

Title of Report: Bad Debt from Car Parking Penalty Charge Notices	Officer presenting: Author: Off-Street Car Parking Officer
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1 Purpose of Report/Recommendations

- 1.1 To seek the approval of Members to write off an amount of charges incurred through Penalty Charge Notices (PCNs) that the Department for Infrastructure now considers will not be collected.

2 Background

- 2.1 Derry City and Strabane District Council currently operate 15 no paid car parks throughout the City of Derry/Londonderry and Strabane Town Centre.
- 2.2 Charges for parking offences are levied in these Car Parks by NSL on behalf of the Council and these charges are then collected by the Department for Infrastructure under an Agency Agreement with Council.
- 2.3 A number of enforcement actions are taken by the Department to recover PCN debt. These are summarised as follows:
 - Registered keeper details are obtained from the Driver and Vehicle Licensing Agency;
 - If registered keeper information is supplied, Notice to Owners issues;
 - Charge Certificate issues;
 - Notice of Enforcement of Charge Certificate issues;
 - Clamp and remove notification issues.

3 Key Issues

- 3.1 There are instances where the keeper information is not supplied, and where the vehicle is a foreign registered vehicle (non UK or ROI). In these circumstances, enforcement correspondence cannot be issued.

- 3.2 If all correspondence is issued and the PCN debt remains outstanding, the legislation provides for the debt to be recovered through clamping or by referring the debt to the Enforcement of Judgements Office (EJO).
- 3.3 The Department has referred cases to EJO before Local Government Reform. EJO action incurs additional fees and can be quite a lengthy process. There are cases where they are unable to recover PCN debts as the debtor may be, for example, bankrupt, or have no means to pay. In these cases the Department recommends writing off.

4 Financial, Equality, Legal, HR and Other Implications

- 4.1 The Department has advised that the following amounts should be written off as all possible actions have been taken to recover the Debt and that it still remains outstanding:-
- The amount of £174,813.95 from UK/ROI cases
 - Further amount of £1,890.00 for foreign vehicles
- 4.2 The majority of the charges above would have transferred from Central Government to Council under RPA, and would have been classed as Bad Debt by the Department at that date due to the age profile, and therefore it can be written off at no cost to Council.

5 Recommendations

- 5.1 To approve writing off the amount of £176,703.95 Bad Debt incurred from unpaid PCNs