

# Enforcement Operations Agreement

## Schedule 2

# Appendix 20 – Outgoing CorrespondencY :

Service Operations Directorate Transport for London 4<sup>th</sup> Floor, Palestra 197 Blackfriars Road Southwark London SE1 8NJ

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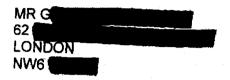
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The contents of this Appendix are intended to be illustrative examples of the type of Outgoing Correspondence. These examples are not exhaustive and their format and/or the information and data contained within is subject to change. Where one example of a category of information is provided, this does not necessarily characterise all information in that category.



# ORDER FOR RECOVERY ISSUED



05 October 2012

Dear Mr A

**Penalty Charge Notices TF** 



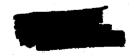
Vehicle Registration MC53

Thank you for your recent correspondence regarding the above mentioned Penalty Charge Notices for Vehicle Registration Mark MC53

Transport for London acknowledge your recent correspondence, and we can confirm that Order for Recovery's have been issued for all of the above mentioned Penalty Charge Notices on the 22/08/2012 except for Penalty Charge Notice TF523 The Order for Recovery for Penalty Charge Notice TF524 will be sent in due course.

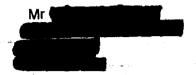
We would like to advise that if you do not follow the procedures outlined in the Order for Recovery's within 21 days of the service date of this letter the Penalty Charge Notices will be passed on to a bailiff company.

Yours sincerely



## STAT DEC- HOLDING LETTER





14 January 2013

Penalty Charge Notices

TF

TF

TF

TF

Vehicle Registration

TF

MC5

Dear Mr

Thank you for your recent correspondence regarding the above mentioned Penalty Charge Notices for Vehicle Registration Mark MC5

We are writing to inform you that we have acknowledged the Statutory Declaration received, we would like to advise you that you will now have to await the outcome.

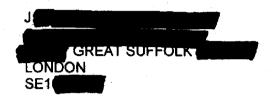
If you wish to contact the Parking and Traffic Appeals Service directly their contact details are: Parking and Traffic Appeals Service, PO Box 280 Chertsey KT16 6BW

Yours sincerely



## MULTIPLE PCN NOR





07 January 2013

Penalty Charge Notices: TF6016
Vehicle Registration: TAX

Dear Sir or Madam

Notice of Rejection

Thank you for your recent representation against the issue of the above mentioned Penalty Charge Notice(s) (PCN(s)) for Vehicle Registration Mark (VRM) TAX

In your representation you have stated that your three vehicles - TAX OU and OV1 are registered on Auto Pay. You stated that the first notification that was received by letter on 17/12/12 and this stated your Auto Pay service was closed. You added that you called on this date and cleared your balance and reopened the service. You went on to state that the failed payment appeared only once on your statement and you contacted your card issuer to be advised there was only one attempt to take payment and there was no issue with your card. You also stated that there was no other contact made by either telephone or e-mail.

Transport for London (TfL) would like to confirm that when registering for Congestion Charging Auto Pay (CCAP), you chose your preferred communication channel and to receive your account communications by post. We therefore notified you of the payment failure, suspension and closure of your CCAP by post.

The Terms and Conditions for CCAP outline the requirement for you to provide up to date registration details and your responsibilities in respect of reading all messages from Transport for London as such we cannot be held responsible for any failure on your part to comply with the said Terms and Conditions.

We should also like to take this opportunity to confirm that when registering for the CCAP service via our website, you were required to check a box to confirm that you had read, understood and accepted the Terms and Conditions for CCAP.

TfL sent you a statement via post on 20/11/12 outlining that the £253.00 due would be collected from your registered payment account on or immediately after 27/11/12.



Unfortunately this payment failed. TfL then wrote to you in a letter dated 27/11/12 confirming that payment of your CCAP had failed. As the outstanding balance was not cleared, TfL wrote to you again on 04/11/12 to confirm that your account had been suspended. This letter clarified that if you intended to travel in the zone, you must ensure the charge was paid by another method of payment or a Penalty Charge Notice would be issued. As the monies due remained unpaid we then wrote to you again on 11/12/12 to confirm that your account had been closed. We can confirm that your CCAP service was reactivated after clearing your balance by telephone on 17/12/12.

TfL consider that the PCNs were is used correctly as we had put you on notice of the payment failure, outlined how to avoid receiving PCNs and had also specifically confirmed that your CCAP was closed.

We submit that by sending the relevant e-mails to you as the account holder, by your specified communication channel, we have complied fully with the Terms and Conditions. There is no requirement in the Terms and Conditions for TfL to take any alternative steps to contact you or to prove receipt.

We would like to confirm that all monies outstanding in respect of a Customers CCAP is taken by Recurring Card Transaction. In order to set up the CCAP service a valid credit/debit card is required. All public information and the Terms and Conditions for the CCAP service outline this is the only payment method available. No mention is made by TfL that infers that a valid payment method for CCAP is direct debit, further a customer does not complete any direct debit mandates for the purposes of collecting any payment by direct debit when registering for CCAP. As the payment is taken by a recurring transaction, TfL do not make a second attempt to request a payment. TfL\*cannot be held responsible for any misunderstanding about the CCAP payment process.

Please be informed that the CCAP payment request process is fully automated including the responses which are received from the bank, or the card issuing authority. In this instance the response indicated that the payment as your card issuer had not authorised the payment.

It is therefore the keeper's responsibility to ensure that the charge is purchased where appropriate. As no charges were purchased for the VRM for the contravention dates, we believe the enforcement of the PCNs to be correct and just.

We have noted that you provided three VRMS in relation to your representation, we wish to state that we have responded to your representation against VRM OUT under separate cover and VRM OVER has not incurred any PCNs to date, however, the regulations governing Congestion Charging do not stipulate a timeframe within which TfL is required to issue PCNs after a contravention however where ever possible TfL do aim to issue PCNs within a reasonable time and any delays in issuing a PCN do not amount to a statutory ground of representation.

When considering representations and appeals, TfL fully consider all the circumstances including any mitigating factors presented and whether it would be appropriate to apply our discretion over the enforcement of these PCNs. In this instance TfL have made the decision not to exercise that discretion. TfL do not consider that the mitigating factors present give reason to cancel these PCNs because we had put you on notice of the

payment failure, outlined how to avoid receiving PCNs and had also specifically confirmed that your CCAP was closed. It is clear that the PCNs have been correctly issued and their enforcement was legally valid.

We have to advise you, therefore, that grounds for representation have not been established and this letter is issued as a formal Notice of Rejection under the Road User Charging (Enforcement and Adjudication) Regulations 2001 (as amended).

You should now make payment for the outstanding Penalty Charge Notices. The amounts owed are listed at the foot of this Notice. Please note that those Notices should be paid within 14 days to qualify for this discounted sum. These Notices will increase to the full amount if not paid and these should be paid within 28 days.

To pay via the internet (using a credit/debit card) please visit our website at www.cclondon.com/paypenalty. Please have your Penalty Charge Notice number(s), Vehicle Registration Mark and your credit/debit card available.

To pay via our Enforcement call centre (using a credit/debit card) please telephone 0333 200 1000 where you can use the automated telephone response system to pay the Penalty Charge(s) at any time. Alternatively you may speak to a representative during its opening hours of 08:00-20:00 Monday to Friday or 09:00-15:00 on Saturday; it is closed on Sundays and Bank Holidays. Please have your Penalty Charge Notice number(s). Penalty Charge Notice payment reference number(s) and your credit/debit card available (Please note that calls may be monitored or recorded for administration purposes).

Alternatively, you may pay by post by tearing off the payment slip(s) at the bottom of the relevant enforcement notice(s) and completing the required details to pay by using credit/debit card, cheque or postal order. All cheques and postal orders should be made payable to 'Congestion Charging London' and be crossed and endorsed 'Account Payee'. Write the Penalty Charge Notice number(s) on the reverse of your cheque or postal order. Do NOT send cash through the post. Please send your payment to Congestion Charging, PO Box 4783, Worthing, BN11 9PT.

You may appeal to the Parking and Traffic Appeals Service, an independent adjudication service, against this decision on specified grounds within 28 days of the date of service of this letter. The adjudicator will consider your appeal and make an independent decision, which Transport for London will comply with. You should be aware that in prescribed circumstances, the Adjudicator may award costs against you if the appeal is considered frivolous or vexatious or that the conduct in making, pursuing or resisting the appeal was wholly unreasonable. Equally costs may be awarded against Transport for London if the adjudicator considers that the disputed decision was wholly unreasonable.

If you wish to appeal to the Parking and Traffic Appeals Service, please read, complete, sign and send the attached form within 28 days of the date of service of this letter to Parking and Traffic Appeals Service, PO Box 280 Chertsey KT16 6BW

If you do not follow any of the prescribed actions within 28 days of the date of service of this letter, a Charge Certificate will be issued. This increases the charge by 50% of the

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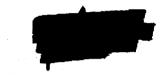
original amount. If the increased Penalty Charge Notice is not then paid, then Transport for London will apply to the County Court to recover the charges which will incur a further charge of £7 per Penalty Charge Notice.

#### **PCN Number**

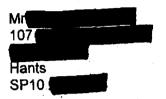
#### **Outstanding Balance**

TF60	£60.00 £60.00 £60.00
TF60	£60.00

Yours faithfully







NON CONTEST.

3rd December 2012

Dear Mr Curran

Penalty Charge Notice Vehicle Registration

TF52 WL57

Appeal Non Contest Notification

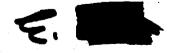
Case Number: 912000

We have recently received notification of your appeal against the above-mentioned Penalty Charge Notice for Vehicle Registration Mark WL57 from the Parking and Traffic Appeals Service.

We have reviewed the issue of the Penalty Charge Notice and the handling of your representation. As a result it has come to our attention that an administrative error occurred in the processing of your representation, therefore we will not be contesting this case.

As a result the Penalty Charge Notice has been cancelled and no further action will be taken against this Penalty Charge.

Yours sincerely





# Third Party Authorisation

Mr lan

I IVIA

06 May 2011

Penalty Charge Notices: TF

Vehicle Registration

: FG6

Dear Sir or Madam

**Authorisation Request** 

Thank you for your recent correspondence against the above-mentioned Penalty Charge Notice for Vehicle Registration Mark FG60

Due to the Data Protection Act (1998) we are unable to process this correspondence as it is not from the registered keeper of the vehicle.

We will be happy to correspond with you directly if the registered keeper sends in written authorisation allowing you to act on their behalf. This information should be sent to: Congestion Charging, PO Box 4783, Worthing, BN11 9PT.

A letter has also been sent to the registered keeper of the vehicle asking them to send in authorisation allowing you to act on their behalf.

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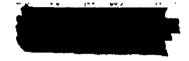
-In Confidence-

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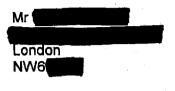
They have been informed that they have 21 days to provide authorization for you to act on their behalf and enable Transport for London to consider the representation, already received from you. If we do not receive the authorization from the registered keeper the representation will be treated as invalid. Enforcement of the Penalty Charge Notice (PCN) will continue and liability for payment of the PCN will remain with the registered keeper.

Yours faithfully



### LATE - INVALID





Dear Mr

19 June 2012

Penalty Charge Notices: TF52



Vehicle Registration:

Late Representation Notice

Thank you for your recent correspondence against the above-mentioned Penalty Charge Notice(s) for Vehicle Registration Mark MC53

Our records show that the Penalty Charge Notices were issued between 15.12.11 to 06.02.12. The Notices required payment of the Penalty Charges or the receipt of a representation within 28 days of the date of service of the Penalty Charge Notice. Your correspondence concerning these Penalty Charge Notices was not received until after the 28 days had elapsed.

Whilst we have considered if mitigating circumstances would allow us to consider the representation as if it were in time, we must inform you that on this occasion we cannot consider your representation.

You must pay the outstanding balance(s) for each Penalty Charge Notice within 14 days. The current amount outstanding for each Notice is listed in the table below.

To pay via the internet (using a credit/debit card) please visit our website at www.cclondon.com/paypenalty. Please have your Penalty Charge Notice number(s), Vehicle Registration Mark and your credit/debit card available.

To pay via our Enforcement call centre (using a credit/debit card) please telephone 0333 200 1000 where you can use the automated telephone response system to pay the Penalty Charge(s) at any time. Alternatively you may speak to a representative during its opening hours of 08:00-20:00 Monday to Friday or 09:00-15:00 on Saturday; it is closed on Sundays and Bank Holidays. Please have your Penalty Charge Notice number(s), Penalty Charge Notice payment reference number(s) and your credit/debit card available (Please note that calls may be monitored or recorded for administration



#### purposes).

Alternatively, you may pay by post by tearing off the payment slip at the bottom of the relevant enforcement notice and completing the required details to pay by using credit / debit card, cheque or postal order. All cheques and postal orders should be made payable to 'Congestion Charging London' and be crossed and endorsed 'Account Payee'. Write the Penalty Charge Notice number(s) on the reverse of your cheque. Do NOT send cash through the post. Please send your payment to: Congestion Charging, PO Box 4783, Worthing, BN11 9PT.

If the penalty charge is not paid, then Transport for London will apply to the County Court to recover the charges which will incur a further charge of £7 per Penalty Charge Notice. You will then be sent an Order of Recovery of the charge and will have the opportunity to make a statutory declaration.

#### **PCN Number**

#### **Outstanding Balance**

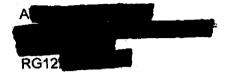
TF523	£180.00
TF52	£180.00(
TF52436	£180.00°
TF524	£180.00
TF525	£180.00 ,
TF525	£180.00
TF525	£180.00
TF526	£180.00
TF529	£180.00
TF529	£180.00
TF5298	£180.00
TF53	£180.00
TF5304	£180.00
TF5307	£180.00
TF5310	£180.00
TF53109	£180.00
Total Outstanding:	£2,880.00
·	,

Yours sincerely





### NOA.



02 October 2012

Dear Sir or Madam

Penalty Charge Notice Vehicle Registration

F56

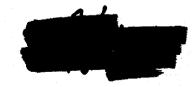
Notice of Acceptance

Thank you for your recent representation against the issue of the above mentioned Penalty Charge Notice(s) for Vehicle Registration Mark FT1

We are pleased to inform you that following a review of the issue of the Penalty Charge Notice(s) and the circumstances and points you have raised your representation has been accepted. It is recognised that you represent a vehicle hire company and that the liability of this penalty charge should be transferred to the hirer. The Penalty Charge Notice will be reissued to the hirer as detailed on the hire agreement you provided.

No further action will be taken against you in respect of the above-mentioned Penalty Charge Notice(s). Transport for London reserve the right to reissue the Penalty Charge Notice(s) to you.

Yours faithfully





## Reissue

Nottingham

31 August 2011

Re PCN References TF	,TF	"TF	
TF/	,TF	2,TF	212,
TF≮	,TF4	TF	
Vehicle Registration FG6	•		

#### Dear Sir or Madam

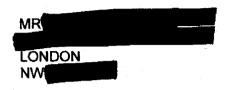
TfL must inform you that we have received information which demonstrates that the above VRM is subject to a long term lease agreement, and not actually sold. This is therefore not sufficient to allow for the transfer of liability to the party you nominated as the purchasers of the vehicle in a previous representation. As a consequence, a decision has been taken to transfer liability away from this party and to reissue the above PCNs back to you.

We must add that any payments made for the PCNs will be refunded to the party which made the payments.

Yours sincerely

## INVALID REP





17 September 2012

Dear Mr

Penalty Charge Notices TF529

Vehicle Registration MC53

Thank you for your recent correspondence regarding the above mentioned Penalty Charge Notices for Vehicle Registration Mark MC53

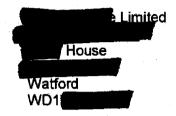
We have reviewed your subsequent correspondence and consider that no additional information or evidence has been provided since our original decision notified to you on 11/05/2012. Having already considered our position we see no reason to change it and our original decision stands. A copy of our original decision is enclosed. This outlined the position of the Penalty Charge Notices and the options available to you.

Yours sincerely





## FURTHER EVIDENCE REQUEST



20 January 2012

Dear Sir or Madam

**Penalty Charge Notice** 

TF52

Vehicle Registration

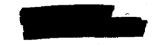
**FJ5**(

Thank you for your recent representation against the issue of the above mentioned Penalty Charge Notice for Vehicle Registration Mark FJ5

You have indicated in your representation that the above-mentioned vehicle was on hire to Spira Projects Ltd, however, to assist us to process your representation we would be most grateful if you would provide us with additional evidence such as a copy of a valid hire agreement between yourselves and Spira Projects Ltd.

For us to reconsider this evidence we must receive it within 21 days of the date of service of this letter. It should be sent to Congestion Charging, PO Box 4783, Worthing, BN11 9PT.

Yours faithfully





## RE-19SUE PCN

STAT DEC

Mr.

MA

House
 Avenue

London

23 November 2012

Dear Sir or Madam

**Penalty Charge Notice** 

TF

Vehicle Registration

LS1;

Notification of Penalty Charge Notice (PCN) to be reissued:

Transport for London (TfL) have received notification from the Traffic Enforcement Centre (TEC) that a Statutory Declaration has been made by you against the above unpaid PCN on the grounds 'I did not receive the PCN (notification of the penalty charge). TfL will be re-issuing this PCN under separate cover. The PCN will include full details about how to either pay the PCN or make a representation should you have grounds to do so. If you wish to make a representation against the reissued PCN, this must be received within 28 days of the date of the reissued notice.

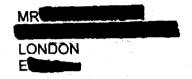
If you paid the bailiff before making your Statutory Declaration Out-of-Time, you may be eligible for a refund of the monies you paid to cover the bailiff's fees. If you believe you are eligible for a refund of bailiffs fees and have not received such a refund you should write to TfL enclosing a copy of this letter, a copy of the receipt the bailiffs gave to you and quoting the PCN number. Failure to pay within 28 days of the date of the reissued PCN will result in the issue of a Charge Certificate, which increases the outstanding amount of each PCN by a further 50%. If the payment is not received within 14 days of the issue of the Charge Certificate, TfL will apply to the County Court to recover the outstanding amount(s), which will incur a further charge of £7.00 per PCN.

Yours sincerely

. .



# NOR - SINGLE PCN.



28 December 2012

Dear Mr

Penalty Charge Notice Vehicle Registration

TF59 OV5

Notice of Rejection

Thank you for your recent representation against the issue of the above mentioned Penalty Charge Notice (PCN) for Vehicle Registration Mark (VRM) OV5

In your representation you state that on the date of contravention you were taking a relative to Moorfields Eye Hospital for an emergency operation. You mention that your wife checked the website and it stated that the Fiat 500 was Congestion Charging exempt and therefore no payment was required.

Transport for London (TfL) can confirm that on the 7th December 2012, we sent you a letter requesting additional evidence such as a letter on headed paper from the Hospital confirming the emergency hospital operation on the date of contravention. We also required a copy of your V5c registration document to assist us further. For us to reconsider your representation, we had given you 21 days from the date of service of that letter to send the correspondence to TfL.

Whilst we acknowledge the hospital letter that you have provided, we would like to point out that the letter confirms an appointment was made for the 12th November 2012 and the letter is dated 24th September 2012. We would like to advise you that Moorfields Eye Hospital, 162 City Road is inside the Congestion Charging Zone. Therefore, knowing you would be visiting the area, TfL feel that you had an obligation to ensure that you were able to comply with the regulations of the scheme. This includes being aware of the requirement to make payment of the daily charge and the area covered by the Congestion Charging Scheme.

Please note that the Alternative Fuel Vehicle Discount is now closed to new applications. The Alternative Fuel Discount provided 100% discount to vehicles powered by an alternative fuel. However, some benefits of alternative fuels have now been outpaced by technological developments in other vehicles. This means some new vehicles that would not have qualified for the Alternative Fuel Vehicle Discount have better environmental performance than some vehicles that did qualify.

The Greener Vehicle Discount (GVD) was introduced by TfL on 4th January 2011. All new passenger vehicles that are registered after 1st January 2011, which emit 100g/km or less of CO2 will be of Euro 5 standard and therefore eligible to register for the 100% Greener Vehicle Discount.

Certain vehicles registered before this date will also meet the Euro 5 standard, and those vehicles are shown under the eligible vehicle list on our website.

Following a review of your V5c registration document, we can confirm that your vehicle emits 118g/km of CO2 and therefore does not meet the criteria for GVD registration.

Therefore, as the vehicle does not meet the strict criteria for GVD registration, it is not entitled to any discount from the charge, and payment was required on the date in question in order to avoid the issue of the PCN.

It is the registered keeper's responsibility to ensure the charge is purchased for the use of a vehicle on a road in the charging area to which a charging scheme applies.

TfL has made every effort to ensure that purchasing the charge is both easy and convenient for anyone wishing to travel within the zone in charging hours. The Congestion Charge can be purchased in several ways. These include, by telephone through the contact centre on 0845 900 1234, online at www.cclondon.com, by mobile phone text messaging (if registered with TfL) or through various retail outlets displaying the epay logo.

The charge can be purchased up to 90 days prior to, or by midnight of the day of travel for £10.00, or can be purchased by midnight of the following charging day for £12.00, but only through the contact centre on 0845 900 1234 or online at www.cclondon.com

If you were unsure if payment was required, you could have contacted the call centre on 0845 900 1234 or visited the website at www.cclondon.com.

As no discount or charge was in place for the date of contravention, we can confirm that the PCN was issued correctly.

When considering representations and appeals, TfL fully consider all the circumstances including any mitigating factors presented and whether it would be appropriate to apply our discretion over the enforcement of the PCN. In this instance TfL have made the decision not to exercise that discretion. TfL do not consider that the mitigating factors present give reason to cancel the PCN because no discount or charge was in place for the date of contravention. It is clear that the PCN has been correctly issued and its enforcement was legally valid.

We have to advise you, therefore, that grounds for representation have not been established and this letter is issued as a formal Notice of Rejection under the Road User Charging (Enforcement and Adjudication) Regulations 2001 (as amended).

You should now make payment for the outstanding Penalty Charge Notices. The amounts owed are listed at the foot of this Notice. Please note that those Notices should be paid within 14 days to qualify for this discounted sum. These Notices will increase to the full amount if not paid and these should be paid within 28 days.

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To pay via our Enforcement call centre (using a credit/debit card) please telephone 0333 200 1000 where you can use the automated telephone response system to pay the Penalty Charge(s) at any time. Alternatively you may speak to a representative during its opening hours of 08:00-20:00 Monday to Friday or 09:00-15:00 on Saturday; it is closed on Sundays and Bank Holidays. Please have your Penalty Charge Notice number(s), Penalty Charge Notice payment reference number(s) and your credit/debit card available (Please note that calls may be monitored or recorded for administration purposes).

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If you wish to appeal to the Parking and Traffic Appeals Service, please read, complete, sign and send the attached form within 28 days of the date of service of this letter to Parking and Traffic Appeals Service, PO Box 280 Chertsey KT16 6BW

If you do not follow any of the prescribed actions within 28 days of the date of service of this letter, a Charge Certificate will be issued. This increases the charge by 50% of the original amount. If the increased Penalty Charge Notice is not then paid, then Transport for London will apply to the County Court to recover the charges which will incur a further charge of £7 per Penalty Charge Notice.

**PCN Number** 

**Outstanding Balance** 

TF5

£60.00

Yours sincerely





## Third Party Reject

& Heating Ltd

B 4a ^---

06 May 2011

Penalty Charge Notices: TF

Vehicle Registration : FG60

Dear Sir or Madam

Please be advised that we have recently received correspondence regarding the above Penalty Charge Notices.

Due to the Data Protection Act (1998) we are unable to process this correspondence as it is not from you, the registered keeper of the vehicle.

We will be happy to correspond with a third party directly if you send in written authorisation allowing them to act on your behalf. This information should be sent to: Congestion Charging, PO Box 4783, Worthing, BN11 9PT.

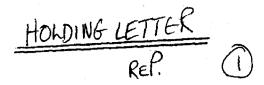
If you wish to make a representation regarding the above mentioned Penalty Charge Notices please write to us detailing the grounds and circumstances you wish to raise and include any relevant supporting evidence. Please send this information to: Congestion Charging, PO Box 4783, Worthing, BN11 9PT.

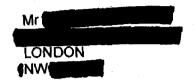


You have 21 days from the date of service of this letter to provide authorization for Transport for London to consider the representation, already received from the third party, as if it was from you, the registered keeper of the vehicle. If we do not receive authorization within this period the representation will be treated as invalid and enforcement of the Penalty Charge Notice will continue. As the registered keeper of the vehicle you will remain liable for full payment of the outstanding amount.

Yours faithfully







21 February 2012

Dear Mr

**Penalty Charge Notice** 

TF53

Vehicle Registration

Thank you for your recent correspondence against the above-mentioned Penalty Charge Notice(s) for Vehicle Registration Mark MC53

We are writing to inform you that we are currently processing your request and will contact you if we require further information.

If you need to contact us in the meantime please telephone the call centre on 0333 200 1000 or visit our website at www.cclondon.com.

Yours sincerely

**Enforcement Operations** 

-In Confidence-

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