

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 M6toll is set out in the following legislation:

1. the Birmingham Northern Relief Road Toll Order 1998 (the “BNRR Toll Order”)
2. the M6toll (Collection of Tolls) Regulations 2003 (the “M6Toll Regulations”)
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.

Payment Recovery Process:

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

A non-payment of a toll charge occurs when a vehicle exits the toll lane on a red traffic light. Following any non-payment of Toll charges the Company will request the vehicle’s registered keeper details from the DVLA and issue a letter requesting payment of the outstanding toll along with an administrative charge. This will require payment within 30 days from the date of travel. Registered vehicle keeper details on tolls which are 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.

If after the 30 days a payment is still outstanding the outstanding payment will be passed onto a debt collection company for further recovery action including possible court action.

If you exited the toll lane on a green traffic light and received a Payment Notice for your journey on the M6toll, you would have provided us with your contact details. On the issued payment notice, you will find your reference number. This is required in order to pay the outstanding amount. For further details please refer to the payment notice Terms & Conditions below.

<https://www.m6toll.co.uk/wp-content/uploads/2019/12/payment-notice-tcs.pdf>

The Company may ultimately authorise legal proceedings, for the recovery of the outstanding payment and administrative charges against M6toll users who refuse or fail to pay the toll charge(s) due.

The Company believes that they adopt a fair and robust process in relation to late payment. If you wish to challenge your toll charges you have the right to dispute it to the Company. We will assess all disputes individually; the outcome of such a dispute will be considered final.

How do I start a dispute process?

The first stage of our dispute process is our Informal Resolution stage. As a Company we pride ourselves on being approachable and welcoming; we are ready and waiting to discuss all your M6toll and journey needs. If you do not agree with our charges, please call our dedicated **Customer Services Team on 0330 660 0790** or email them on customer.services@m6toll.co.uk

The Customer Services Team will ensure they listen to your concerns and work with you to reach a suitable outcome for both yourself and the Company.]

Frequently Asked Questions

I could not 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, you need to begin the formal complaints process. Wherever possible please forward the reasons for your complaint along with a contact number to customercomplaints@m6toll.co.uk. If it is not possible to email then please post it to FREEPOST M6TOLL.

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

The Company is committed to resolving all customer complaints raised as quickly as possible. When dealing with a complaint there is often a certain amount of time needed to investigate all aspects of the case in question. Upon receipt of an emailed complaint we are committed to providing a full and final resolution to you within 10 working days. (Please note that appeals sent by post will be responded to within 10 working days from the date of receipt at our head office, excluding any postal service delivery time of the letter to us, or its return to you).

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

If you do not agree with your complaint's final resolution, you do have the right to appeal to the Customer Services Manager. Please send your appeal to customercomplaints@m6toll.co.uk stating the subject as "APPEAL" and outline your reasons for the appeal. The Customer Services Manager will respond to you within 5 working days of the email being received outlining a full and final response.

I do not agree with the appeal outcome.

Although we do everything in our power to work with you to reach a mutually suitable outcome there are, on occasions, 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/>