Government Response to Consultation about amendments to Part 75 and Practice Direction 75 of the Civil Procedure Rules about the Traffic Enforcement Centre

Background

The purpose of this technical consultation was to gather views about proposed amendments to Part 75 and Practice Direction 75 of the Civil Procedure Rules, which govern the procedures at the Traffic Enforcement Centre (TEC). The consultation was published on 9 October 2025 and ran for 6 weeks. It was published on the Civil Procedure Rules website and sent to users of the TEC, including:

- charging authorities seeking to recover outstanding sums in respect of parking and traffic penalties;
- groups representing litigants in person; and
- advice agencies who advise respondents on how to settle or pay parking notices and Orders for Recovery (OfR).

There were 15 responses to this consultation from a variety of stakeholders including: local authorities and charging authorities, the enforcement sector, the independent advice sector and private individuals.

The consultation sought views on four proposals which were designed to make the processes at the TEC more efficient and fairer for both authorities and individuals.

1. Proposal A – Out of Time Applications: requiring court officers to explain in their decision why they are accepting or rejecting an out-of-time application. Requiring any party requesting a review of the order made by a court officer to include those reasons in their application, which will be reviewed on paper unless a judge decides a hearing is needed.
2. Proposal B – Warrants of Control: removing the need to re-apply for a warrant to be re-issued if the respondent's address has changed and allowing applications to extend warrants to be made directly to the TEC.
3. Proposal C – Transferring Cases out of the TEC: streamlining the process for transferring cases out of the TEC for enforcement.
4. Proposal D – General Updates of outdated references and forms.

Summary of consultation responses

Proposal A, responses from charging/local authorities and the enforcement sector agreed with these proposals. They thought that providing more information about how decisions are made would benefit all parties and discourage respondents from making unnecessary applications to the court to review an order of the court officer, and that the right to request a court hearing was a disproportionate use of court time and a burden on charging authorities who must attend the respondent's local court.

Other consultees, whilst agreeing with the proposal to require court officers to provide reasons, raised concerns about how this would work in practice. Some noted that this proposal was dependent on charging authorities providing reasoned explanations in the first place and said that the charging authority must provide those reasons to both the respondent and the TEC. Concerns were raised about the standardised reasons that court officers currently provide to respondents, which can sometime generate confusion and lead to unnecessary applications being made to review the decisions.

The consultation responses also exposed disagreement about whether out of time applications should be refused in cases where the respondent had failed to provide evidence that they updated the DVLA of a change of address.

Some respondents disagreed with the proposal to remove the right to request a hearing when asking for a judge to review a court officer order and for all applications to be considered on the papers unless a judge directs that a hearing is needed. A concern was raised by one respondent regarding the ability of litigants in person to express themselves effectively in writing and said that hearings were sometimes necessary to allow judges to clarify the issues.

Proposal B, 13 respondents agreed with the proposal to remove the need to re-issue a warrant where the respondent's address had changed since the warrant was authorised by the TEC. They felt it would remove an administrative burden on charging authorities and the TEC. They agreed that the procedure for using a Notice of Enforcement under the Taking Control of Goods (TCoG) procedure meant that it was no longer necessary for the TEC to re-issue a warrant. They also suggested that the process had no real benefit for the respondent and often added lengthy delays to the enforcement process.

Those who disagreed with this proposal, however, were concerned that it would remove the TEC's oversight of the process. When considering whether to proceed with this proposal, the Committee noted that if a new address is provided following the registration of an OfR but before the issue of a warrant, then the OfR must be re-registered to the updated address.

Respondents from charging authorities and the enforcement sector agreed with the proposal to streamline the procedure for applying to extend the period in which to take control of goods under a warrant of control for a further 12 months. Some other consultees, however, thought that this could be unfair to respondents and may "reward inefficiency" by the enforcement sector. We note, however, that the proposal does not create a new right for charging authorities to apply to extend the time frame of a warrant.

Proposal C, some consultees reported that charging authorities are encountering an increasing number of persistent evaders for whom enforcement using the TCoG procedure is not effective. It was noted that the rules already allow for multiple cases to be transferred out of the TEC at the same time, and most consultees agreed with the proposals to make the procedure more streamlined and efficient. Two consultees disagreed, raising concerns that each OfR should be treated as a separate court order.

Proposal D, consultees agreed that the rules should be updated to remove outdated references and forms and to align terminology with the Taking Control of Goods procedure.

Reforms being taken forward

The responses to this consultation were carefully considered and have informed the following changes to Part 75 (Traffic Enforcement) procedures and Practice Direction 75 of the Civil Procedure Rules, which came into effect from 1 October 2026:

A. Out of time applications: Changes have been made to Rule 75.5A to remove the entitlement of a party to request a hearing for a review of a court officer's decision on an application to extend the time in which to file a witness statement or statutory declaration to challenge the registration of an unpaid penalty charge. This amendment provides that the matter will be determined

without a hearing unless the court otherwise directs. The aim is to reduce unnecessary hearings, but not to restrict one for those who need them.

Amendments have been made to paragraph 6.2 of Practice Direction 75 to reflect HMCTS's current practice of court officers providing reasons for rejecting out of time applications, and to provide that a district judge may refuse a request for a review where the respondent fails to address those reasons. HMCTS has updated its User Guide to require charging authorities to send their reasons for refusing an application to the respondent at the same time as they send their objections to the Traffic Enforcement Centre (TEC).

B. Warrants of control: Rule 75.7 has been amended to provide that warrants of control will remain valid where the respondent's address changes after issue, but before enforcement, provided that a new notice of enforcement is given to the respondent. This removes the requirement under Part 75 to seek reissue of the warrant following a change of address and aligns Part 75 with the general Taking Control of Goods regime.

   The Rules have also been amended to provide that applications under rule 84.5 (concerning application to extend the 12-month period permitted for taking control of goods) should now be made directly to the TEC.

C. Transferring cases out of the TEC: Changes have been made to streamline the procedures governing applications for alternative methods of enforcement. Such applications must now be sent in the first instance to the TEC, so that they may be centrally processed before being sent to the relevant court or the Civil National Business Centre, as appropriate for issue and determination. As part of that procedure, the rules provide that where an application for an alternative method of enforcement relates to more than one order for recovery, the information required by the TEC in respect of each order must be provided in the form specified in Practice Direction 75.

D. Other amendments have been made to the rule and Practice Direction including updating the terminology to align with the Taking Control of Goods Regulations 2013; and substituting the term "order for recovery" for "order" when referring to the order drawn up by a charging authority following registration by the TEC of an unpaid penalty charge, to avoid confusion with various other uses of the term "order" in Part 75.

Further details of the changes can be found in the Statutory Instrument: The Civil Procedure (Amendment No. 2) Rules 2026; in the

Explanatory Memorandum: The Civil Procedure (Amendment No. 2) Rules 2026 - Explanatory Memorandum; and in the

196th PD Update.

Updated versions of the rules and the practice direction can be found here:

CPR Part 75 – Traffic Enforcement

PD 75 – Traffic Enforcement

Updates have been made to the relevant TEC forms and guidance? to reflect these changes.