

**Order for recovery of unpaid penalty charge (Bus Lanes)**

To the respondent

address

Penalty Charge No.	pcnno
Vehicle Registration No.	vrn
Applicant	North Tyneside Council
Location of Contravention	streetname
Date of Contravention	issdateonly
Amount of charge	£ccamount
Court registration fee	£ 7.00
<b>Total amount to pay</b>	<b>£amountdue</b>

An order to recover a penalty charge has been made against you at the Traffic Enforcement Centre at the County Court Business Centre.

nodrpayby

this is the date by which you **must** either; pay the total amount shown above **or** file a statement if you believe you have grounds for not paying the charge.

**Note:** If you have a query regarding the original penalty charge, you should contact the Local Authority that issued the penalty charge.

**Paying total amount**

All payments and enquiries must be directed to this address:

**By Post** - Payment may be made by crossed cheque or postal order made payable to North Tyneside Council. Write the Penalty Charge number and your address on the reverse of the cheque/postal order. Please allow 2 working days for 1st class post and 5 for 2nd class. Send your payment to **North Tyneside Council, Team Revenue, PO Box 694, North Shields, Tyne and Wear, NE27 9AF.**

**By Telephone** - Credit or debit card payments can be made by telephone on 0345 200 0107 quoting the Penalty Charge number and your card details.

**In Person** - Payment may be made in person with cash, cheque, credit or debit card at the following Customer Service Offices:

**Whitley Bay Customer Services Office**, York Road, Whitley Bay, NE26 1AB. Office open 9.00am to 4.30pm Monday to Thursday; 9.00am to 4.00pm Friday

**North Shields Customer First Centre**, Northumberland Square, North Shields, NE30 1QU. Office open 9.00am to 4.30pm Monday to Thursday; 9.00am to 4.00pm Friday

**Wallsend Customer First Centre**, Forum House, Segedunum Way, Wallsend, NE28 8LX. Office open 9.00am - 4.30pm Monday to Thursday; 9.00am to 4.00pm Friday

**White Swan Centre**, Citadel East, Killingworth, NE12 6SS. Office open 9.00am to 4.30pm Monday to Thursday; 9.00am to 4.00pm Friday

**Online** - Payment can be made online at [www.northtyneside.gov.uk](http://www.northtyneside.gov.uk) using your Debit/Credit card.

[parkingcontrol@northtyneside.gov.uk](mailto:parkingcontrol@northtyneside.gov.uk)

**Filing a statement**

**Note:** there are only four limited grounds on which you can make a statement (see form PE3 for details). Proceedings for contempt of court may be brought against you if you make or cause to be made a false statement in any document verified by a statutory declaration without an honest belief in its truth.

If you want to file a statutory declaration - unpaid penalty charge (Bus Lanes – form PE3), you can do so by email or by post

- By email - download form PE3 from [www.hmcourts-service.gov.uk/cms/tec.htm](http://www.hmcourts-service.gov.uk/cms/tec.htm) complete form and send it to [customerservice.tec@hmcourts-service.gsi.gov.uk](mailto:customerservice.tec@hmcourts-service.gsi.gov.uk)
- By post - by completing the enclosed form PE3 and sending it to the Traffic Enforcement Centre at the address below.

If you need any help or further information on completing the form then visit [www.hmcourts-service.gov.uk/cms/tec.htm](http://www.hmcourts-service.gov.uk/cms/tec.htm)

**If you do nothing your possessions may be removed and sold to pay this charge.**

If you need more time to file a statutory declaration, you may apply using form PE2. For details on how to make an application or to discuss further please contact the Traffic Enforcement Centre on 0300 123 1059

Drawn on the authority of: Traffic Enforcement Centre, County Court Business Centre, St Katharine's House, 21 – 27 St Katharine's Street, Northampton, NN1 2LH or [tec@hmcts.gsi.gov.uk](mailto:tec@hmcts.gsi.gov.uk)

**Application to file a Statutory Declaration Out of Time (Bus Lane)**

Traffic Enforcement Centre  
Northampton County Court Bulk Centre  
St. Katharine's House  
21 – 27 St. Katharine's Street  
Northampton, NN1 2LH

Penalty Charge Number	pcnno
Applicant	North Tyneside Council
Vehicle Registration Number	vrn
Location of Contravention	streetname
Date of Contravention	issdateonly

This declaration must be sworn before a Commissioner for Oaths (e.g. a Solicitor), a Justice of the Peace (at any Magistrates Court) or an officer of your local county court before sending the declaration to the Traffic Enforcement Centre at the above address. You may have to pay a fee.

I, (full name and address of the respondent including postcode), please complete this form in BLOCK CAPITALS and in black ink.

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The above named respondent applies for leave to file a Statutory Declaration out of time.

My reasons for filing the Statutory Declaration outside the given time are as follows: (Please give full details). (Do **not** give your reasons for appeal against the original penalty charge on this form).

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**Important: Filing a false declaration knowingly and wilfully is a criminal offence under Section 5 of the Perjury Act 1911 and you may be imprisoned for up to 2 years or fined or both.**

I do solemnly and sincerely declare that the information given here is true.

Signed	Dated
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Declared at: \_\_\_\_\_ in the \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Before me \_\_\_\_\_ at\*

Commissioner for Oaths/Officer of the Court appointed by the judge to take affidavits/Justice of the Peace  
(Please delete as appropriate)

**\*The Statutory Declaration will not be accepted without a full postal address**  
**Any amendments to your forms will require them to be re-witnessed**

NOTE: If the form is not completed and sworn in accordance with the instructions above it cannot be accepted.

## Form PE3

Traffic Enforcement Centre  
Northampton County Court Bulk Centre  
St. Katharine's House  
21 – 27 St. Katharine' Street  
Northampton, NN1 2LH

Penalty Charge No.	pcnno
Vehicle Registration No.	vrn
Applicant	North Tyneside Council
Location of Contravention	streetname
Date of Contravention	issdateonly

Give full details and tick the box which applies. If your penalty charge relates to a London Borough Parking contravention you must only tick one box.

You must then have the form sworn before a Commissioner for Oaths (e.g. a Solicitor), a Justice of the Peace (at any Magistrates Court) or an officer of your local county court before sending the declaration to the Traffic Enforcement Centre at the above address. You may have to pay a fee.

I, (full name and address of the respondent including postcode), please complete this form in BLOCK CAPITALS and in black ink.

The above named respondent, declare that: (tick the box, which applies)

- ☐ I did not receive the:  
Notice to Owner (Parking contravention) or  
Enforcement Notice (Bus lane contravention) or  
Penalty Charge Notice (Moving Traffic contravention or Congestion Charging contravention)
- ☐ I made representations about the penalty charge to the local authority concerned within 28 days of the service of the Notice to Owner/Enforcement Notice/Penalty Charge Notice, but did not receive a rejection notice.
- ☐ I appealed to the Parking/Traffic Adjudicator against the local authority's decision to reject my representation, within 28 days of service of the rejection notice, but have had no response to my appeal.

My reasons are (give full reasons)

**Important: Filing a false declaration knowingly and wilfully is a criminal offence under Section 5 of the Perjury Act 1911 and you may be imprisoned for up to 2 years or fined or both.**

I do solemnly and sincerely declare that the information given here is true.

Signed:	Dated:
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Declared at: \_\_\_\_\_ in the \_\_\_\_\_

This \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

Before me \_\_\_\_\_ at\*

Commissioner for Oaths/Officer of the Court appointed by the judge to take affidavits/Justice of the Peace  
(Please delete as appropriate)

**\*The Statutory Declaration will not be accepted without a full postal address**

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## **Important Changes to Bailiff Law and Regulations from 6th April 2014**

The law relating to bailiffs changed on 6th April 2014.

The Changes:

- Bailiffs will now be known as Enforcement Agents
- There is a new fee structure
- Enforcement Agents must now follow a three stage process:

Stage 1 - Compliance.

Upon receipt of an instruction from the County Court (also known as a Warrant), the Enforcement Agent shall give the debtor a minimum of seven clear days notice that a visit will take place to take control of goods.

Stage 2 - Enforcement.

An Enforcement Agent shall attend the premises to take control of goods and undertake activities necessary prior to the removal of goods.

Stage 3 - Sale.

An Enforcement Agent shall attend the premises to either remove goods for sale, or start the preparations for sale if the sale is to take place on the premises. This stage ends when the goods have been sold or disposed of.

### **New Fee Structure**

A new fee structure has been introduced and the fees relating to the three stages above are triggered as soon as each stage begins. These are the Enforcement Agent's fees, not the Council's. The fees have been set by the central Government and will be periodically reviewed.

#### **Compliance Stage Fee £75.00**

The Enforcement Agent will charge this fee as soon as your debt is passed to them. The fee is payable for each Liability Order, so the total fee could be much more.

#### **Enforcement Stage Fee £235.00 (plus 7.5% of the value of the debt that exceeds £1,500.00).**

This fee shall be charged by the Enforcement Agent when the premises are visited for the first time.

#### **Enforcement Stage Fee £110.00 (plus 7.5% of the value of the debt that exceeds £1,500.00).**

This fee shall be charged when an Enforcement Agent attends the premises to remove goods and make preparations for the sale of goods.

These are additional fees which the Enforcement Agent may charge relating to the removal and storage of goods and locksmith's fees.

**Transitional arrangements** will apply in respect of accounts for which bailiffs have initiated action prior to 6 April 2014. In almost all cases the account reverts to the Compliance stage, the £75.00 is not payable but existing fees already incurred are payable.

### **Other Important Changes**

- The new regulations have removed the term 'bailiff'. Bailiffs are now known as Enforcement Agents.
- The terms Levy, distress and walking possession are now known as the process of 'taking control of goods'.
- An Enforcement Agent is permitted to visit your property seven days a week between 6.00 a.m. and 9.00 p.m., excluding bank Holidays and Christmas Day.
- Tools used in the course of your work may be removed by the Enforcement Agent if they have a value of more than £1,350.00.
- From receiving a case, the Enforcement Agent has 12 months in which to take control of goods. The 12 month period ends if a payment arrangement is made, but begins afresh if the arrangement is broken.
- An Enforcement Agent will give written notice to the owner or co-owner of any goods which have been taken control of.

**You can seek free advice and information from:**

**Adviceuk** at [www.adviceuk.org.uk/find-a-member](http://www.adviceuk.org.uk/find-a-member)

**National Debtline** at [www.nationaldebtline.com](http://www.nationaldebtline.com) or 0808 808 4000

**Money Advice Service** at [www.moneyadviceservice.org.uk](http://www.moneyadviceservice.org.uk) or 0300 500 5000

**Gov.uk** at [www.gov.uk](http://www.gov.uk)

**Citizens Advice** at [www.ntcab.org.uk](http://www.ntcab.org.uk) or on 0844 245 1288



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## **Guidance Notes for Completion of the Application to file a Statutory Declaration Out of Time and Statutory Declaration**

**Penalty Charge No:** Please quote your penalty charge number(s) in the top box on the right hand side. This will be 2 letters followed by either 8 numbers or 7 numbers and a letter. The TEC are unable to locate your files without it. Please ensure that your number(s) are quoted on both forms. You may state "see attached list" and attach a separate sheet quoting all numbers.

**Vehicle Registration No:** Please quote your vehicle registration that the above penalty charge relates to.

**Applicant, Location of Contravention and Date of Contravention:** This information is not needed by the TEC.

Please state the full name or company name and address in the box provided on both the Application to file a Statutory Declaration Out of Time and the Statutory Declaration. This must be the registered keeper of the vehicle and not the driver at the time of the contravention. The TEC are unable to accept a Statutory Declaration completed by a third party. If you are completing the forms on behalf of a respondent company please state this clearly on **both** forms.

On the Statutory Declaration you must indicate why you are appealing against the Order for Recovery. You must tick one of the three grounds which are listed on the Statutory Declaration. The TEC will be unable to process your application if one of the three grounds has not been indicated. The TEC will be unable to process your application if the grounds have been altered in any way. If your case relates to a London Borough Parking contravention you must only tick **one** box. If none of the three grounds apply please contact the Local Authority directly as the TEC are unable to assist you.

On the Statutory Declaration you may state any further information in the box provided or you may wish to attach separate documents relating to your penalty charge(s).

On the Application to file a Statutory Declaration Out of Time form you must ensure that you have stated specific reasons why you are completing the Statutory Declaration outside the original time limit in the box provided.

Once both forms have been fully completed you must have your signature witnessed on both forms in front of either a Commissioner for Oaths, an Officer of the Court appointed by the Judge to take affidavits or a Justice of the Peace. Please ensure that the witness has provided a full postal address. For information this service is available at your local county court, free of charge and no appointment necessary.

**Once the forms have been completed in accordance with the above instructions the TEC will be able to process your application. Any enforcement action cannot be suspended until both forms have been fully completed, returned to the TEC and processed.**

**If for any reason you amend or add any further information onto the forms after they have been witnessed, you will be required to have them re-sworn to declare that the added information is true. If this is not complied with, your forms will be returned to you.**

The completed, sworn application should be returned to the **Traffic Enforcement Centre (TEC)** , Northampton County Court Bulk Centre, St Katharine's House, 21-27 St Katharine's Street, Northampton, NN1 2LH. Alternatively you can fax the application to 01604 619505 or you may scan the documents and email the forms back to: [tec.bulkcentre@hmcts.gsi.gov.uk](mailto:tec.bulkcentre@hmcts.gsi.gov.uk)

**PLEASE NOTE: THE COURT STAFF ARE NOT LEGALLY TRAINED. IF YOU NEED LEGAL ADVICE YOU SHOULD CONTACT A SOLICITOR OR A CITIZENS ADVICE BUREAU.**