFORCEMENT CENTRE PROCESS</b>	<b>Page</b>
<b>1</b>	<b>INTRODUCTION</b>	<b>5</b>
<b>2</b>	<b>AUTHORITY TO REGISTER A PENALTY CHARGE</b>	<b>5</b>
<b>3</b>	<b>THE ROLE OF THE TRAFFIC ENFORCEMENT CENTRE</b>	<b>6</b>
<b>4</b>	<b>THE ROLE OF THE AUTHORITY</b>	<b>6</b>
<b>5</b>	<b>TYPES OF WORK</b>	<b>7</b>
<b>6</b>	<b>REGISTRATION DETAILS</b>	<b>7</b>
<b>7</b>	<b>SERVICE OF ORDERS AND REISSUE</b>	<b>7</b>
<b>8</b>	<b>GENERAL APPLICATIONS</b>	<b>9</b>
<b>9</b>	<b>RE-REGISTERING A PENALTY CHARGE</b>	<b>9</b>
<b>10</b>	<b>WARRANTS OF CONTROL</b>	<b>10</b>
<b>11</b>	<b>TRANSFERS OF ENFORCEMENT</b>	<b>10</b>
	<b>ANNEXES</b>	<b>12</b>
	(1) Standard algorithm pcn numbering system	
	(2) Revoking order	
	(3) Reissue order for recovery	
	(4) Warrant of control	
	(5) Request to transfer	
	(6) Order to extend time	

## **1. INTRODUCTION**

1.1 The Traffic Enforcement Centre (TEC), formerly known as the Parking Enforcement Centre (PEC) was established under Order 48B r (1) (a) of the County Court Rules 1981<sup>1</sup>, to put into effect procedures for dealing with work arising from the implementation of the Road Traffic Act 1991 (section 78 and Schedule 6) and the Traffic Management Act 2004 (section 82). Civil enforcement of traffic contraventions has been revised and provisions extended in London through London local authority acts. The London Local Authorities Act of 1995 and 2000 widened the 1991 act powers for civil enforcement of parking and waiting restrictions in London. Civil enforcement of bus lanes by London authorities, on the basis of camera evidence of contravention's, was made possible by the London Local Authorities Act 1996. The Transport Act 2000 included powers to enable the appropriate national authority to make regulations to enable the civil enforcement of bus lanes generally across England and Wales. The London local authorities and Transport for London Act 2003 includes powers enabling the civil enforcement of certain moving traffic contraventions by London authorities. It is based at and operates as the County Court Business Centre.

1.2 Civil Procedure Rules (CPR) 75 relates to the TEC. The TEC operates highly streamlined procedures supported by a computer system. It aims to produce and despatch an authority to issue an order for the recovery of unpaid penalty charges or warrants of control, as a result of requests received via data file, within 24 hours of receipt, where the request is received before 10am. If received after 10am, the processing of all requests will be dealt with within 48 hours.

**Note:** *The TEC cannot guarantee these targets in abnormal circumstances such as major hardware failure.*

1.3 Once authorisation to use the TEC facilities is obtained from the TEC manager, it is the responsibility of the authority to fully adhere to the user guide. Failure to do so may result in referral to the operations manager / district judge, which could ultimately result in the suspension of debt registrations.

1.4 Cheque payments for a penalty charge received from the respondent at the TEC shall be returned to the respondent as the TEC has no facility to take payments from respondents. Cash payments shall be banked by the TEC and a payable order returned to the respondent in due course.

## **2. AUTHORITY TO REGISTER A PENALTY CHARGE**

2.1 Any applicant wishing to make use of the TEC for the purposes of enforcing unpaid penalty charges under the Road Traffic Act 1991, the Enforcement of Road Traffic Debts (Amendment) Order 2001 and the Traffic Management Act 2004 shall be an authority or the authority's solicitor.

2.2 Failure to adhere to the guidelines set out in the registration details section may result in the penalty charge becoming unenforceable.

## **3. THE ROLE OF THE TRAFFIC ENFORCEMENT CENTRE (TEC)**

---

<sup>1</sup> Now Part 75 of the Civil Procedure Rules

### 3.1 Staff at the TEC will:

- Authorise the preparation of an order for the recovery of unpaid penalty charges;
- Authorise the authority to reissue these orders where the original order has not been served;
- Process statutory declarations / witness statements received from respondents on the day of receipt if received before 4pm (this deadline may not be met in exceptional circumstances);
- Produce revocation notices as per the civil enforcement and parking contraventions (England), general regulations 2007 and CPR 75.8;
- Transfer registrations to the respondents local county court for other enforcement or as a result of a court officers order or N244 (general) application;
- Authorise the preparation of warrants of control;
- Extend the time allowed for filing a statutory declaration / witness statement upon receipt of a valid request from the respondent. The maximum period that time can be extended by is one month from the end of the 36 day period.
- Process all correspondence received with 5 working days of receipt;
- Answer telephone queries;

### 3.2 Staff at the TEC will not:

- Give any advice on any procedure other than the court registration process. Court staff are not legally trained.

## **4. THE ROLE OF THE AUTHORITY**

**If after 14 days from service of the charge certificate, the charge still remains unpaid, the authority can apply to the TEC to recover the unpaid charge, as if it were payable under a county court order.**

4.1 Authorities shall not issue an order for recovery / warrant of control to the respondent before they are in receipt of the validation and authorisation reports;

4.2 Authorities shall ensure that the order for recovery along with the appropriate statutory declaration / witness statement are sent out to the respondent within 15 days of the date of registration with the TEC. They should be sent by first class post;

4.3 Authorities shall ensure that the order for recovery, statutory declaration, witness statement and warrant of control documents have been approved by the TEC if any alterations are made;

4.4 Authorities shall provide the respondent with the date of contravention upon request;

4.5 Authorities shall provide the respondent with new statutory declaration / witness statement forms and applications to file the statutory declaration / witness statement 'out of time' upon request;

## **5. TYPES OF WORK**

5.1 The TEC cannot register charges where the respondent resides outside England and Wales. Any charge registered and posted to an address outside England and Wales will not have been validly served;

5.2 Authorities that wish to transfer a registration for enforcement in Scotland must submit a Certificate of Money Provisions to be authenticated by the TEC as set out in Order 35, r5 of the County Court Rules 1981;

5.3 Respondents living on the Isle of Wight shall be treated as those in England and Wales but registrations for those living in the Isle of Man, the Channel Islands, and foreign countries, cannot be enforced (see Order 35 of the County Court Rules 1981).

## **6. REGISTRATION DETAILS**

6.1 All registrations must comply with CPR 75.3. In addition to this, the following details for the registration of an unpaid penalty charge shall be given to the TEC:

- The penalty charge notice (PCN) number, the authority identifier and a numeric suffix (to identify multiple issues of a charge certificate for the same PCN) The PCN number will contain a two letter authority identifier, a unique seven digit number and a check digit which is calculated using the standard algorithm, (annex 1).
- A global certificate, certifying that full payment has not been made and an advice note.

## **7. SERVICE OF ORDERS AND REISSUE**

**Service of orders for recovery of unpaid penalty charges must comply with CPR 75.3(c) in addition to Part 6.**

7.1 In order to calculate whether an application for the extension of time is necessary or whether a statutory declaration is 'in time', the TEC will accept valid responses from a respondent received within 36 days of the date of authorisation. The 36 day period consists of 15 days for the authority to produce and serve the statutory declaration/witness statement and 21 days for the respondent to reply. If an order for recovery is received, the TEC will use the date shown on the order;

7.2 After this period, regardless of whether a warrant has or has not been authorised by the TEC, a respondent cannot file a statutory declaration / witness statement. The respondent can instead make an application to file a statutory declaration / witness statement 'out of time' and there is no time limit for making such an application;

7.3 Please note that if it is unclear if the charge relates to the RTA or TMA, the TEC will be unable to provide the respondent with the appropriate forms;

7.4 If a valid out of time is processed, the TEC will email the authority and all enforcement action must be suspended immediately;

7.5 A copy of the application and all attached correspondence will be forwarded to the authority who then has 19 working days to respond to the application indicating whether they are going to consent to it, or oppose it;

7.6 If the authority accepts the application it will be processed by the TEC as if it had been received within time. The registration will be revoked in accordance with CPR 75.8, (annex 2) and the action will be referred back to the authority;

7.7 If the authority opposes the application within the 19 day period, the TEC will refer the case without hearing to a court officer for a decision. If the authority wishes to file a statement of case containing a statement of truth, affidavit or other evidence, this must be received by the TEC along with the notification to oppose the application. The response only relates to the reason the respondent filed the application out of time and not the original contravention;

7.8 The authority should either serve a copy of the rejection on the respondent or provide the TEC with two copies.

7.9 The TEC will serve a copy of the order on both parties. If the respondent's application is granted then the authority should inform the bailiff immediately.

### **Reissue of an order**

7.10 The authority may request the reissue of the registration at a new address. A request to reissue an order for recovery of unpaid penalty charges (annex 3) should be submitted providing a new address for service for the respondent where applicable.

7.11 The TEC will amend the date of registration and no fee will be charged. The authority will be informed of the date of reissue and the authority must amend the date on the order before serving.

**Until an order for recovery has been served, a warrant of control or transfer for enforcement cannot be requested.**

## **8. GENERAL APPLICATIONS**

8.1 Once the court officer has made an order regarding the out of time application, any party affected by it may request a review of the order. A general (N244) application form may be used within 14 days of service of the decision (CPR 75.5 (3)). There is a fee to file this application;

8.2 If a hearing is requested the TEC will transfer the case to the respondent's local court. If no hearing is requested the TEC will refer the matter to the district judge.

8.3 On receipt of a valid application, the TEC will inform the authority to suspend enforcement action. Enforcement can only re-commence if the district judge orders that the respondent cannot file a statutory declaration / witness statement. The existing warrant can then still be enforced unless expired;

8.4 The authority should send the TEC a copy of the district judge's decision once it has been made;

## **9. RE-REGISTERING A PENALTY CHARGE**

9.1 If a registration has been revoked following the filing of a valid statutory declaration / witness statement, the authority may issue a further registration for the same unpaid penalty charge at the TEC. However, the authority must ensure that:

- no appeal is pending;
- any response time allowed to a respondent for filing any documents or for payment has expired; and
- the penalty charge remains unpaid.

9.2 An authority registering an unpaid penalty charge for the second time should follow CPR 75.3. The authority must increment the numeric suffix by one to ensure that all unpaid penalty charge numbers remain unique. Each suffix must be sequentially numbered (with zero as the first suffix, followed by 1, etc.) and must be incremented each time the record is registered at the TEC for a further authorisation to be issued. A further registration fee must be paid each time an unpaid penalty charge is re-registered;

## **10. REISSUE WARRANTS OF CONTROL**

All warrant reissue requests should conform to CPR 75.7 and adhere to the format in annex 4.

## **11. TRANSFERS FOR ENFORCEMENT**

All transfer requests should conform to CPR 75.9 and CPR 75.10 and adhere to the format in annex 5.

### **Consolidation**

11.1 Where the court officer allows, the authority may combine information relating to different orders against the same respondent in any request or application made under rules 75.9 or 75.10

### **Processing the transfer application**

11.2 After processing a transfer application, the TEC will forward all necessary details to the relevant county court. The court of transfer will notify the applicant when the case has been received and will issue a new claim number by which the matter will now be identified. This claim number should be quoted on any correspondence with the court of transfer as the case cannot be traced from the penalty charge number or vehicle registration number.

11.3 The authority may then submit direct to the court of transfer the relevant application form for the enforcement process it wishes to issue, together with the appropriate fee. The court of transfer will be able to provide all necessary application forms and a list of fees upon request. If you are a frequent user you will be able to pay your fee by a Direct Debit from the 29th Sept 2014. Please contact [XXXXXXXXXXXXXXXXXXXX@XXXXX.XXX.XXX.XX](mailto:XXXXXXXXXXXXXXXXXXXX@XXXXX.XXX.XXX.XX) for further information

# **ANNEXES**

## **STANDARD ALGORITHM PCN NUMBERING SYSTEM:**

- Authorities must use a ten-character PCN identifier, as this is the DVLA format on the VQ4 enquiry request.
- The first two characters must be alphabetical.
- The next seven digits uniquely identify the PCN; giving a maximum of 10 million unique numbers.
- The final character will be a check digit calculated on a specific algorithm. The algorithm for the calculation of this check digit is given below.
- The adoption of this system by all authorities and organisations, which may come into contact with PCN numbers, will provide a means to validate the number.

### **Check digit algorithm**

The calculation is carried out on the full 9 character PCN identifier:

- convert each letter of the two letter prefix to numbers as follows:
  - A, B, C ... J become 1, 2, 3 .... 0,
  - K, L ... T become 1, 2 ... 0,
  - U ... Z become 1 .... 6
- complete the following calculation  $(ax9) + (bx8) + (cx7) + (dx6) + (ex5) + (fx4) + (gx3) + (hx2) + (ix1)$ , where 'a' to 'i' are the characters of the PCN number, in sequence
- Divide this by 11
- If the remainder from the division calculation is 10, use "A" as the check digit; otherwise use the remainder as the check digit
- If any part of the number is missing, the calculation should not be performed

**Example:** Calculating the check digit for the PCN **LR2468037**

**STEP 1** Convert the letter prefix **LR** to numbers, i.e. **28**

**STEP 2** Multiply the characters of the PCN by 9, 8 ... 1 in sequence and add together the result of each multiplication, i.e.  $(2 \times 9 = 18) + (8 \times 8 = 64) + (2 \times 7 = 14) + (4 \times 6 = 24) + (6 \times 5 = 30) + (8 \times 4 = 32) + (0 \times 3 = 0) + (3 \times 2 = 6) + (7 \times 1 = 7) = 195$

**STEP 3** Divide **195** by 11

**STEP 4** 11 goes into 195 17 times with a remainder of 8, the check digit is **8**

### **Incrementing the suffix**

Zero **must** be the first suffix. Therefore, if the local authority code is **AA**, the penalty charge number is **0000001** and the check digit is **7**, the first penalty charge registered would have the number:

**AA000000170**, the next: **AA000000171**, the next **AA000000172**, and so on, with the last number allowable as: **AA000000179**.

**ANNEX 2**

Notification that a statutory declaration / witness statement has been filed – unpaid penalty charge

To the applicant:  
LONDON BOROUGH OF ANYTOWN  
Address



Penalty charge no.                      Vehicle registration number.

The respondent filed a statutory declaration / witness statement on DD-MMM-YY  
**It is ordered that** the order for recovery of unpaid penalty charge be revoked.  
**It is further ordered that** the charge certificate be cancelled.

Respondent's name and address

Dated: DD-MMM-YY

Important note to respondent:

**This order does NOT cancel the original Penalty Charge Notice. The Local Authority may well take further action about it. The Local Authority should inform you as soon as possible if it intends to do so.**

This order is issued by:

The Traffic Enforcement Centre at  
County Court Business Centre  
St Katharine's House  
21/27 St Katharine's Street  
Northampton  
NN1 2LH

Telephone: 0300 123 1059

TE5B Notification that a statutory declaration / witness statement has been filed – unpaid penalty charge (CPR Part 75)

**ANNEX 3**

**Request to reissue an order for recovery of unpaid penalty charge**

Applicant :

Penalty Charge no:

Authority identifier :

I certify that

- 14 days have elapsed since service of the charge certificate
- full payment has not been received from the respondent(s)
- service has not been effected as the order has been returned by the Post Office

I request that the order for recovery of this unpaid penalty charge be reissued.

I confirm the respondent details :

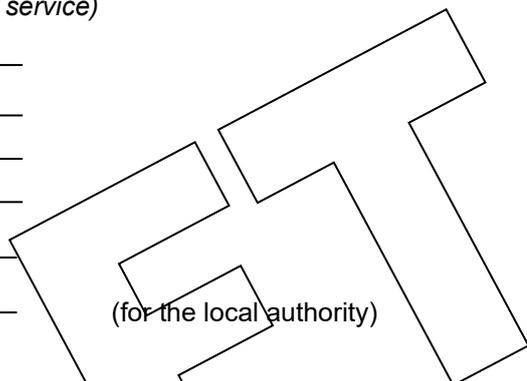
Name(s) \_\_\_\_\_  
Address(es) *(please confirm old, or specify new address for service)*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Vehicle registration no. \_\_\_\_\_

Signed \_\_\_\_\_

Dated \_\_\_\_\_



(for the local authority)

**To the Applicant:**

The seal on this document authorises the reissue of the order for recovery of the unpaid penalty charge recorded on the accompanying schedule (except for those, which have been cancelled).

**Note:** An order for recovery of an unpaid penalty charge can only be reissued where the original order has not been served. If the request for reissue is granted, you **must** amend the date on the order (PE2) to reflect the new date of issue.

Dated

SEAL

Issued by: The Traffic Enforcement Centre at County Court Business Centre, St Katharine's House, 21/27 St Katharine's Street, Northampton, NN1 2LH (Telephone: 0300 123 1059)

**ANNEX 4**

# Warrant of Control – unpaid penalty charge

Name and address of the respondent

Penalty Charge No.	
Vehicle Registration No.	
Applicant	
Location of contravention	
Date of contravention	
Amount Due (including court fee and any adjudication cost)	

**To the certificated enforcement agent**

The above named respondent has failed to pay a penalty charge registered at the Traffic Enforcement Centre at the County Court Business Centre as ordered. The Court has given authority to the above named applicant to issue this warrant to recover the sums shown.

You are instructed to seize in execution the goods, chattels and other property of the respondent authorised by law and raise there from the sums detailed above and your reasonable costs for executing this warrant listed in the Enforcement of Road Traffic Debts (Certificated Bailiffs) Regulations 1993.

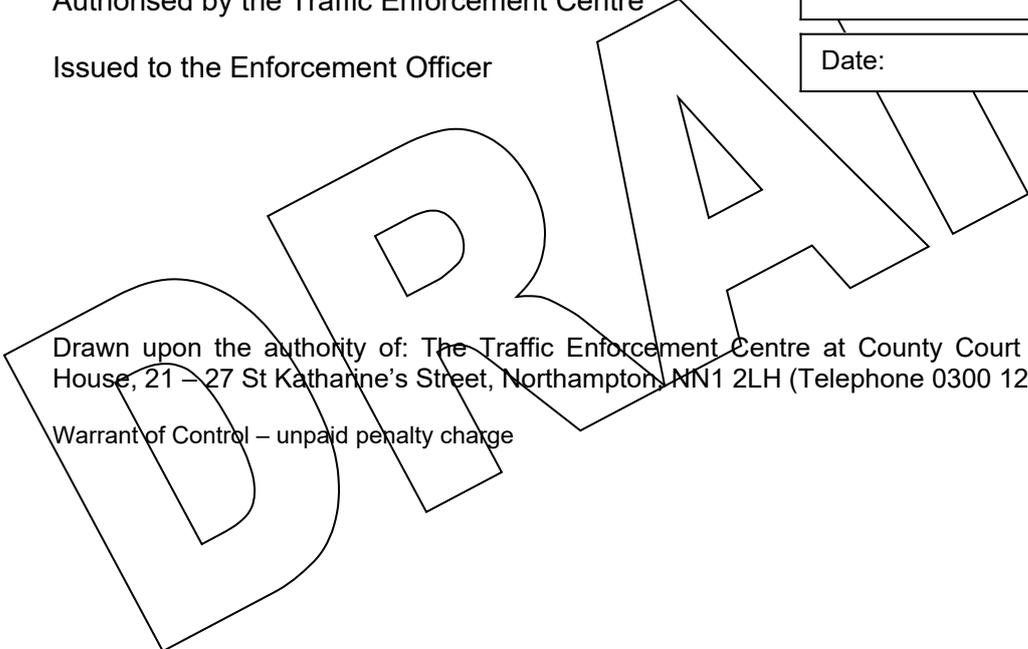
Authorised by the Traffic Enforcement Centre

Issued to the Enforcement Officer

Date:		Time:	
Date:		Time:	

Drawn upon the authority of: The Traffic Enforcement Centre at County Court Business Centre, St Katharine's House, 21 – 27 St Katharine's Street, Northampton, NN1 2LH (Telephone 0300 123 1059)

Warrant of Control – unpaid penalty charge



**ANNEX 5**

**Request to transfer to another county court for enforcement - unpaid penalty charge**

Applicant
Authority identifier

Penalty Charge no.
--------------------

Numbers of all other penalty charges to be considered ( <i>write n/a if not applicable</i> )
Please transfer to the court named below as I wish to take third party debt order/Attachment of Earnings proceedings

I certify that (*please tick appropriate box*)

<input type="checkbox"/>	the warrant of control issued on (date) expired/has been deleted/has had no relevant return ( <i>delete as appropriate</i> )
<input type="checkbox"/>	no attempt was made to enforce by execution because ( <i>give reasons, using a separate sheet if necessary</i> )

The order for recovery of unpaid penalty charge was served on the respondent on (date) and the relevant period has elapsed since service of the order on the respondent.

**Respondent details**

Name(s) \_\_\_\_\_

Address(es) \_\_\_\_\_

**Other details**

Amount of charge and fee	_____
Subsequent costs (if any)	_____
Less payment made (if any)	_____
Total due	_____

**Court to which case to be transferred**

Name of court \_\_\_\_\_ Court code \_\_\_\_\_

Address \_\_\_\_\_

Signed \_\_\_\_\_ (For local authority) Dated \_\_\_\_\_

Issued by: The Traffic Enforcement Centre at County Court Business Centre, St Katharine's House, 21/27 St Katharine's Street, Northampton, NN1 2LH (Telephone: 0300 123 1059)

TE10 - request for transfer to another county court for enforcement - unpaid penalty charge

**ANNEX 6**

Order on application to extend time limit for filing a witness statement/statutory declaration – unpaid penalty charge

The Respondent's name and address

Penalty charge no.

Vehicle registration number.

Upon reading the respondent's application

**It is ordered that** the time for filing a witness statement/statutory declaration be extended until *DD-MMM-YY*.

To the applicant:

LONDON BOROUGH OF *ANYTOWN*

Dated: *DD-MMM-YY*

This order is issued by:

The Traffic Enforcement Centre at  
County Court Business Centre  
St Katharines House  
21/27 St Katharines Street  
Northampton  
NN1 2LH

Telephone: 0300 123 1059

TE4A Order on application to extend time limit for filing a statutory declaration / witness statement – unpaid penalty charge (CPR Part 75)

