

Our ref: CRS 722,123

Your ref:

via email

██████████
Charging and Policy Team Leader
WMRCC Quinton
1 Ridgeway, Quinton
Birmingham B32 1AF

7 July 2015

Dear ██████████

FREEDOM OF INFORMATION ACT REQUEST - DART CHARGE

Thank you for your email dated 9 June 2015 under the Freedom of Information Act 2000 requesting further information about the Dart Charge system. The specific details of your request have been extracted from your email and are highlighted in bold.

1. Following a PCN, how many Written Representations have been

a. Received – For the period covering this request, I can confirm that 35,500 written representations have been received. This is around 4.2% of the Penalty Charge Notices issued over this period.

b. Considered – All representations are considered. For the period covering this request, 30,083 representations have had a decision made (with 5,417 where no decision has yet been made to date).

c. Overturned – Representations are not overturned: they are either accepted or rejected.

d. Rejected - 6437 representations have been rejected.

What are your grounds for rejecting a Written Representation?

The grounds for making a representation are listed on the back of the Penalty Charge Notice. An assessment of evidence presented in each case by the road user in support of the representation is considered and assessed on its own merits. It is on this basis representations are accepted or rejected.

2. How many transactions have moved into a 'PCN state' but the PCN has yet to be sent out to the owner?

We are actively monitoring all aspects of the PCN process and compliance and will publish data in due course, in compliance with section 22(1) of the Freedom of Information Act 2000.

3. We recently have found to be charged PCN amounts (£35 and £70) for unpaid

crossings despite the warning letter 14 day clause allowing just the RUC to be paid. We are soon to be refunded this money and DartCharge has admitted this was a fault on the system. The questions are as follows:

a. How many other people have reported this?

We do not have the data to enable us to provide an answer to this question.

b. How many other people have been charge the PCN fee when the RUC charge was only supposed to be charged?

7,424 PCNs have been identified where the charges have been paid during the discretionary warning letter period, less than 1% of the total PCNs issued.

c. What are you doing to rectify this?

The opportunity to pay the RUC only and have the penalty charges cancelled is a discretionary offer we make to road users following their first contravention. Road users who have paid a penalty charge during their discretionary period can contact us for a refund of the difference.

4. How many instances have people been charged/reported to have been charged twice for a single crossing?

The vast majority of the 20 million payments for journeys have been processed quickly and without any issues, and more than 800,000 people are now using Dart Charge accounts. There have been 21,301 instances where people have been charged/ reported to have been charged twice for a single crossing – around 0.1% of the overall payments we have processed. Wherever a customer has contacted us about this issue we have corrected it quickly, and we are applying an urgent fix to correct the others.

5. Why does your system confuse DartCharge accounts with contravention accounts allowing money to be held against a vehicle that is on an active DartCharge account?

The system does not confuse active Dart Charge accounts with Contravention Accounts. Also, money is not held against a vehicle, funds are held in accounts and vehicles can be added to that account.

Contravention accounts are created when a vehicle is detected to have used the crossing and no payment can be located for it. Contravention accounts and active Dart Charge account can co-exist in the following situations

- 1) Where the Dart Charge account has been set up after the contravention has occurred.
- 2) Where there are no funds on the active account at the time of the crossing which subsequently causes a contravention account to be created. The active account is then topped up after the contravention occurred.

- 3) When adding vehicle registration marks to an existing account and human error occurs when inputting these details. The vehicle then defaults to a contravention account after using the crossing as no payment is reconciled because of the input error.

6. Why are your systems not real-time DVLA updated? Why did it all go wrong when you tried to become real-time updated?

We access driver data in strict accordance with data protection rules and DVLA policy. For some tasks this involves accessing a live database, for others it is an offline database that is regularly refreshed. At no point did the operational functions of the Dart Charge system attempt to become real-time updated.

7. Bearing in mind that the Dart Charge system does not use real-time DVLA data how do you approach wrongly exempt vehicles (due to not being updated quickly enough) that can use the crossing for free despite the law that all vehicles have to pay the toll if not exempt?

A congestion charge replaced the toll in 2003, and we have answered your question in that context.

Some changes to a vehicle or its information can change its classification and the crossing charge rate that it is eligible for. In these cases we can update the Dart Charge systems with the new information, but also advise vehicle owners ensure that they provide correct information to the DVLA too. Monthly sample checks are carried out to ensure that the vehicle is correctly classified as exempt at the time of the crossings.

8. How much money has been taken in error from DartCharge customer's bank accounts due to a faulty top-up system?

There have been no recorded incidents where funds have been taken in error from bank accounts because of a faulty top up system.

In keeping with the spirit and effect of the legislation, all information is assumed to be releasable to the public unless exempt. We may therefore be publishing the information you requested, together with any related information that will provide a key to its wider context, via the [Gov.uk website](https://www.gov.uk).

If you are unhappy with the way we have handled your request you may ask for an internal review. Our internal review process is available at: <https://www.gov.uk/government/organisations/highways-england/about/complaints-procedure>

If you require a print copy, please phone the Information Line on 0300 123 5000; or e-mail info@highwaysengland.co.uk. You should contact me if you wish to complain.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote reference number CRS 722,123 in any future communications.

Yours sincerely

[REDACTED]

[REDACTED]

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