



Midland Expressway Limited
Operations Centre
Express Way, Weeford
Lichfield, Staffordshire
WS14 0PQ

Registered in England No. 2309767
Registered office as above

Midland Expressway Limited Tolling Enforcement Policy

Under clause 2.2 of the Concession Agreement between Midland Expressway Limited and the Secretary of State for the Department of Transport dated 28 February 1992, MEL is entitled to receive Tolls from road users "in accordance with the relevant toll order".

"Tolls" is defined as "tariffs to be applied to tolled traffic" and, as such, may be taken to include any applicable tariffs for late or non-payment (i.e. administration charges).

The statutory framework for the charging of tolls on the M6 Toll is set out in the following legislation:

1. the Birmingham Northern Relief Road Toll Order 1998 (the "**BNRR Toll Order**");
2. the M6 Toll (Collection of Tolls) Regulations 2003 (the "**M6 Toll Regulations**"); and
3. the New Roads and Street Works Act 1991 (the "**NRSWA**").

The key sections of the NRSWA relating to refusal or failure to pay tolls are as follows:

1. A person who without reasonable excuse refuses or fails to pay, or who attempts to evade payment of, a toll which he is liable to pay by virtue of a toll order commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale, currently £1,000.
2. Where there remains unpaid (a) a toll ... or (b) a prescribed charge ... the person authorised to charge tolls may recover from the person liable the amount of the toll or charge together with a reasonable sum to cover administrative expenses.

Midland Expressway Limited takes the non-payment of tolls very seriously and as a matter of policy will instigate legal proceedings for the recovery of the outstanding debt and administrative charges against M6 Toll users who refuse or fail to pay the toll charge(s) due.