

Tolling Enforcement Policy

Authority to Collect Tolls

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, Midland Expressway Limited (the Company) 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.

Debt Recovery Process

The Company takes the non-payment of tolls very seriously and as a matter of policy will instigate a robust debt recovery policy as outlined below.

Following any non-payment of Toll charges the Company will issue a letter requesting payment of the outstanding fees along with an administrative charge, currently set at £20. This will require payment within 7 days from the date of the letter. Further reminders may be sent by the Company, up to a maximum of four, each incurring an additional administration fee before being passed to a debt collection company for further recovery action including possible court action.

Registered vehicle keeper details on debts which remain unpaid may be made available to the Company under an agreement with the DVLA. These details will be used by the company and its approved representatives to recover amounts due.

The Company may ultimately authorise 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.

Appealing your administration charges

Midland Expressway Limited believes that they adopt a fair and robust process in relation to late payment. If you want to challenge your Payment Notice you have the right to appeal to the company. We will assess all appeals individually; the outcome of such an appeal will be considered final.

How do I start your appeals process?

The first stage of our appeal process is our Informal Resolution stage.

At MEL we pride ourselves on being approachable and welcoming; we are ready and waiting to discuss all of your M6 Toll and journey needs. If you do not agree with our charges please call our dedicated Customer Services Team on 0330 660 0790. The Customer Services Team will ensure they listen to your concerns and work with you to reach a suitable outcome for both yourself and Midland Expressway Limited.

(Q) I couldn't resolve my concerns with the Customer Services Team, what do I do now?

If, after speaking to a Customer Support Representative, you are still unhappy with the decision we have made you need to begin the formal appeals process. Please click here to download our appeals form. Please ensure all relevant sections on our appeals process form is completed. Missing or incomplete information may lead to a delay in the appeals processes.

Where ever possible please forward the completed form to customer.services@m6toll.co.uk, ensuring that the subject of the email is "APPEAL". If it is not possible to email the form to us please post it to FREEPOST M6TOLL.

(Q) I have sent my email (or letter) what now?

MEL are committed to resolving all customer queries as quickly as humanly possible. When dealing with an appeal there is often a certain amount of time needed to investigate all aspects of the case in question. Upon receipt of an emailed appeal form we are committed to providing a full and final respond to you within 5 working days. Once your appeal form is received no further fees will accrue until our final decision is outlined to you. (Please note that appeals sent by post will be responded to within 5 working days from the date of receipt at our head office, excluding any postal service delivery time of the letter to us or it's return back to you.)

(Q) I don't agree with any of the decisions you have made, including the full and final response to my appeal.

Although we do everything in our power to work with you to reach a mutually suitable outcome there are, on occasion, some circumstances whereby reaching an agreeable solution is not possible. In these cases, we would point you towards getting external advice.

The below link is for the Citizens Advice Bureau.

<https://www.citizensadvice.org.uk/about-us/contact-us/>

